

# Waimakariri District Council

# Agenda

Tuesday 8 November 2022

8.30am

Council Chambers

215 High Street

Rangiora

**Members:**

Mayor Dan Gordon

Cr Neville Atkinson

Cr Al Blackie

Cr Robbie Brine

Cr Brent Cairns

Cr Tim Fulton

Cr Jason Goldsworthy

Cr Niki Mealings

Cr Philip Redmond

Cr Joan Ward

Cr Paul Williams

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The Mayor and Councillors

**WAIMAKARIRI DISTRICT COUNCIL**

A meeting of the **WAIMAKARIRI DISTRICT COUNCIL** will be held in **THE COUNCIL CHAMBER, RANGIORA SERVICE CENTRE, 215 HIGH STREET, RANGIORA**, on **TUESDAY 8 NOVEMBER 2022** commencing at **8.30am**.

Sarah Nichols  
GOVERNANCE MANAGER

Recommendations in reports are not to be construed as  
Council policy until adopted by the Council

**BUSINESS**

Page No

1. **APOLOGIES**

2. **CONFLICTS OF INTEREST**

*Conflicts of interest (if any) to be reported for minuting.*

3. **ACKNOWLEDGEMENTS**

4. **CONFIRMATION OF MINUTES**

4.1 **Minutes of a meeting of the Waimakariri District Council held on 27 October 2022**

10 - 15

*RECOMMENDATION*

**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 27 October 2022.

**MATTERS ARISING (FROM MINUTES)**

## 5. REPORTS

### 5.1. Obligations Regarding Chlorination of Public Water Supplies – G Cleary (General Manager Utilities and Roding), K Simpson (3 Waters Manager), and C Roxburgh (Water Asset Manager)

16 - 24

#### *RECOMMENDATION*

**THAT** the Council:

- (a) **Receives** Report No. 221013178519.
- (b) **Notes** that the Water Services Act (WSA) requires a residual disinfectant (chlorine) in all its water supplies from 14 November 2022, both directly via Section 31 of the Water Services Act for all supplies unless an exemption is obtained, but also via the Drinking Water Quality Assurance Rules for any supply that doesn't have an alternative mechanism to provide bacterial treatment such as UV disinfection.
- (c) **Notes** that there is a process currently underway where all the Council's urban and on-demand supplies have applied for exemptions to having a residual disinfectant (chlorine), and that assessment of these applications is currently underway with Taumata Arowai, but that it is unlikely any of these assessments will be complete by the 14 November deadline when the WSA requirements taken effect.
- (d) **Notes** that given the ongoing assessment, discussions have been held with Taumata Arowai in relation to the implications of the Water Services Act, and it has been agreed a pragmatic approach could be taken to allow a programme of works towards compliance be agreed and implemented over the coming 12 months, taking into account the residual disinfection (chlorine) exemption application process that is still underway.

#### *Either*

- (e) **Approves** the introduction of temporary chlorination across the currently unchlorinated supplies of Rangiora, Kaiapoi, Woodend, Waikuku Beach, Oxford, and Cust commencing from 14 November through to 21 November to comply with the Water Services Act requirements regarding chlorination, until exemptions and compliance has been obtained.

#### *Or*

- (f) **Instructs** staff to continue to operate its normally unchlorinated supplies as they are now, while working with Taumata Arowai on an agreed pathway towards compliance taking into account the outcome of the residual disinfection exemption application assessments that are underway at present.
- (g) **Approves** the programme towards compliance to be agreed with Taumata Arowai (as referred to above) to include bringing forward all the UV disinfection upgrades on the currently unchlorinated schemes into the 2023/24 financial year, and also the introduction of additional *E. coli* samples over and above existing levels.
- (h) **Notes** that there is infrastructure in place to implement emergency chlorination at short notice in response to any test results or

operational issues that are considered by staff to be a potential risk to drinking water safety and that staff will implement chlorination as part of the response to any potential event they deem necessary.

*And*

- (i) **Notes** that whether chlorine is or isn't introduced in response to the November 2022 deadline, the Council will still not be fully compliant with the new Drinking Water Quality Assurance Rules, as there are a series of other upgrades (not related to chlorination) that are underway or required in response to the new Rules that were issued in July 2022.
- (j) **Notes** that the risk profile of these supplies has not changed. The law has changed and perceptions and appetite for risk have changed, but the supply risk level has not.
- (k) **Notes** that the Council has taken numerous opportunities to express the views of its communities with respect to chlorination and the community desire for water supplies to be free of chlorine wherever possible, the Mayor and Manager Utilities and Roading submitted on these points to the Government's select committee, as part of the Water Services Act consultation period, and attended meetings with the Taumata Arowai Chief Executive to reinforce these community views.
- (l) **Notes** that news stories have been published by Council throughout the year to raise general community awareness of the need to chlorinate water supplies if exemptions are not gained, and that further targeted communications will take place following the adoption of this report to update the community on the next steps.
- (m) **Circulates** this report to the Community Boards for their information.

## 5.2. Appointment of Standing Committee Members and Chairs of Standing Committees of Council – Mayor Dan Gordon

25 - 29

### *RECOMMENDATION*

**THAT** the Council:

- (a) **Receives** report No. 221025185070.
- (b) **Notes** under section 41A of the Local Government Act, the Mayor has the power to establish Committees of the Council and to appoint the Chairperson of each Committee and may make the appointment before the other members of the Committee are determined and may appoint him/herself.
- (c) **Notes** Mayor Gordon is ex-officio on all Committee and sub-committees of the Council pursuant to the Local Government 2002 Act.
- (d) **Establishes** the Hearings Committee for Hearings, other than RMA Hearings;
- (e) **Appoints** Councillors Atkinson, Blackie, Brine, Cairns, Fulton, Goldsworthy, Mealings, Redmond, Ward and Williams to the Hearings Committee.

- (f) **Establishes** the Chief Executive Review Committee.
- (g) **Appoints** Mayor Gordon, Deputy Mayor Atkinson, Councillor Brine, Councillor Redmond and Councillor Ward to the Chief Executive Review Committee.
- (h) **Establishes** the Mahi Tahī Joint Development Committee.
- (i) **Appoints** Mayor Gordon, Deputy Mayor Atkinson and Councillor Mealings to the Mahi Tahī Joint Development Committee.
- (j) **Appoints** five (5) Councillors Atkinson, Fulton, Goldsworthy, Ward, and Williams to the Audit and Risk Committee.
- (k) **Appoints** five (5) Councillors Blackie, Brine, Cairns, Mealings and Redmond to the Community and Recreation Committee.
- (l) **Appoints** five (5) Councillors Atkinson, Blackie, Cairns, Fulton, and Goldsworthy to the District Planning and Regulation Committee.
- (m) **Appoints** five (5) Councillors Brine, Mealings, Redmond, Ward and Williams to the Utilities and Rooding Committee.
- (n) **Appoints** Councillor Atkinson as the First Chair of the Audit and Risk Committee to 30 April 2024.
- (o) **Appoints** Councillor Goldsworthy as Second Chair of the Audit and Risk Committee from 1 May 2024 to the end of the triennium term in October 2025.
- (p) **Appoints** Councillor Redmond as First Chair of the Community and Recreation Committee to 31 October 2023.
- (q) **Appoints** Councillor Brine as Second Chair of the Community and Recreation Committee from 1 November 2023 to 31 October 2024.
- (r) **Appoints** Councillor Cairns as Third Chair of the Community and Recreation Committee from 1 November 2024 to the end of the triennium term in October 2025.
- (s) **Appoints** Councillor Blackie as First Chair of the District Planning and Regulation Committee to 30 April 2024.
- (t) **Appoints** Councillor Fulton as Second Chair of the District Planning and Regulation Committee from 1 May 2024 to the end of the triennium term in October 2025.
- (u) **Appoints** Councillor Mealings as First Chair of the Utilities and Rooding Committee to 31 October 2023.
- (v) **Appoints** Councillor Williams as Second Chair of the Utilities and Rooding Committee from 1 November 2023 to 31 October 2024.
- (w) **Appoints** Councillor Ward as Third Chair of the Utilities and Rooding Committee from 1 November 2024 to the end of the triennium term in October 2025.

### 5.3. Appointment to Joint Regional Committees – Mayor Dan Gordon

30 - 33

#### RECOMMENDATION

**THAT** the Council:

- (a) **Receives** report No. 221010175210.
- (b) **Appoints** Councillor Brine to the Canterbury Waste Joint Committee.
- (c) **Appoints** Councillor Brine to the Canterbury Regional Landfill Joint Committee.
- (d) **Appoints** Mayor Gordon as the Council's representative on the Canterbury Civil Defence Emergency Management Group (CDEM Group).
- (e) **Appoints** Mayor Gordon, and Councillors Neville Atkinson and Niki Mealings to the Greater Christchurch Partnership (GCP).
- (f) **Appoints** Mayor Gordon to the Greater Christchurch Public Transport Joint Committee.
- (g) **Appoints** Mayor Gordon to the Canterbury Regional Land Transport Committee.
- (h) **Appoints** Councillor Fulton to the Waimakariri Water Zone Committee.
- (i) **Appoints** Councillor Blackie as a Trustee to the Te Kohaka o Tuhaitara Trust.
- (j) **Appoints** Mayor Gordon as a Trustee to Enterprise North Canterbury.
- (k) **Appoints** Mr David Ayers to the Canterbury Museum Trust Board.
- (l) **Notes** appointments and Chairs to Standing Committees is subject to a separate report. (Trim 221025185070).
- (m) **Notes** appointments to the District Licencing Committee consist of Commissioners Neville Atkinson (Chair), Jim Gerard (Deputy Chair), Wendy Doody, Philip Redmond and Paul Williams until review in mid-2024.
- (n) **Notes** all other appointments cease at the end of the 2022-25 Local Body Triennial term, being 11 October 2025, unless appointed to a Council Controlled Organisation (CCO) or specifically altered by the Council.

### 5.4. Appointment of Portfolio Holders – Mayor Dan Gordon

34 - 39

#### RECOMMENDATION

**THAT** the Council:

- (a) **Receives** report No. 221025185171.
- (b) **Establishes** Portfolios for Councillors and **notes** the generic Portfolio Holder Role Description.

- (c) **Appoints** Mayor Gordon as Portfolio Holder of Iwi Relationships.
- (d) **Appoints** Mayor Gordon as Portfolio Holder of Government Reform.
- (e) **Appoints** Mayor Gordon as Portfolio Holder of Greater Christchurch Partnership.
- (f) **Appoints** Mayor Gordon as Portfolio Holder of Transport.
- (g) **Appoints** Deputy Mayor Atkinson as Portfolio Holder of Property and Housing.
- (h) **Appoints** Deputy Mayor Atkinson as Portfolio Holder of International Relationships.
- (i) **Appoints** Councillor Blackie as Portfolio Holder of Arts and Culture.
- (j) **Appoints** Councillor Mealings as Portfolio Holder of Climate Change and Sustainability.
- (k) **Appoints** Councillor Brine as Portfolio Holder of Solid Waste.
- (l) **Appoints** Councillor Ward as Portfolio Holder of Audit, Risk, Annual/Long Term Plans.
- (m) **Appoints** Councillor Ward as Portfolio Holder of Communications and Customer Service.
- (n) **Appoints** Councillor Blackie as Portfolio Holder of Greenspace (Parks, Reserves and Sports Grounds).
- (o) **Appoints** Councillor Brine as Portfolio Holder of Community Facilities (including Aquatic Centres, Multi-use Sports Stadium, Libraries/Service Centres, Town Halls, and Museums).
- (p) **Appoints** Councillor Cairns as Portfolio Holder of Community Development and Wellbeing.
- (q) **Appoints** Councillor Cairns as Portfolio Holder of Business, Promotion and Town Centres.
- (r) **Appoints** Councillor Fulton as Portfolio Holder of District Planning.
- (s) **Appoints** Councillor Goldsworthy as Portfolio Holder of Civil Defence and Regulation.
- (t) **Appoints** Councillor Redmond as Portfolio Holder of Roading.
- (u) **Appoints** Councillor Williams as Portfolio Holder of Drainage and Stockwater and Three Waters (Drinking Water, Sewer and Stormwater).
- (v) **Notes** that a further report will be considered by the Council with additional portfolios and detailed portfolio descriptions which link with the proposed Council Charter.



- (w) **Notes** that appointments and portfolios may be reviewed in November 2023 by the Council or at the discretion of the Mayor.

5.5. **Councillor Remuneration 2022/23 – Sarah Nichols (Governance Manager)**

40 - 57

*RECOMMENDATION*

**THAT** the Council:

- (a) **Receives** Report No. 221026186065.
- (b) **Notes** the remuneration is set by the Remuneration Authority in the Local Government Members (2022/23) Determination (schedule 2) for the Mayor (at \$146,838), and Community Board members from the day after the date of the official election result being declared 13 October 2022 to 30 June 2023.
- (c) **Notes** the base remuneration for Councillors with no portfolios or chairing responsibilities is \$42,143.00.
- (d) **Notes** the remuneration pool set by the Remuneration Authority post election to 30 June 2023 is \$555,247.00
- (e) **Endorses** the remuneration for nine councillors, who all hold portfolios and chairing responsibilities is \$53,986.00 to 30 June 2023.
- (f) **Endorses** the remuneration for the Deputy Mayor being \$69,373.00.

6. **HEALTH, SAFETY AND WELLBEING**

6.1 **Health, Safety and Wellbeing Report October 2022 – J Millward (Acting Chief Executive)**

58 - 65

*RECOMMENDATION*

**THAT** the Council:

- (a) **Receives** Report No 221020183380.
- (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 information to Community Boards for their information.

7. **QUESTIONS**

*(under Standing Orders)*

8. **URGENT GENERAL BUSINESS**

*(under Standing Orders)*

9. **NEXT MEETING**

The next meeting of the Council is scheduled to be held at 1pm on Tuesday 6 December 2022 in the Council Chamber, 215 High Street, Rangiora.

**MINUTES OF THE INAUGURAL MEETING OF THE 12<sup>TH</sup> TERM OF WAIMAKARIRI DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBER, 215 HIGH STREET, RANGIORA, ON THURSDAY 27 OCTOBER 2022, COMMENCING AT 9AM.**

**PRESENT**

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

**IN ATTENDANCE**

J Millward (Acting Chief Executive) and S Nichols (Governance Manager).  
Approximately 50 family and friends of the elected members and public were present.

Four respected Kaumatua from te Taumata o Ngai Tuahuriri welcomed the Council and public to the meeting with waiata and blessing to which the Council waiata group responded with the WDC waiata, written and gifted to the Council by Ruahine Crofts in 2008. The Acting Chief Executive then opened the meeting formally, acknowledging the presence and blessing from Ngai Tuahuriri which made the opening of the 12<sup>th</sup> term of the Waimakariri District Council special to those present.

**1. APOLOGIES**

Nil.

**2. MAYORAL DECLARATION**

*The Chief Executive invited Mayor-Elect Gordon to read and sign the Mayoral declaration, as required by the Local Government Act 2002, Schedule 7, which was witnessed and signed by the Chief Executive.*

**Declaration by Mayor**

"I, Daniel Gordon, declare that I will faithfully and impartially, and according to the best of my skill and judgment, execute and perform, in the best interests of Waimakariri District, the powers, authorities, and duties vested in, or imposed upon, me as [mayor or member] of the Waimakariri District Council by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act.

The Acting Chief Executive vacated the chair, presented the Mayoral Chains and invited Mayor Dan Gordon to chair the balance of the meeting.

Mayor Gordon acknowledged the special day as he welcomed guests witnessing the beginning of the 12<sup>th</sup> term of Council since 1989. He felt very honoured to be the sixth mayor of the district and humbled that the community had placed trust in him to serve as Mayor of the District. Mayor Gordon promised to do his best every day, acknowledging the team effort of fellow elected members and staff who would all work together in the best interests of the community.

### 3. **COUNCILLORS' DECLARATIONS**

Mayor Gordon invited the Councillors to individually read and sign the Councillor declaration, as required by the Local Government Act 2002, Schedule 7, which was witnessed and signed by the Mayor.

#### **Declaration by Councillor member**

"I, (name), declare that I will faithfully and impartially, and according to the best of my skill and judgment, execute and perform, in the best interests of Waimakariri District, the powers, authorities, and duties vested in, or imposed upon, me as [mayor or member] of the Waimakariri District Council by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act.

Dated at: [place, date]s

Signature:

Signed in the presence of:

[Mayor or Chief Executive of local authority]".

The order of Councillors reading the oath was Neville Atkinson, Al Blackie, Robbie Brine, Brent Cairns, Tim Fulton, Jason Goldsworthy, Niki Mealings, Philip Redmond, Joan Ward and Paul Williams.

Mayor Gordon extended his congratulations to the elected councillors.

### 4. **CONFLICTS OF INTEREST**

Nil.

### 5. **REPORTS**

#### 5.1 **Local Government Act – First Meeting Following the Triennial General Election Requirements – J Millward (Acting Chief Executive)**

The presented report was taken as read, with no questions received.

Moved: Councillor Atkinson

Seconded: Councillor Mealings

**THAT** the Council:

- (a) **Receives** report No. 221003170261.
- (b) **Receives** legislative material that has been circulated.
- (c) **Notes** that, under the Health and Safety at Work Act 2015, Officers (Councillors and the Chief Executive) are required to undertake due diligence activities to discharge their responsibilities under the Act and to ensure the Council has effective health and safety processes, procedures and culture in place.

**CARRIED**

5.2 **Elected Members Code of Conduct and Standing Orders – J Millward (Acting Chief Executive)**

The presented report was taken as read, with no questions received.

Moved: Councillor Redmond                      Seconded: Councillor Goldsworthy

**THAT** the Council:

- (a) **Receives** report No. 221007174615.
- (b) **Receives** the 2022 Elected Members Code of Conduct document (Trim 190228024595).
- (c) **Receives** the 2022 Council Standing Orders (Trim 191014142957).
- (d) **Notes** that both the Code of Conduct and Standing Orders will be reviewed by the Council at its 6 December 2022 meeting.

**CARRIED**

5.3 **Appointment of Deputy Mayor – Mayor Dan Gordon**

Mayor Gordon commented on his recommendation that Councillor Atkinson be reappointed as Deputy Mayor, and sought the Council endorsement. Mayor Gordon spoke on how he had enjoyed working closely with Councillor Atkinson during the previous term. The support and loyalty demonstrated, along with almost daily contact on council matters had been much appreciated.

Moved: Mayor Gordon      Seconded: Councillor Brine

**THAT** the Council:

- (a) **Receives** report No 221006173165.
- (b) **Appoints** Councillor Neville Atkinson as Deputy Mayor of the Waimakariri District Council for the 2022-25 electoral term of the Council.

**CARRIED**

5.4 **Ward Appointments to Rangiora-Ashley, Oxford-Ohoka, Woodend-Sefton and Kaiapoi-Tuahiwi Community Boards – J Millward (Acting Chief Executive)**

The report sought to appoint Councillors to individual Community Boards, noting the community area between Kaiapoi and Woodend split the four ward councillors to two councillors apiece with the Kaiapoi-Tuahiwi and Woodend-Sefton Community Boards.

Moved: Councillor Cairns                      Seconded: Councillor Mealings

**THAT** the Council:

- (a) **Receives** report No. 221010174641.
- (b) **Appoints** Councillors Robbie Brine, Jason Goldsworthy, Joan Ward and Paul Williams to the Rangiora-Ashley Community Board in accordance with section 19F of the Local Electoral Act 2001.
- (c) **Appoints** Councillors Tim Fulton and Niki Mealings to the Oxford-Ohoka Community Board in accordance with section 19F of the Local Electoral Act 2001.

- (d) **Appoints** Councillors Brent Cairns and Philip Redmond to the Woodend-Sefton Community Board in accordance with section 19F of the Local Electoral Act 2001.
- (e) **Appoints** Councillors Neville Atkinson and Al Blackie to the Kaiapoi-Tuahiwi Community Board in accordance with section 19F of the Local Electoral Act 2001.
- (f) **Approves** the delegations for the Community Boards (S-DM 1041), (Trim 191017145497).
- (g) **Notes** the delegations for Community Boards can be further reviewed by Council in the future.

**CARRIED**

#### 5.5 **Committee Structure – Mayor Dan Gordon**

The presented report was taken as read, with no questions received.

Moved: Councillor Williams      Seconded Councillor Fulton

**THAT** the Council:

- (a) **Receives** report No. 221021184076.
- (b) **Establishes** the following Committees:
  - (i) Audit and Risk (Standing Committee)
  - (ii) Community and Recreation (Standing Committee)
  - (iii) District Planning and Regulation (Standing Committee)
  - (iv) Utilities and Roothing (Standing Committee)
  - (v) District Licensing Committee
- (c) **Approves** the delegations for the following Committees:
  - (i) Audit and Risk (Trim 190828120273)
  - (ii) District Planning and Regulation (Trim 190828120276)
  - (iii) Community and Recreation (Trim 190828120296)
  - (iv) Utilities and Roothing (Trim 190828120303)
  - (v) District Licensing Committee (Trim 190828120307)
- (d) **Approves** a Disclosure of Interests Register continuing from the previous term and maintained for all elected members, including Community Board members and notes this will be subject of a separate report to the November 2022 Council meeting.
- (e) **Retains** the rotation of Chairperson for the Audit and Risk, Community and Recreation, District Planning and Regulation, and the Utilities and Roothing Committees, noting that membership of these committees will be considered at the Council meeting of 1 November 2022.
- (f) **Notes** the Council decision of 3 September 2019 for the appointment of Commissioner and Chairperson to the District Licencing Committee (DLC) of Councillor Neville Atkinson (Chair), and Councillor Paul Williams, Councillor Philip Redmond, and former Councillor Wendy Doody, and Commissioner Jim Gerard (deputy chair) as Commissioners to the DLC. Further notes the commissioner appointments are for a period for five years or lesser time by Council resolution at any time. Therefore the District Licencing Committee will continue with membership of Commissioners until review in mid- 2024.

- (g) **Notes** the Civil Defence Emergency Management Group Joint Committee is continuous in accordance with the Civil Defence Emergency Management Act 2002 (Section 12(2)).
- (h) **Approves** the Mayor voting on behalf of the Council for the Rural/Provincial sector representative position on the National Council of Local Government New Zealand and the Chair of Zone 5 Local Government New Zealand.
- (i) **Notes** Council appointed Trustee positions remain in place for the balance of their term.

**CARRIED**

5.6 **Council Meeting Schedule November 2022 – December 2022 – Sarah Nichols (Governance Manager)**

The presented report was taken as read, with no questions received.

Moved: Councillor Mealings                      Seconded Councillor Brine

**THAT** the Council:

- (a) **Receives** report No. 221021184077.
- (b) **Adopts** the following meeting schedule for the period November, December 2022 and February 2023 for the Council:
  - (i) Ordinary Council Meeting Dates commencing at 1pm on Tuesday 1 November 2022, 6 December 2022 and 7 February 2023.
  - (ii) Council meeting relating to (Draft) Annual Plan budget meeting considerations to occur on Wednesday and Thursday 8 and 9 February 2023, commencing at 9am.
- (c) **Adopts** the following meeting schedule for the period between 1 November and 16 December 2022 for Standing Committees:
  - (i) Audit and Risk Committee commencing at 9am on Tuesday 22 November 2022;
  - (ii) Utilities and Roading Committee at 9am on Tuesday 29 November 2022;
  - (iii) District Planning and Regulation Committee at 1pm on Tuesday 29 November;
  - (iv) Community and Recreation Committee at 3pm on Tuesday 29 November 2022.
- (d) **Notes** the District Licencing Committee will meet between 1 November and 31 December 2022 on a 'as required' basis.
- (e) **Notes** the Community Boards will adopt their timetable at their inaugural meetings on 27 October to the end of December 2023.
- (f) **Circulates** a copy of the finalised meeting times to the Community Boards for their reference.

**CARRIED**

6. **QUESTIONS**  
(Standing Orders Clause 3.21)

Nil.

7. **URGENT GENERAL BUSINESS**

(Standing Orders Clause 3.75.)

Nil.

Mayor Gordon invited the Kaumatua to join him in formally cutting the cake ahead of visitors joining the Council in light refreshments.

8. **NEXT COUNCIL MEETING**

The next scheduled Council meeting is scheduled to be held on Tuesday 1 November 2022, commencing at 1pm in the Council Chambers, Rangiora Service Centre, 215 High Street, Rangiora.

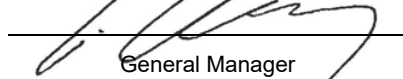

There being no further business, the meeting closed at 9.35am.

CONFIRMED

\_\_\_\_\_  
Chairperson  
Mayor Dan Gordon

\_\_\_\_\_  
Date

*Note: Subsequent to the meeting, due to changed circumstances, the next ordinary Council meeting was re-scheduled to occur on Tuesday 8 November 2022 at 8.30am in the Council Chambers, Rangiora.*

**WAIMAKARIRI DISTRICT COUNCIL****REPORT FOR DECISION****FILE NO and TRIM NO:** WAT-03 / 221013178519**REPORT TO:** COUNCIL**DATE OF MEETING:** 8 November 2022**AUTHOR(S):** Gerard Cleary, General Manager Utilities and Roading  
Kalley Simpson, 3 Waters Manager  
Colin Roxburgh, Water Asset Manager**SUBJECT:** Obligations Regarding Chlorination of Public Water Supplies**ENDORSED BY:**  
(for Reports to Council,  
Committees or Boards)  
General Manager  
Acting Chief Executive**1. SUMMARY**

1.1. This report is to:

1. Inform the Council of the requirement to add chlorine to the water of all its water supplies from 14 November 2022, as per the Water Services Act (WSA).
2. Present options to the Council to provide a pathway to give effect to these requirements.

1.2. Under the Water Services Act (WSA), all water supplies are required to have a residual disinfectant in place, unless an exemption is gained from Taumata Arowai. It is important to note that the Council has opposed these requirements at all available opportunities and expressed the community desire for water supplies to be free of chlorine wherever possible. To some extent this has been successful in that there is the ability to apply for chlorine exemptions. However, the process to obtain exemptions has been and will continue to be complex. Council staff have been working proactively with the regulator, Taumata Arowai, on the chlorine exemption process.

1.3. The Waimakariri District Council has 12 water supply schemes, of which 6 require chlorination based on the Council's current risk based approach where rural restricted schemes have traditionally been chlorinated, even if not strictly required to do so under the Drinking Water Standards. The remaining 6 Water supplies have very high quality water sources and distribution systems that to date have not been required to be permanently chlorinated. This lack of chlorination is enjoyed and held to a high level of importance by much of the community.

1.4. There are two key mechanisms by which chlorine is required:

**Residual Disinfectant**

1.5. Section 31 of the WSA provides that a drinking water safety plan in relation to a reticulated supply must require and provide for the use of residual disinfection (for example chlorination) unless an exemption is obtained under section 58 of the WSA. While chlorine exemptions have been submitted for all the Council's normally unchlorinated supplies no exemptions have yet been gained.



- 1.6. This obligation comes into effect on 15 November 2022, and applies to all supplies.

Treatment of Source Water for Bacteria

- 1.7. Further, in July 2022 Taumata Arowai released the Drinking Water Quality Assurance Rules (the Rules), which included the need to treat all water for bacteria. There are two common ways to treat water for bacteria; either by chlorine disinfection, or by UV treatment. Of the urban on-demand supplies for which residual disinfections are sought (Waikuku Beach, Oxford Urban, Cust, Rangiora, Kaiapoi, Woodend-Pegasus), only Waikuku Beach currently has UV as a bacterial treatment barrier. Therefore, the remaining supplies also will need chlorine to comply with the Rules regarding bacterial treatment, as well as to comply directly with the WSA with relation to having a residual disinfectant.
- 1.8. There is a requirement under the WSA to meet the Drinking Water Standards (Section 22, 1). The Drinking Water Quality Assurance Rules (which require the treatment of bacteria) set out what drinking water suppliers need to do to comply with key parts of the Drinking Water Standards.
- 1.9. These come into effect on 14 November 2022, therefore triggering the need to chlorinate from this time. Due to the short time period between the release of the Rules in July, and the timeframe to obtain a chlorine exemption it puts us in a very challenging position. This is exacerbated by the complexity and interactive process to obtain an exemption as it is a new process to both Council and the Regulator.
- 1.10. It is important to note that with new drinking water standards there is always a need to have an implementation period. It is also apparent the new regulations and standards do not have specific provision to allow adequate timeframes to bring previously fully compliant water schemes to full compliance without some period of transition where full compliance is not achieved. Specifically, for Waimakariri this presents a challenge to install UV at existing headworks and to implement chlorination if an exemption cannot be achieved.
- 1.11. The challenge with implementing temporary chlorination is that it would cause a significant level of service change and go against the wishes of the majority of the community for a relatively short time while exemptions are processed, despite there being an alternative pathway towards compliance that is currently being worked through. Waimakariri District Council has a long record of operating safe and compliant non chlorinated water supplies.
- 1.12. There are two options that the Council can consider in response to the above:

Option 1 – Introduce Temporary Chlorine from 14 November 2022 Until Exemptions are Gained

- 1.13. This option ensures that the Council will achieve the greatest level of compliance that is practically possible at this time with the WSA and Drinking Water Quality Assurance Rules, and presents the lowest risk in terms of both water safety, and the risk of any enforcement actions being taken. However, it would mean introducing chlorine without allowing the exemption application process to be seen through to its completion, and would cause significant community disruption for something that the Council could soon become exempt from, depending on the outcome of the coming exemption applications.

Option 2 – Await the Outcome of the Residual Disinfection Exemption Process

- 1.14. This option would involve not introducing chlorine to any currently unchlorinated schemes (or parts of schemes), but also not removing chlorine from schemes currently chlorinated, until the outcome of the chlorine exemption application process is known.

- 1.15. This would mean that there are provisions within the WSA that are not fully met in the interim period, however Taumata Arowai have proposed that an agreed programme of works is developed that sets out a pathway for Council to work towards compliance over a 1-2 year timeframe. Taumata Arowai have also indicated in principle to the Council that they would take a pragmatic approach towards compliance enforcement during the interim period while exemption applications are processed. It is also likely that the outcome of the first plan submitted for approval is likely to be provided within 3 weeks.
- 1.16. The staff recommendation is based purely on a compliance and lowest risk approach, which is to proceed with Option 1, however Option 2 does provide a viable alternative that the Council may wish to approve provided a suitable pathway towards compliance can be agreed with Taumata Arowai. Given these 6 supplies have proven record of delivery this appears to be a pragmatic way forward with Taumata Arowai, with any compliance and agreements on timeframes being strictly adhered to.

Attachments:

- i. nil

**2. RECOMMENDATION**

**THAT** the Council:

- (a) **Receives** Report No. 221013178519.
- (b) **Notes** that the Water Services Act (WSA) requires a residual disinfectant (chlorine) in all its water supplies from 14 November 2022, both directly via Section 31 of the Water Services Act for all supplies unless an exemption is obtained, but also via the Drinking Water Quality Assurance Rules for any supply that doesn't have an alternative mechanism to provide bacterial treatment such as UV disinfection.
- (c) **Notes** that there is a process currently underway where all the Council's urban and on-demand supplies have applied for exemptions to having a residual disinfectant (chlorine), and that assessment of these applications is currently underway with Taumata Arowai, but that it is unlikely any of these assessments will be complete by the 14 November deadline when the WSA requirements taken effect.
- (d) **Notes** that given the ongoing assessment, discussions have been held with Taumata Arowai in relation to the implications of the Water Services Act, and it has been agreed a pragmatic approach could be taken to allow a programme of works towards compliance be agreed and implemented over the coming 12 months, taking into account the residual disinfection (chlorine) exemption application process that is still underway.

*Either*

- (e) **Approves** the introduction of temporary chlorination across the currently unchlorinated supplies of Rangiora, Kaiapoi, Woodend, Waikuku Beach, Oxford, and Cust commencing from 14 November through to 21 November to comply with the Water Services Act requirements regarding chlorination, until exemptions and compliance has been obtained.

*Or*

- (f) **Instructs** staff to continue to operate its normally unchlorinated supplies as they are now, while working with Taumata Arowai on an agreed pathway towards compliance taking into account the outcome of the residual disinfection exemption application assessments that are underway at present.
- (g) **Approves** the programme towards compliance to be agreed with Taumata Arowai (as referred to above) to include bringing forward all the UV disinfection upgrades on the currently unchlorinated schemes into the 2023/24 financial year, and also the introduction of additional *E. coli* samples over and above existing levels.

- (h) **Notes** that there is infrastructure in place to implement emergency chlorination at short notice in response to any test results or operational issues that are considered by staff to be a potential risk to drinking water safety and that staff will implement chlorination as part of the response to any potential event they deem necessary.

*And*

- (i) **Notes** that whether chlorine is or isn't introduced in response to the November 2022 deadline, the Council will still not be fully compliant with the new Drinking Water Quality Assurance Rules, as there are a series of other upgrades (not related to chlorination) that are underway or required in response to the new Rules that were issued in July 2022.
- (j) **Notes** that the risk profile of these supplies has not changed. The law has changed and perceptions and appetite for risk have changed, but the supply risk level has not.
- (k) **Notes** that the Council has taken numerous opportunities to express the views of its communities with respect to chlorination and the community desire for water supplies to be free of chlorine wherever possible, the Mayor and Manager Utilities and Roading submitted on these points to the Government's select committee, as part of the Water Services Act consultation period, and attended meetings with the Taumata Arowai Chief Executive to reinforce these community views.
- (l) **Notes** that news stories have been published by Council throughout the year to raise general community awareness of the need to chlorinate water supplies if exemptions are not gained, and that further targeted communications will take place following the adoption of this report to update the community on the next steps.
- (m) **Circulates** this report to the Community Boards for their information.

### 3. **BACKGROUND**

- 3.1. The Water Services Act (WSA) came into force on 15 November 2021. There are several sections of this Act with specific relevance to chlorination of water supplies. It is noted that the Act refers to 'residual disinfection' which in practical terms, means chlorination. These relevant sections are:

1. Section 22, 1, requires that "*A drinking water supplier must ensure that the drinking water supplied by the supplier complies with the drinking water standards*". This in itself did not require chlorination as the implications were dependant on the standards getting published. In July 2022 the Drinking Water Standards and associated Drinking Water Quality Assurance Rules were published which required that all water be treated for bacteria, and for any scheme without UV treatment already in place, chlorine is the only available way to meet this requirement.

Previously the majority of supplies intended to be non-chlorinated achieved bacterial compliance via *E. coli* sampling, however with the new requirement to treat for bacteria, either chlorine treatment or UV disinfection is required.

The net effect of the above is that for schemes without an alternative mode of bacterial treatment (i.e. without UV disinfection in place yet), chlorine must be used at least as a temporary treatment barrier, if bacterial compliance is sought from 14 November onwards. This conclusion applies to all urban supplies, except for Waikuku Beach that already has UV treatment.

Clearly the implementation of this provision is going to take some time and regardless of our response there will be some level of transitional non-compliance for protozoal treatment and possibly bacteria depending on the option chosen.

2. Section 31, 1, j of the WSA requires that a water supplier have a Drinking Water Safety Plan that: "*where a drinking water supply includes reticulation, require, and*

*provide for the use of, residual disinfection in the supply unless an exemption is obtained under section 58". This essentially makes the default be that a supply be chlorinated, and it only be the granting of an exemption that may exempt a supplier from this legislative obligation.*

3. Section 58 of the WSA sets out that the Chief Executive of Taumata Arowai may exempt a water supplier from the use of residual disinfection, and some of the considerations in doing this.
- 3.2. In March 2022 Taumata Arowai opened up the ability to submit exemption applications, and published guidance of the criteria and information that must be supplied with any such exemption application. This started off the process to prepare and submit applications, with the first being submitted in July for the Cust supply, and the remaining applications for Oxford Urban, Waikuku Beach, Rangiora, Kaiapoi and Woodend-Pegasus submitted in September 2022.
- 3.3. The processing of the Cust exemption application is underway, with a kick-off meeting held with Taumata Arowai, and a series of questions submitted to Council in 28 September, which were responded to on 14 October. A site visit is planned with Taumata Arowai representatives in November, with the date at which a decision will be made still uncertain, although unlikely to be published by 14 November.
- 3.4. With the remaining applications, it is almost certain that these will not be processed by the date by the 14 November deadline, given the Cust assessment is still underway and that the others will follow from this.

#### **4. ISSUES AND OPTIONS**

- 4.1. Given the requirement to have a residual disinfectant unless an exemption is gained (as per the Water Services Act), and the requirement to treat water for bacteria (as per the Drinking Water Quality Assurance Rules), in order to strictly comply with the residual disinfection provisions of the WSA from the 15<sup>th</sup> of November, chlorine must be added to all supplies.
- 4.2. Additionally, for all the urban schemes excluding Waikuku Beach, chlorine is also required to provide bacterial treatment at the treatment plants, if compliance is sought from 14 November onwards. It is noted however that this would be a temporary measure only, as the preferred strategy to achieve bacterial compliance for the urban on-demand schemes is by way of UV treatment, which is provided for in the Council's Long Term Plan.
- 4.3. As is outlined above, the situation is complex in that in the immediate term, chlorine is required to meet the WSA requirements for residual disinfection, and bacterial treatment of the source water as of 14 November 2022. However, the Council has an alternative strategy to achieve compliance with respect to these two requirements which is:
  1. Bacterial compliance at treatment plants to be achieved by UV treatment;
  2. Residual disinfection requirements to be met by gaining of residual disinfection exemptions.
- 4.4. Given that the Council is working towards compliance via a chlorine free path, but the applications to gain approval for the above are still being assessed by Taumata Arowai, a meeting was held on 1 November 2022 between Councillors, Council staff, and the Taumata Arowai Chief Executive and Principal Advisor Drinking Water to discuss the implications of the 14 and 15 November dates with respect to the WSA. It was that introducing chlorine temporarily would cause significant disruption to the community, for something that may only be a temporary measure as residual disinfection applications are processed. It was also agreed that the timing of the legislation did not allow sufficient time for the processing of all exemption applications, or to construct necessary upgrades to allow full compliance with the new requirements by the November deadlines.

4.5. In recognition of this, an alternative approach was proposed by Taumata Arowai for consideration. This alternative option would involve:

- Continuing to operate the unchlorinated supplies as they currently are as an interim step as the chlorine exemption process is worked through.
- Ensuring that there are emergency chlorination systems ready to be used should they be required to manage the safety of the supplies.
- Agreeing a pathway with Taumata Arowai by which the Council would work towards full compliance with the WSA.

4.6. There are two options that the Council can consider in response to the above:

Option 1 – Introduce Temporary Chlorine from 14 November 2022 Until Exemptions are Gained

4.7. This option ensures that the Council will achieve the greatest level of compliance that is practically possible at this time with the WSA and Drinking Water Quality Assurance Rules and presents the lowest risk in terms of both water safety, and the risk of any enforcement actions being taken. However, it would mean introducing chlorine without allowing the exemption application process to be seen through to its completion and would cause significant community disruption for something that the Council could become exempt from, depending on the outcome of the coming exemption application assessment process.

4.8. This option as well as providing the highest level of compliance possible, also presents the lowest risk from a water safety perspective, and the lowest risk in terms of any enforcement actions that may be taken by Taumata Arowai against the Council in respect to the WSA.

4.9. It is noted that in terms of a water safety and risk point of view, the risk associated with the supplies that are currently unchlorinated will not change when the November deadline passes. These normally unchlorinated supplies already have an additional level of risk compared to if they were chlorinated, and up until this point in time this level of risk had been deemed acceptable. However, the legislation has changed, and perceptions and appetite for risk have changed which requires consideration.

4.10. While a number of improvements have been made over recent years to reduce the risk associated with the Council's supplies as part of a continuous improvement process, there are still projects ongoing to reduce this risk further in the coming years. Examples of such projects which are proposed but not yet completed are:

- Construction of UV treatment facilities on all on-demand supplies to manage the risk associated with contamination from the source water;
- Repairs to reservoirs on the Kaiapoi, Rangiora, Woodend-Pegasus and Oxford Urban supplies following detailed inspections over recent months to reduce the risk of contamination entering a supply via a reservoir.
- Installation of continuous monitoring equipment within the distribution systems of all supplies to provide quicker detection of any changes in water quality.

4.11. All the above projects are designed to reduce the risk with these supplies further, so it is implicit that until they are completed the Council is carrying a higher degree of risk now than it will be following their completion. The temporary introduction of chlorine would help lower this risk in the meantime, although as previously noted, this level of risk already exists now, prior to the November 14 and 15 deadlines.

- 4.12. However, it is important to note that there already have been a number of measures in recent years that have already reduced the risk on what have been complaint and safe water supplies. These include a significant increase in backflow prevention implementation, some reservoir repairs, increased water quality sampling, continued rollout of the renewals programme, and continuous improvement with the development and implementation of hygiene practices involving water supplies. In addition, the schemes have all been fitted with equipment to allow emergency chlorination in response to any operational risks.
- 4.13. It should be noted also that this option would cause the greatest level of community disruption and represent a significant change to the level of service for residents on usually unchlorinated schemes, despite an alternative option being proposed in discussions with Taumata Arowai, and despite there being an alternative pathway towards compliance that is actively being worked towards.

#### Option 2 – Await the Outcome of the Residual Disinfection Exemption Process

- 4.14. This option would involve continuing to operate the chlorine free supplies without chlorine, until the outcome of the residual disinfection process is known. This would mean not introducing chlorine to any currently unchlorinated schemes (or parts of schemes), but also not removing chlorine from schemes currently chlorinated.
- 4.15. This would mean that there are provisions within the WSA that are not met in the interim period, however as proposed by Taumata Arowai there could be an agreed programme of works developed by staff and agreed with Taumata Arowai to work towards compliance. Taumata Arowai have agreed in principle to the Council taking this pragmatic approach during the interim period while exemption applications are processed, although still noted that ultimately the Council must take ownership for the responsibility of the delivery of safe water, irrespective of whatever agreements are made.
- 4.16. While it is noted that the likelihood of there being a contamination event on any of these supplies in this interim period is low, the changing of legislative requirements with regard to chlorine would still present a risk that if such an event were to occur where chlorine could have prevented the event, or minimised the consequences, there would be a greater chance of enforcement actions being taken.
- 4.17. Section 29 of the WSA imposes a duty on every officer, employee and agent of a drinking water supplier to exercise due diligence to ensure that the drinking water supplier complies with any legislative duty. Due diligence includes taking reasonable steps to acquire knowledge of the supply of safe drinking water and identify and control any risks (section 29(4)). The fines for breaching the duty to exercise due diligence are also substantial. An employee or agent of a drinking water supplier is liable to a fine of up to \$50,000 (section 192(2)), and an officer of a drinking water supplier is liable to a fine not exceeding \$100,000 (section 192(2)).
- 4.18. This risk of enforcement actions being taken can be minimised by continuing to demonstrate due diligence with the management of its supplies. One tool used to do this is the Council's emergency chlorine systems which can be activated within a matter of 2 – 4 hours of a decision being made. The availability and recent examples where emergency chlorination has been used within the district was acknowledged by Taumata Arowai as an important factor to consider.
- 4.19. Other measures that the Council could propose as part of a pathway towards compliance, and as a way to manage the residual risk associated with the operation of unchlorinated supplies, would be:

- Fast-tracking of the UV upgrade projects via the 2023/24 Annual Plan process.
  - Increased *E. coli* sampling over and above minimum requirements.
  - Continued processes regarding the activation of emergency chlorination systems as and when required.
- 4.20. It is acknowledged that with or without temporary chlorine in place, not every element of the new Rules will be met from 14 November, so even by introducing chlorine from this time, complete compliance with all parts of the Rules will still not be met. For example:
- There are some below ground bore heads on the Rangiora, Kaiapoi, Woodend-Pegasus and Cust supplies that will require either UV Treatment or upgrading to sanitary bore standards to achieve protozoal compliance;
  - The chlorine contact time achieved within the system in some cases where storage is limited is not adequate to achieve bacterial compliance, and;
  - In the case of Ashley Gorge which has no protozoal barrier, this will require joining to the Oxford Rural No.2 scheme to become complaint.
- 4.21. The staff recommendation if based purely on a compliance and lowest risk approach is to proceed with Option 1, however Option 2 does provide a viable alternative that the Council may wish to approve provided a suitable pathway towards compliance can be agreed with Taumata Arowai.

#### **Implications for Community Wellbeing**

There are implications on community wellbeing by the issues and options that are the subject matter of this report. Some members of the community may feel they are negatively impacted by the introduction of chlorine. This is well understood, and these community views must be carefully considered, but not at the expense of the Council ensuring it meets its primary obligation under the WSA to provide safe drinking water.

The Management Team has reviewed this report and support the recommendations.

## **5. COMMUNITY VIEWS**

### **5.1. Mana whenua**

Te Ngāi Tūāhuriri hapū are likely to be affected by, or have an interest in the subject matter of this report. Mahaanui Kurataiao Limited have been engaged with to provide input on behalf of Ngai Tuahuriri and have given their support the chlorine exemption process, and the use of UV treatment in favour of chlorine if possible.

### **5.2. Groups and Organisations**

There are groups and organisations likely to be affected by, or to have an interest in the subject matter of this report.

### **5.3. Wider Community**

The wider community is likely to be affected by, or to have an interest in the subject matter of this report.

The Council is well aware of its communities' expectations and preferences regarding chlorination and has taken every opportunity to express these as the regulations that have ultimately required chlorination were being prepared and consulted on.

Throughout the past year the Council has been running news stories to raise awareness of this matter in general.

Once the outcome of this report is known, a public news story will be published to keep the community up to date and informed.

## **6. OTHER IMPLICATIONS AND RISK MANAGEMENT**

### **6.1. Financial Implications**

There are financial implications of the decisions sought by this report. The operational cost of chlorination has been allowed for in operational budgets to allow for the possibility that chlorine may be required. Due to the uncertainty around this matter, there is some risk as to whether the actual costs will match the anticipated costs, however reasonable attempts have been made to allow for this.

This budget is included in the Annual Plan/Long Term Plan. Also included in the Long Term Plan is provision for UV treatment on all the Council's normally unchlorinated supplies. It is proposed that these budgets all be brought into the 2023/24 financial year as part of the 2023/24 Annual Plan process as part of the Council pursuing its pathway towards chlorine free and compliant water.

### **6.2. Sustainability and Climate Change Impacts**

The recommendations in this report do not have sustainability and/or climate change impacts. Whether schemes do or do not have chlorine is not thought to have a significant impact upon the Council's emissions profile.

### **6.3 Risk Management**

There are risks arising from the adoption/implementation of the recommendations in this report. The recommended option of complying with the legislation carries the least risk for Council and the public in terms of reputation, compliance, enforcement actions and safety. The alternative option however has ways in which these risks in terms of water safety, compliance and any enforcement actions can be managed, but not eliminated.

### **6.3 Health and Safety**

There are not direct health and safety risks arising from the adoption/implementation of the recommendations in this report. Staff are trained and familiar with the use of chlorination equipment, and are already doing so on a number of supplies.

## **7. CONTEXT**

### **7.1. Consistency with Policy**

This matter is not a matter of significance in terms of the Council's Significance and Engagement Policy, in that the Council is simply giving effect to requirements under legislation in a way which best finds the balance between giving effect to community expectations and legislation.

### **7.2. Authorising Legislation**

The Water Services Act is relevant in this matter.

### **7.3. Consistency with Community Outcomes**

The Council's community outcomes are relevant to the actions arising from recommendations in this report. In particular:

*Core utility services are sustainable, low emissions, resilient, affordable; and provided in a timely - manner*

### **7.4. Authorising Delegations**

The Council has the delegated authority to receive this report and adopt the recommendations.



**WAIMAKARIRI DISTRICT COUNCIL**

**REPORT FOR DECISION**

**FILE NO:** GOV-32 / 221025185070

**REPORT TO:** Council

**DATE OF MEETING:** 8 November 2022

**AUTHOR(S):** Mayor Dan Gordon

**SUBJECT:** Appointment of Standing Committee Members and Chairs of Standing Committees of Council

**SIGNED BY:**  
(for Reports to Council,  
Committees or Boards)

\_\_\_\_\_  
Department Manager

  
\_\_\_\_\_  
Acting Chief Executive

**1. SUMMARY**

1.1 The purpose of this report is to recommend the appointment of the Standing Committee members, and Chairs of Standing Committees of Council, following the formalisation of the Committee structure at the Council meeting of 27 October 2022.

**2. RECOMMENDATION**

**THAT** the Council:

- (a) **Receives** report No. 221025185070.
- (b) **Notes** under section 41A of the Local Government Act, the Mayor has the power to establish Committees of the Council and to appoint the Chairperson of each Committee and may make the appointment before the other members of the Committee are determined and may appoint him/herself.
- (c) **Notes** Mayor Gordon is ex-officio on all Committee and sub-committees of the Council pursuant to the Local Government 2002 Act.
- (d) **Establishes** the Hearings Committee for Hearings, other than RMA Hearings;
- (e) **Appoints** Councillors Atkinson, Blackie, Brine, Cairns, Fulton, Goldsworthy, Mealings, Redmond, Ward and Williams to the Hearings Committee.
- (f) **Establishes** the Chief Executive Review Committee.
- (g) **Appoints** Mayor Gordon, Deputy Mayor Atkinson, Councillor Brine, Councillor Redmond and Councillor Ward to the Chief Executive Review Committee.
- (h) **Establishes** the Mahi Tahī Joint Development Committee.
- (i) **Appoints** Mayor Gordon, Deputy Mayor Atkinson and Councillor Mealings to the Mahi Tahī Joint Development Committee.
- (j) **Appoints** five (5) Councillors Atkinson, Fulton, Goldsworthy, Ward, and Williams to the Audit and Risk Committee.

- (k) **Appoints** five (5) Councillors Blackie, Brine, Cairns, Mealings and Redmond to the Community and Recreation Committee.
- (l) **Appoints** five (5) Councillors Atkinson, Blackie, Cairns, Fulton, and Goldsworthy to the District Planning and Regulation Committee.
- (m) **Appoints five** (5) Councillors Brine, Mealings, Redmond, Ward and Williams to the Utilities and Roothing Committee.
- (n) **Appoints** Councillor Atkinson as the First Chair of the Audit and Risk Committee to 30 April 2024.
- (o) **Appoints** Councillor Goldsworthy as Second Chair of the Audit and Risk Committee from 1 May 2024 to the end of the triennium term in October 2025.
- (p) **Appoints** Councillor Redmond as First Chair of the Community and Recreation Committee to 31 October 2023.
- (q) **Appoints** Councillor Brine as Second Chair of the Community and Recreation Committee from 1 November 2023 to 31 October 2024.
- (r) **Appoints** Councillor Cairns as Third Chair of the Community and Recreation Committee from 1 November 2024 to the end of the triennium term in October 2025.
- (s) **Appoints** Councillor Blackie as First Chair of the District Planning and Regulation Committee to 30 April 2024.
- (t) **Appoints** Councillor Fulton as Second Chair of the District Planning and Regulation Committee from 1 May 2024 to the end of the triennium term in October 2025.
- (u) **Appoints** Councillor Mealings as First Chair of the Utilities and Roothing Committee to 31 October 2023.
- (v) **Appoints** Councillor Williams as Second Chair of the Utilities and Roothing Committee from 1 November 2023 to 31 October 2024.
- (w) **Appoints** Councillor Ward as Third Chair of the Utilities and Roothing Committee from 1 November 2024 to the end of the triennium term in October 2025.

### 3. **BACKGROUND**

- 3.1 The Council established a structure of four Standing Committees at its 27 October 2022 meeting being; Audit and Risk Committee, Community and Recreation Committee, District Planning and Regulation Committee and the Utilities and Roothing Committee.
- 3.2 The merits of rotating the Chair of the Standing Committees during the term of the Council have proven successful in the last term, and the previous Council recommends that this continues

### 4. **ISSUES AND OPTIONS**

- 4.1 Several Councils have appointed an independent member to the Audit and Risk Committee to ensure ongoing transparency of process. Previous Council resolutions did not support having external appointments to its Standing Committees, however the consideration of an independent person being appointed to the Audit and Risk Committee will be considered by the Council in the first quarter of 2023 as part of best practice measures. All Standing Committees are currently advised by the relevant General Manager, who has extensive acumen within the Local Government sector. Also, the Standing Committees have the prerogative to request additional expert advice from outside parties if required.

- 4.2 The Mahi Tahi Joint Development Committee was established in 2019 for the purposes of continuation of a strong relationship on matters of common interest and consists of three representatives of the Council and three representatives from Ngai Tuahuriri. The Mayor co-chairs this committee in conjunction with one representative from Ngai Tuahuriri. The quorum is four, being two members from each organisation. The Chief Executive will advise Ngai Tuahuriri of the re-establishment of the Mahi Tahi Joint Development Committee and request advice on their representative membership.
- 4.4 The Mayor is a member of each committee of a territorial authority, as per Section 41A of the Local Government Act 2002, with full voting rights.
- 4.5 In recent years, each Committee has comprised five Council members and the Mayor as an ex-officio member, with a quorum of three Councillors. This is recommended to continue. All Councillors are entitled to attend and speak at any Standing Committee, however, only those appointed to that Committee hold voting rights.
- 4.6 The Chairperson of each Standing Committee will be rotated on a 12- or 18-month basis to share the workload and assist Councillors gaining a greater understanding of each area of the Council.
- 4.7 There are no implications on community wellbeing by the issues and options that are the subject matter of this report.
- 4.8 The Acting Chief Executive has reviewed this report.

## **5. COMMUNITY VIEWS**

### **5.1 Mana whenua**

Te Ngāi Tūāhuriri hapū are likely to be affected by or have an interest in the subject matter of this report. However, representatives of the Rūnanga serve on various committees and working groups and will be informed of any changes as they become known.

### **5.2 Groups and Organisations**

There are no groups and organisations likely to be affected by or to have an interest in the subject matter of this report.

### **5.3 Wider Community**

The wider community is not likely to be affected by or be interested in this report's subject matter. However, the structure of the Council needs to be clear and provide certainty as to how the community can engage with the Council and its elected members.

Discussions have been held between each member of the Council and the Mayor.

## **6. OTHER IMPLICATIONS AND RISK MANAGEMENT**

### **6.1 Financial Implications**

There are financial implications of the decisions sought by this report.

6.1.1 Remuneration is set by the independent Remuneration Authority, and it has accepted and approved all Waimakariri Councillors as holding portfolios. Portfolios are subject to a separate report. Councillors therefore receive a slightly higher remuneration to allow for the additional duties than the base remuneration. During the term, the individual portfolio holders chair a Committee related to their portfolio. No additional remuneration is provided for committee membership as that is seen as part of a Councillors normal duty.

6.1.2 In July 2022, the Remuneration Authority set the remuneration for the elected members. The Councillors remuneration is a base rate from a funding pool set by the Authority. The governance remuneration pool for Councillors (including the Deputy Mayor) from the day after the date of which the official result of the 2022 election is declared is \$555,247.00. This is higher than the base Councillor rate as all Councillors carry high duties with portfolios and chairperson requirements.

6.1.3 The Remuneration Authority have set the elected member remuneration from 1 July 2022 to 30 June 2023 in two stages as follows:

Position	Pre-election	Post-election
Mayor	\$139,425	\$146,838
Deputy Mayor	\$59,820	** <i>indicative</i> \$69,373
Councillor (with portfolio and chairing responsibilities) (all 9 Councillors)	\$49,210	** <i>indicative</i> \$53,986
Councillor without chairing or portfolio responsibilities(base remuneration)	\$38,156	\$42,143

6.1.4 If an independent member is appointed to the Audit and Risk Committee additional funding will be sought through the Annual Plan process for the appointment fee which is anticipated in the region of \$12,000 to \$15,000 per annum.

6.1.5 Meetings are serviced by appropriate staff and costs are met within existing Council budgets.

## 6.2 Sustainability and Climate Change Impacts

The recommendations in this report do not have sustainability and/or climate change impacts.

## 6.3 Risk Management

There are not risks arising from the adoption/implementation of the recommendations in this report.

## 6.4 Health and Safety

There are no health and safety risks arising from the adoption/implementation of the recommendations in this report.

## 7. CONTEXT

### 7.1 Consistency with Policy

This matter is not a matter of significance in terms of the Council's Significance and Engagement Policy.

### 7.2 Authorising Legislation

Clause 25 of schedule 7 specifies the voting systems which may be used by a local authority for election or appointment of the deputy mayor and the chairperson and deputy chairperson of a subcommittee. System A is detailed in Appendix 1.

### 7.3 Consistency with Community Outcomes

There are wide ranging opportunities for people to contribute to the decision-making by public organisations that affect our District.

### 7.4 Authorising Delegations

The Council sets the structure of its Committees, as stipulated in the Local Government Act 2002.

**Attachment 1: LOCAL GOVERNMENT ACT 2002 (Schedule 7, Part 1, Clause 25)**

25. Voting systems for certain appointments—

(1) This clause applies to—

- (a) the election or appointment of the chairperson and deputy chairperson of a regional council; and
- (b) the election or appointment of the deputy mayor; and
- (c) the election or appointment of the chairperson and deputy chairperson of a committee; and
- (d) the election or appointment of a representative of a local authority.

[(2) If this clause applies, a local authority or a committee (if the local authority has so directed) must determine by resolution that a person be elected or appointed by using one of the following systems of voting:—

- (a) the voting system in subclause (3) ("system A");
- (b) the voting system in subclause (4) ("system B").]

[(3) System A—

- (a) requires that a person is elected or appointed if he or she receives the votes of a majority of the members of the local authority or committee present and voting; and
- (b) has the following characteristics:—
  - (i) there is a first round of voting for all candidates; and
  - (ii) if no candidate is successful in that round there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and
  - (iii) if no candidate is successful in the second round there is a third, and if necessary subsequent, round of voting from which, each time, the candidate with the fewest votes in the previous round is excluded; and
  - (iv) in any round of voting, if 2 or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot.]

[(4) System B—

- (a) requires that a person is elected or appointed if he or she receives more votes than any other candidate; and
  - (b) has the following characteristics:
    - (i) there is only 1 round of voting; and
    - (ii) if 2 or more candidates tie for the most votes, the tie is resolved by lot.]
-

**WAIMAKARIRI DISTRICT COUNCIL****REPORT FOR DECISION**

**FILE NO:** GOV-32 / 221010175210  
**REPORT TO:** Council  
**DATE OF MEETING:** 8 November 2022  
**AUTHOR(S)** Mayor Dan Gordon  
**SUBJECT:** Appointments to Joint Regional Committees

**SIGNED BY:**  
 (for Reports to Council,  
 Committees or Boards)

\_\_\_\_\_  
 Department Manager

  
 \_\_\_\_\_  
 Acting Chief Executive

**1. SUMMARY**

The purpose of this report is to make appointments to Joint Committees, which impact on Council activities. Additional Committees and appointments to the Code of Conduct Committees will be considered at the December Council meeting. Appointments to Advisory Groups and outside organisations will also be considered at a future Council meeting prior to 28 February 2023.

**2. RECOMMENDATION**

**THAT** the Council:

- (a) **Receives** report No. 221010175210.
- (b) **Appoints** Councillor Brine to the Canterbury Waste Joint Committee.
- (c) **Appoints** Councillor Brine to the Canterbury Regional Landfill Joint Committee.
- (d) **Appoints** Mayor Gordon as the Council's representative on the Canterbury Civil Defence Emergency Management Group (CDEM Group).
- (e) **Appoints** Mayor Gordon, and Councillors Neville Atkinson and Niki Mealings to the Greater Christchurch Partnership (GCP).
- (f) **Appoints** Mayor Gordon to the Greater Christchurch Public Transport Joint Committee.
- (g) **Appoints** Mayor Gordon to the Canterbury Regional Land Transport Committee.
- (h) **Appoints** Councillor Fulton to the Waimakariri Water Zone Committee.
- (i) **Appoints** Councillor Blackie as a Trustee to the Te Kohaka o Tuhaitara Trust.
- (j) **Appoints** Mayor Gordon as a Trustee to Enterprise North Canterbury.
- (k) **Appoints** Mr David Ayers to the Canterbury Museum Trust Board.
- (l) **Notes** appointments and Chairs to Standing Committees is subject to a separate report. (Trim 221025185070).

- (m) **Notes** appointments to the District Licencing Committee consist of Commissioners Neville Atkinson (Chair), Jim Gerard (Deputy Chair), Wendy Doody, Philip Redmond and Paul Williams until review in mid-2024.
- (n) **Notes** all other appointments cease at the end of the 2022-25 Local Body Triennial term, being 11 October 2025, unless appointed to a Council Controlled Organisation (CCO) or specifically altered by the Council.

### 3. **BACKGROUND**

- 3.1 Standing Committees, Working Parties, Steering Groups of the Council and appointments to Council representation (including Community Board appointments) was deemed to be discharged following the 8 October 2022 elections. New appointments are required to be formally made.
- 3.2 However, under clause 30(7) of Schedule 7 of the Local Government Act 2002 the following Joint Committees are not discharged on the coming into office of the members of the Council elected or appointed at, or following, the October 2022 triennial local body elections, and they continue to exercise the delegations made to them:
  - (i) Canterbury Waste Joint Committee
  - (ii) Canterbury Regional Landfill Joint Committee
  - (iii) Canterbury Civil Defence and Emergency Management Joint Committee
  - (iv) Greater Christchurch Partnership Committee
  - (v) Greater Christchurch Public Transport Joint Committee
  - (vi) Canterbury Water Management Strategy Waimakariri Water Zone Committee
  - (vii) District Licensing Committee

### 4. **ISSUES AND OPTIONS**

- 4.1 The Greater Christchurch Partnership (GCP) comprises of Christchurch City, Selwyn District and Waimakariri District Councils, Environment Canterbury, Te Runanga o Ngai Tahu and participation from the NZ Transport Agency (NZTA), Health NZ (formally Canterbury District Health Board) and the Greater Christchurch Group from within the Department of the Prime Minister and Cabinet (DPMC). The Strategy is a forward-looking document preparing the region for the future by focusing on enriching lifestyles, enhancing environments, and encouraging prosperous economies, managing growth, providing effective governance and leadership and integrating implementation.
- 4.2 The membership of the Canterbury Water Management Strategy - Waimakariri Zone Committee comprises of a member each from Environment Canterbury and Waimakariri District Council, two members from Te Ngai Tuahuriri Runanga, and between four and six members appointed from the community.
- 4.3 Representation on the Canterbury Water Management Regional Committee is no longer exists and is managed directly by Environment Canterbury, having previously been represented collectively by the Waimakariri, Kaikoura and Hurunui District Councils. Representation on the Canterbury Museum Trust Board is shared between the Waimakariri and Hurunui District Councils. These appointments are also subject to agreement from the associated neighbouring Councils.
- 4.4 For both the Civil Defence Emergency Management Group and Enterprise North Canterbury, the Mayor is the automatic appointment.

- 4.5 The Canterbury Regional Landfill Committee and Canterbury Waste Committee have obvious similarities and in the previous term Cr Robbie Brine sat on both committees. The Canterbury Waste Joint Committee is responsible for advancing regional solid waste and hazardous waste minimisation in Canterbury. Regional waste minimisation initiatives actioned by the committee are in addition to member councils' responsibilities as mandated by the Waste Minimisation Act 2008 and as set out in the member councils' respective waste minimisation plans. The committee offers a contestable fund for new and innovative projects that progress waste minimisation within the Canterbury region. The Canterbury Regional Landfill Committee represents the Council members of the regional landfill company Transwaste Canterbury.
- 4.6 In the past, some Joint Committees provided for alternates to attend meetings. Once the Committees are established, and the Terms of Reference confirmed, a report will be brought before the Council to consider alternates, where appropriate.
- 4.7 **Council Controlled Organisations (CCOs)**  
Appointments made to CCOs of Te Kohaka o Tuhaitara Trust and Enterprise North Canterbury (ENC) also are required to be considered for the term of the Council. Both the Mayor of Waimakariri and Hurunui District Councils are automatic appointments to ENC, and are supported by the Chief Executives of the two respective councils who act as advisory trustees.
- 4.7 The Te Kohaka O Tuhaitara Trust has two other trustees appointed by the Council. They are currently Catherine McMillan and Andrea Rigby whose terms expire in 2024 when a report will be brought before the Council.
- 4.8 Under the Canterbury Museum Trust Board Act 1993, the Waimakariri District Council and Hurunui District Council have the right to appoint one representative to represent both Councils. The representative does not have to be an elected member of either of those Councils. For the last three terms, former Waimakariri Mayor David Ayers was the representative on the Board for both Councils. In the term before that, the role was carried out by Hurunui Mayor Garry Jackson, which is also a shared representative role. It has been recommended that David Ayers continue to be the councils' representative despite no longer being an elected member. He now has a long period of service on the Board and his knowledge and contribution is widely respected. David Ayers is now the Chairperson of the Museum Trust Board. The Museum Trust Board have advised a desire for Mr Ayers to continue in this role due to his extensive knowledge and being past deputy chair, particularly as the Museum undergoes significant projects. Mr Ayers has been approached by Mayor Gordon to seek his ongoing involvement on behalf of the Waimakariri District Council, with a positive response from Mr Ayers. The Hurunui District Council supports this approach having considered the matter at its 1 November 2022 meeting and appointed Mr Ayers to the Museum Trust (subject to final approval from this Council).
- 4.9 There are no implications on community wellbeing by the issues and options that are the subject matter of this report.
- 4.10 The Acting Chief Executive has reviewed this report.

## **5. COMMUNITY VIEWS**

### **5.1 Mana whenua**

Te Ngāi Tūāhuriri hapū are likely to be affected by or have an interest in the subject matter of this report. However, representatives of the Rūnanga serve on various committees and working groups and will be informed of any changes as they become known.

### **5.2 Groups and Organisations**

There are no groups and organisations likely to be affected by or to have an interest in the subject matter of this report.



### 5.3 **Wider Community**

The wider community is not likely to be affected by or be interested in this report's subject matter. However, the structure of the Council needs to be clear and provide certainty as to how the community can engage with the Council and its elected members.

The views of Councillors have been sought in the preparation of the report.

## 6. **OTHER IMPLICATIONS AND RISK MANAGEMENT**

### 6.1 **Financial Implications**

6.1.1 There are financial implications of the decisions sought by this report. Servicing of meetings either occurs through existing operational budgets or the hosting Council (i.e. Christchurch City Council or Environment Canterbury).

6.1.2 No additional remuneration is provided for Joint Committee membership as that is seen as part of a Councillors normal duty.

### 6.2 **Sustainability and Climate Change Impacts**

The recommendations in this report do not have sustainability and/or climate change impacts.

### 6.3 **Risk Management**

There are not risks arising from the adoption/implementation of the recommendations in this report.

### 6.4 **Health and Safety**

There are no health and safety risks arising from the adoption/implementation of the recommendations in this report.

## 7. **CONTEXT**

### 7.1 **Consistency with Policy**

This matter is not a matter of significance in terms of the Council's Significance and Engagement Policy.

### 7.2 **Authorising Legislation**

Local Government Act 2002 – schedule 7, part 1, clause 30 and 31.

### 7.3 **Consistency with Community Outcomes**

There are wide ranging opportunities for people to contribute to the decision-making by public organisations that affect our District.

### 7.4 **Authorising Delegations**

None.

**WAIMAKARIRI DISTRICT COUNCIL****REPORT FOR DECISION**

**FILE NO:** GOV-32 / 221025185171  
**REPORT TO:** Council  
**DATE OF MEETING:** 8 November 2022  
**AUTHOR(S):** Mayor Dan Gordon  
**SUBJECT:** Appointment of Portfolio Holders

**SIGNED BY:**  
 (for Reports to Council,  
 Committees or Boards)

\_\_\_\_\_  
 Department Manager

  
 \_\_\_\_\_  
 pp Chief Executive

**1. SUMMARY**

1.1 The purpose of this report is to recommend the establishment and appointment of the Portfolio Holders, for the Council.

Attachments

(i) Portfolio listing as at 1 November 2022 (Trim 221102190751)

**2. RECOMMENDATION**

**THAT** the Council:

- (a) **Receives** report No. 221025185171.
- (b) **Establishes** Portfolios for Councillors and **notes** the generic Portfolio Holder Role Description.
- (c) **Appoints** Mayor Gordon as Portfolio Holder of Iwi Relationships.
- (d) **Appoints** Mayor Gordon as Portfolio Holder of Government Reform.
- (e) **Appoints** Mayor Gordon as Portfolio Holder of Greater Christchurch Partnership.
- (f) **Appoints** Mayor Gordon as Portfolio Holder of Transport.
- (g) **Appoints** Deputy Mayor Atkinson as Portfolio Holder of Property and Housing.
- (h) **Appoints** Deputy Mayor Atkinson as Portfolio Holder of International Relationships.
- (i) **Appoints** Councillor Blackie as Portfolio Holder of Arts and Culture.
- (j) **Appoints** Councillor Mealings as Portfolio Holder of Climate Change and Sustainability.
- (k) **Appoints** Councillor Brine as Portfolio Holder of Solid Waste.
- (l) **Appoints** Councillor Ward as Portfolio Holder of Audit, Risk, Annual/Long Term Plans.
- (m) **Appoints** Councillor Ward as Portfolio Holder of Communications and Customer Service.

- (n) **Appoints** Councillor Blackie as Portfolio Holder of Greenspace (Parks, Reserves and Sports Grounds).
- (o) **Appoints** Councillor Brine as Portfolio Holder of Community Facilities (including Aquatic Centres, Multi-use Sports Stadium, Libraries/Service Centres, Town Halls, and Museums).
- (p) **Appoints** Councillor Cairns as Portfolio Holder of Community Development and Wellbeing.
- (q) **Appoints** Councillor Cairns as Portfolio Holder of Business, Promotion and Town Centres.
- (r) **Appoints** Councillor Fulton as Portfolio Holder of District Planning.
- (s) **Appoints** Councillor Goldsworthy as Portfolio Holder of Civil Defence and Regulation.
- (t) **Appoints** Councillor Redmond as Portfolio Holder of Rooding.
- (u) **Appoints** Councillor Williams as Portfolio Holder of Drainage and Stockwater and Three Waters (Drinking Water, Sewer and Stormwater).
- (v) **Notes** that a further report will be considered by the Council with additional portfolios and detailed portfolio descriptions which link with the proposed Council Charter.
- (w) **Notes** that appointments and portfolios may be reviewed in November 2023 by the Council or at the discretion of the Mayor.

### 3. **BACKGROUND**

- 3.1 The Council established four Standing Committees at its meeting of 27 October 2022; being Audit and Risk Committee, Community and Recreation Committee, District Planning and Regulation Committee and the Utilities and Rooding Committee.
- 3.2 Portfolio Holder positions were established at the beginning of the 2019-22 term to align with key Council and Committee matters. The previous Council made recommendations to this Council to continue with the practice of portfolios.
- 3.3 A further report will be considered by the Council in the near future with additional portfolios and detailed portfolio descriptions which link with the proposed Council Charter.

### 4. **ISSUES AND OPTIONS**

- 4.1 The portfolios have proven successful during the previous term as it allowed each Councillor and the Mayor to hold various portfolios that share the workload and knowledge. The general role description of a portfolio holder is set out at the end of this report.
- 4.7 There are no implications on community wellbeing by the issues and options that are the subject matter of this report.
- 4.8 The Acting Chief Executive has reviewed this report.

### 5. **COMMUNITY VIEWS**

#### 5.1 **Mana whenua**

Te Ngāi Tūāhuriri hapū are likely to be affected by or have an interest in the subject matter of this report. However, representatives of the Rūnanga serve on various committees and working groups and will be informed of any changes as they become known.

## 5.2 Groups and Organisations

There are no groups and organisations likely to be affected by or to have an interest in the subject matter of this report.

## 5.3 Wider Community

The wider community is not likely to be affected by or be interested in this report's subject matter. However, the structure of the Council needs to be clear and provide certainty as to how the community can engage with the Council and its elected members.

Discussions have been held between each member of the Council and the Mayor.

## 6. OTHER IMPLICATIONS AND RISK MANAGEMENT

### 6.1 Financial Implications

There are financial implications of the decisions sought by this report.

6.1.1 Remuneration is set by the independent Remuneration Authority, and it has accepted and approved all Waimakariri Councillors as holding portfolios. Councillors therefore receive a slightly higher remuneration to allow for the additional duties than the base remuneration. During the term, the individual portfolio holders chair a Committee related to their portfolio. No additional remuneration is provided for committee membership as that is seen as part of a Councillors normal duty.

6.1.2 In July 2022, the Remuneration Authority set the remuneration for the elected members. The Councillors remuneration is a base rate from a funding pool set by the Authority. The governance remuneration pool for Councillors (including the Deputy Mayor) from the day after the date of which the official result of the 2022 election is declared is \$555,247.00. This is higher than the base Councillor rate as all Councillors carry high duties with portfolios and chairperson requirements.

6.1.3 The Remuneration Authority have set the elected member remuneration from 1 July 2022 to 30 June 2023 in two stages as follows:

Position	Pre-election	Post-election
Mayor	\$139,425	\$146,838
Deputy Mayor	\$59,820	** <i>indicative</i> \$69,373
Councillor (with portfolio and chairing responsibilities) (all 9 Councillors)	\$49,210	** <i>indicative</i> \$53,986
Councillors base salary with no portfolio responsibilities	\$38,156	\$42,143

### 6.2 Sustainability and Climate Change Impacts

The recommendations in this report do not have sustainability and/or climate change impacts.

### 6.3 Risk Management

There are not risks arising from the adoption/implementation of the recommendations in this report.

#### 6.4 **Health and Safety**

There are no health and safety risks arising from the adoption/implementation of the recommendations in this report.

### 7. **CONTEXT**

#### 7.1 **Consistency with Policy**

This matter is not a matter of significance in terms of the Council's Significance and Engagement Policy.

#### 7.2 **Authorising Legislation**

Remuneration Authority 2022/23 Determination.

#### 7.3 **Consistency with Community Outcomes**

There are wide ranging opportunities for people to contribute to the decision-making by public organisations that affect our District.

#### 7.4 **Authorising Delegations**

The Council sets the structure of its Committees, as stipulated in the Local Government Act 2002. The Mayor has the delegation to set Portfolios.

**General Description of Portfolio Holder Role (September 2022)**

Each Portfolio Holder shall be a member of the Standing Committee to which the portfolio relates.

The purpose of the Portfolio Holder position is to:

- Provide leadership in respect of issues relating to the Portfolio.
- Work with key Council staff to develop Council priorities and provide input into the Long Term Plan (LTP) and Annual Plan processes.
- Work with key Council staff in the development of policy for Council and Committee consideration.
- Lead community engagement processes relating to the Portfolio.
- Act as the Council's spokesperson for matters relating to the Portfolio.

It is noted that the Portfolio Holders will meet regularly (at least monthly) with the Department Manager to discuss relevant matters in relation to their portfolio. This information will be discussed when the Department Manager and Chair of the relevant Standing Committee or Council who meet to discuss agenda matters in relation to upcoming meetings.

Portfolio positions may be reviewed by the Mayor twelve months after the beginning of the term and additional portfolios can be added or amended at any time at the discretion of the Mayor, in consultation with the Chief Executive.

<b>PORTFOLIO</b>	<b>PORTFOLIO HOLDER (1 Nov 22)</b>
<b><i>COUNCIL</i></b>	
Iwi Relationships	Mayor Dan Gordon
Greater Christchurch Partnership	Mayor Dan Gordon
Canterbury Water Management Strategy	Councillor Tim Fulton
Climate Change and Sustainability	Councillor Niki Mealings
Property and Housing (community housing, acquisitions & disposals)	Deputy Mayor Neville Atkinson
Government Reforms (3waters, LG Futures, RMA, etc)	Mayor Dan Gordon
International Relationships	Deputy Mayor Neville Atkinson
<b><i>AUDIT AND RISK COMMITTEE</i></b>	
Audit, Risk, Annual/Long Term Plans	Councillor Joan Ward
Communications and Customer Services	Councillor Joan Ward
<b><i>COMMUNITY AND RECREATION COMMITTEE</i></b>	
Greenspace (Parks, Reserves and Sports Grounds)	Councillor Al Blackie
Community Facilities (including Aquatic Centres, Multi-use Sports Stadium, Libraries/Service Centres, Town Halls, and Museums)	Councillor Robbie Brine
Community Development and Wellbeing	Councillor Brent Cairns
Arts and Culture	Councillor Al Blackie
<b><i>DISTRICT PLANNING AND REGULATION COMMITTEE</i></b>	
District Planning	Councillor Tim Fulton
Civil Defence and Regulation	Councillor Jason Goldsworthy
Business, Promotion and Town Centres	Councillor Brent Cairns
<b><i>UTILITIES AND ROADING COMMITTEE</i></b>	
Drainage and Stockwater and Three Waters (Drinking Water, Sewer, Stormwater)	Councillor Paul Williams
Roading	Councillor Philip Redmond
Transport	Mayor Dan Gordon
Solid Waste	Councillor Robbie Brine

**WAIMAKARIRI DISTRICT COUNCIL**

**REPORT FOR INFORMATION**

**FILE NO and TRIM NO:** GOV-32 / 221026186065

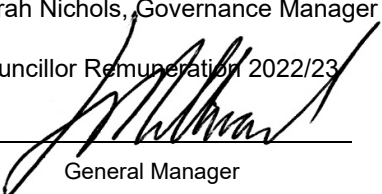
**REPORT TO:** COUNCIL

**DATE OF MEETING:** 8 November 2022

**AUTHOR(S):** Sarah Nichols, Governance Manager

**SUBJECT:** Councillor Remuneration 2022/23

**ENDORSED BY:**  
(for Reports to Council,  
Committees or Boards)

  
General Manager

  
Acting Chief Executive

**1. SUMMARY**

- 1.1 This report provides seeks confirmation of the Councillors remuneration following a recommendation from the previous Council at its 12 July 2022 meeting, based on the Remuneration Authority Determination for the July 2022 to June 2023 financial year.
- 1.2 It should be noted that the Mayor and the Community Boards remuneration is set by the Remuneration Authority. The Authority determines a remuneration pool for the Councillors, that the Council then decide the allocation.
- 1.3 The remuneration pool for councillors (including deputy mayor) from mid-October 2022 to 30 June 2023 is \$555,247. This is higher than the base councillor rate of \$42,143 as all councillors carry higher duties with portfolios and chairperson requirements.

Attachments:

- i. Extract of Remuneration Authority Determination 2022/23
- ii. Elected Member Expenses Policy to 30 June 2023 (Trim 21081131910 QD)
- ii. Copy Remuneration report to Council 12 July 2022 (220622107255)

**2. RECOMMENDATION**

**THAT** the Council

- (a) **Receives** Report No. 221026186065.
- (b) **Notes** the remuneration is set by the Remuneration Authority in the Local Government Members (2022/23) Determination (schedule 2) for the Mayor (at \$146,838), and Community Board members from the day after the date of the official election result being declared 13 October 2022 to 30 June 2023.
- (c) **Notes** the base remuneration for Councillors with no portfolios or chairing responsibilities is \$42,143.00.
- (d) **Notes** the remuneration pool set by the Remuneration Authority post election to 30 June 2023 is \$555,247.00
- (e) **Endorses** the remuneration for nine councillors, who all hold portfolios and chairing responsibilities is \$53,986.00 to 30 June 2023.
- (f) **Endorses** the remuneration for the Deputy Mayor being \$69,373.00.



### 3. **BACKGROUND**

- 3.1 The Remuneration Authority (RA) set the remuneration, allowances and expenses for elected members and Determinations normally covers a financial year (1 July to 30 June).
- 3.2 The Determination of remuneration changes to elected members is made by the Remuneration Authority and the legislative instrument processed through Parliament before receiving the Royal Assent. The Council has no choice, but to follow the legislation.
- 3.3 The governance remuneration pool does not apply to Mayors or Community Board members. The remuneration pools support the mandatory criteria (clause 7, schedule 7 of the Local Government Act 2002) that the Authority is required to consider when determining local government members pay. In particular, the RA were concerned with achieving and maintaining fair relativity with the levels of remuneration received elsewhere and being fair to the elected members and ratepayers. The governance remuneration pool provides the total amount that must be paid in remuneration to councils in each individual council and is based on the collective governance role (size index) of the council. The pool does not take into account the number of councillors on the council.

### 4. **ISSUES AND OPTIONS**

- 4.1. The previous Council considered the remuneration pool allocation to councillors on 12 July 2022 and this report seeks to endorse those recommendations.
- 4.2. Subject to a separate report the Council has determined that all councillors will hold portfolios and share chairing of committee responsibilities through the electoral term, and therefore receive a higher remuneration than the base rate. It is recognised that the Deputy Mayor will undertake portfolios and chairing duties as well as additional workload in supporting the Mayor including attendance at a variety of meetings and events through the term.
- 4.3. This report seeks to allocate the remuneration pool in a fair manner to all councillors. Pre-election (1 July to 13 October 2022) the Deputy Mayor was paid \$59,820 and the Councillors remuneration was \$49,210. The recommendations are an increase of \$9,553 and \$4,776 respectively. This is in proportion with the increased remuneration pool. The remuneration pool pre-election was \$502,716 and has increased post-election to \$555,247.
- 4.4. Allowances and expenses are additional to the remuneration, as prescribed by the Remuneration Authority and outlined in the elected member expenses policy.
- 4.5. The Management Team has reviewed this report.

#### **Implications for Community Wellbeing**

There are not implications on community wellbeing by the issues and options that are the subject matter of this report.

### 5. **COMMUNITY VIEWS**

#### 5.1. **Mana whenua**

Te Ngāi Tūāhuriri hapū are not likely to be affected by, or have an interest in the subject matter of this report.

## 5.2. **Groups and Organisations**

There are not groups and organisations likely to be affected by, or to have an interest in the subject matter of this report.

## 5.3. **Wider Community**

The wider community is not likely to be affected by, or to have an interest in the subject matter of this report.

## **6. OTHER IMPLICATIONS AND RISK MANAGEMENT**

### 6.1. **Financial Implications**

There are financial implications of the decisions sought by this report.

6.1.1. Elected member remuneration is funded from the Governance Budget, which has adequate provision for the 2022/23 budget.

6.1.2. The governance remuneration pool (schedule 2) for councillors (including deputy mayor) from the day after the date of which the official result of the 2022 election is declared is \$555,247.00. The remuneration pool (schedule 1) from 1 July to prior to mid-October 2022 was \$502,716.00. The base rate for a councillor is \$42,143 however as all councillors carry higher duties with portfolios and chairperson requirements the remuneration is apportioned from the pool of \$555,247.00.

6.1.3. Inland Revenue deems elected members of local authorities to be self-employed. Therefore, elected members are required to make their own ACC levy payments and KiwiSaver arrangements. They may also be required to make provisional tax payments. Being self-employed, elected members are taxed as individuals at a rate determined by Inland Revenue. Remuneration is taxed and is paid directly to the IRD from the Council fortnightly payments, generally at a rate of 33% tax (WT tax code). All allowances are non-taxable.

6.1.4. The expenses that an elected member is entitled to claim such as mileage is sent out in the Elected member Expenses Policy to June 2023.

### 6.2. **Sustainability and Climate Change Impacts**

The recommendations in this report do not have sustainability and/or climate change impacts.

### 6.3. **Risk Management**

There are not risks arising from the adoption/implementation of the recommendations in this report.

Access to staff benefits schemes has been requested from time to time by various local authorities. These schemes often offer council staff discounted access to council owned or controlled facilities such as swimming pools, gyms and museums. Given the nature of these schemes, it would be not only inappropriate for councils to offer these schemes to elected members, but would be contrary to both the LGA and the Remuneration Authority Act 1977.

### 6.4. **Health and Safety**

There are not health and safety risks arising from the adoption/implementation of the recommendations in this report.

## **7. CONTEXT**

### **7.1. Consistency with Policy**

This matter is not a matter of significance in terms of the Council's Significance and Engagement Policy.

### **7.2. Authorising Legislation**

Local Government Members (2022/23) Determination 2022

Local Government Act 2002 (clauses 6, 7A, 7(2) Schedule 7)

Remuneration Authority Act 1977

### **7.3. Consistency with Community Outcomes**

The Council's community outcomes are relevant to the actions arising from recommendations in this report.

### **7.4. Authorising Delegations**

By legislation, the Remuneration Authority Determination is final.

Schedule 2

**Local Government Members (2022/23) Determination  
2022***Tuakau Community Board*

<b>Office</b>	<b>Annual remuneration (\$)</b>
Chairperson	10,785
Member	5,393

*Waimakariri District Council*

<b>Office</b>	<b>Annual remuneration (\$)</b>
Mayor	146,838
Councillor (Minimum Allowable Remuneration)	42,143

*Kaipoi–Tuahiwi Community Board*

<b>Office</b>	<b>Annual remuneration (\$)</b>
Chairperson	17,991
Member	8,995

*Oxford–Ohoka Community Board*

<b>Office</b>	<b>Annual remuneration (\$)</b>
Chairperson	16,949
Member	8,475

*Rangiora–Ashley Community Board*

<b>Office</b>	<b>Annual remuneration (\$)</b>
Chairperson	23,206
Member	11,603

*Woodend–Sefton Community Board*

<b>Office</b>	<b>Annual remuneration (\$)</b>
Chairperson	14,863
Member	7,431

*Waimate District Council*

<b>Office</b>	<b>Annual remuneration (\$)</b>
Mayor	104,302
Councillor (Minimum Allowable Remuneration)	20,671

*Waipa District Council*

<b>Office</b>	<b>Annual remuneration (\$)</b>
Mayor	145,391
Councillor (Minimum Allowable Remuneration)	36,532

*Cambridge Community Board*

<b>Office</b>	<b>Annual remuneration (\$)</b>
Chairperson	19,327
Member	9,663

# Elected Member Expenses Policy

(from 1 July 2022 to 30 June 2023)

## 1. Introduction

The Local Government Act 2002 has given the Remuneration Authority the responsibility for setting remuneration, approving expense rules and setting the mileage allowance for elected members.

## 2. Policy context

### 2.1. Policy principles

- 2.1.1. This policy covers the entitlement of elected members to allowances and contributions towards expenses related to travel, mileage, communication, childcare, and travel, conference and training attendance and professional development.
- 2.1.2. Elected members should be reimbursed for actual and reasonable expenses they incur in carrying out their official duties.
- 2.1.3. Reimbursement of expenses apply only to elected members personally and only while they are acting in their official capacity as elected members.
- 2.1.4. Elected members' expense expenditure must have a justifiable business purpose, is moderate and conservative having regard to the circumstances, is made transparently and is appropriate in all respects.

### 2.2. Legislative context

Local Government Act 2002 Schedule 7 Clauses 6–13.

Local Government Members (2022/23) (Local Authorities) Determination 2022

## 3. Policy objective

- 3.1. To establish guidelines on claiming of expenses by elected members.
  - 3.1.1. This policy is based on the principles that all expenditure is:
    - Actual and reasonable
    - Related to conduct of local authority business
    - Represents the best use of ratepayer funds.
  - 3.1.2. All entitlements are considered to be a contribution to expenses elected members may incur in the course of conducting local authority business.

## 4. Implementation

- 4.1. All expense claims must be submitted on the relevant claim form and where appropriate accompanied by full receipts. Eligibility of claims presented without receipts will be determined by the Governance Manager.
- 4.2. All expense claims are to be returned at least quarterly, and preferably monthly.
- 4.3. Expense claims by the Mayor are to be approved by the Chair of Audit & Risk Committee.
- 4.4. Expense claims by Deputy Mayor, Councillors and Community Board members are approved by the Governance Manager.
- 4.5. All mileage claims, including Mayor, are approved by the Governance Manager.
- 4.6. The internal audit work programme will include sampling of expense claims and allowances paid to elected members and staff. An external audit work programme may be undertaken as required.

## 5. Policy Statement

### 5.1. Remuneration, allowances and hearing fees

- 5.1.1. A member of a local authority or a board is entitled to:
  - (a) the applicable remuneration set out in the Schedule (adjusted in accordance with clause 9 if applicable)
  - (b) the applicable allowances payable in accordance with clauses 10 to 13
  - (c) the applicable hearing fees payable in accordance with clause 14.
- 5.1.2. If a member of a territorial authority is also elected or appointed to a board, the member is entitled only to the remuneration that is payable to the member as a member of the territorial authority.

### 5.2. Acting Mayor

- 5.2.1. This clause applies to a member who acts as a mayor during a period when, because of a vacancy or temporary absence, the remuneration or allowances that would usually be paid to the mayor are not being paid.
- 5.2.2. While acting as mayor, the member must be paid the remuneration and allowances usually payable to the mayor, instead of the member's usual remuneration, allowances, and hearing fees.

### 5.3. RMA resource consent hearing costs

- 5.3.1. Where an elected member (Councillor or Community Board member\*) is appointed to an RMA Resource Consent Application Hearing Panel or District Plan Hearing Panel by the Council, remuneration and allowances are payable as outlined in the Local Government Members (2022/23) (Local Authorities) Determination 2022, Section 5, 6 and 7 (or subsequent Determinations).
  - Chairperson of an RMA Resource Consent hearing is entitled to be paid a fee of up to \$116 per hour of RMA hearing, preparation (including site visit) and writing of decision time
  - Panel member whom is not Chairperson of RMA Resource Consent or District Plan hearing is entitled to be paid a fee of up to \$93 per hour of RMA or District Plan hearing and preparation (including site visit) time
  - For any period of hearing time that is less than one hour, the fee must be apportioned accordingly

- RMA Resource Consent or District Plan hearing fees are not payable to mayors or a member who acts as mayor and is paid the mayor's remuneration and allowances under clause 8(2).

5.3.2. Any/all elected members whom Waimakariri District Council appoints to a RMA Resource Management hearing or District Plan hearing must be suitably qualified by holding a current accreditation on behalf of the Ministry for the Environment having successfully completed the "Making Good Decisions" programme.

#### **5.4. District Licencing Committee hearing costs**

5.4.1. Where an elected member (Councillor or Community Board member\*) is appointed to the District Licencing Committee (DLC) remuneration is set under section 183 of the Sale and Supply of Alcohol Act and their fees and expenses are payable as prescribed by the Minister of Justice in accordance with the Cabinet fees framework. This currently being:

- Chairperson of a DLC hearing is entitled to be paid a fee of up to \$116 per hour of DLC hearing time, including preparation, site visit and writing of decision time
- Panel member whom is not Chairperson of DLC hearing is entitled to be paid a fee of up to \$93 per hour of DLC hearing time, including preparation and site visit time
- For any period of hearing time that is less than one hour, the fee must be apportioned accordingly
- DLC hearing fees are not payable to mayors or a member who acts as mayor and is paid the mayor's remuneration and allowances.

#### **5.5. Reimbursement of conference costs**

5.5.1. Where an elected member attends a conference approved by the Council or a Community Board, all actual and reasonable costs associated with the conference or seminar will be met by the Council. This includes meal, accommodation costs and travel costs. The most cost effective means of travel must be used. Claims are to be supported by receipts and submitted to the Governance Manager within one month of conference.

#### **5.6. Accommodation and meals**

5.6.1. Accommodation and meals will be reimbursed based on actual and reasonable costs, as determined by the Governance Manager. In respect of the Mayor, assessment of actual and reasonable costs shall be determined by the Chair of the Audit and Risk Committee together with the Chief Executive. Where private accommodation is used a claim of \$50 per night can be made. Meals will be reimbursed based on actual and reasonable costs. Claims are to be supported by receipts. Alcohol is considered a private expense and is not reimbursed.

#### **5.7. Mayoral vehicle**

5.7.1. The Waimakariri District Council do not supply a motor vehicle for elected members private use.

#### **5.8. Vehicle mileage allowance**

5.8.1. Mileage will be paid in accordance with Remuneration Authority Determination (2022/23)

5.8.2. A local authority may pay to a member a vehicle mileage allowance to reimburse that member for costs incurred in respect of eligible travel.

5.8.3. A member's travel is eligible for the allowance if—

- (a) it occurs on a day when the member is not provided with a motor vehicle by the local authority; and

- (b) the member is travelling—
  - (i) in a private vehicle; and
  - (ii) on local authority business; and
  - (iii) by the most direct route that is reasonable in the circumstances.

5.8.4. The allowance payable to a member for eligible travel is,—

- (a) for a petrol or diesel vehicle,—
  - (i) 83 cents per kilometre for the first 14,000 kilometres of eligible travel in the determination term; and
  - (ii) 31 cents per kilometre after the first 14,000 kilometres of eligible travel in the determination term:
- (b) for a petrol hybrid vehicle,—
  - (i) 83 cents per kilometre for the first 14,000 kilometres of eligible travel in the determination term; and
  - (ii) 18 cents per kilometre after the first 14,000 kilometres of eligible travel in the determination term:
- (c) for an electric vehicle,—
  - (i) 83 cents per kilometre for the first 14,000 kilometres of eligible travel in the determination term; and
  - (ii) 10 cents per kilometre after the first 14,000 kilometres of eligible travel in the determination term.

5.8.5. In the case of an elected member living outside the Waimakariri District, the mileage allowance will be payable only from their point of entry at the Waimakariri District boundary.

5.8.6. Transport costs other than mileage will be paid for on an actual and reasonable basis.

5.8.7. The Governance Manager will be responsible for monitoring mileage claims and agreeing with the elected member the most direct route reasonable in the circumstances.

## 5.9. Travel time allowance

5.9.1. A local authority may pay a member (other than a mayor or a regional chairperson) an allowance for eligible travel time.

5.9.2. A member's travel time is eligible for the allowance if it is time spent travelling within New Zealand—

- (a) on local authority business; and
- (b) by the quickest form of transport that is reasonable in the circumstances; and
- (c) by the most direct route that is reasonable in the circumstances.

5.9.3. The travel time allowance is \$40 for each hour of eligible travel time after the first hour of eligible travel time travelled in a day.

5.9.4. However, if a member of a local authority resides outside the local authority area and travels to the local authority area on local authority business, the member is only eligible for a travel time allowance in respect of eligible travel time —

- (a) after the member crosses the boundary of the local authority area; and
- (b) after the first hour of eligible travel within the local authority area.

5.9.5. The maximum total amount of travel time allowance that a member may be paid for eligible travel in a 24-hour period is 8 hours.



## 5.10. Computer, internet and associated consumables expenses (communications allowance)

5.10.1. It is determined by the local authority that Mayor and Councillors are provided laptops to enable them to perform their functions. The Mayor is provided a mobile phone by the local authority. All Councillors use their own mobile phones. Community Board members are required to use their own equipment. Waimakariri District Council will pay an allowance in accordance with the Remuneration Authority Determination.

### Equipment

Mobile telephone	\$200pa (excludes Mayor)
Printer	\$50pa
Personal computer/tablet/laptop	\$400pa (excludes Mayor and Councillors)
Paper consumables	\$200pa

### Services

Internet Connection	\$800pa
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### Equipment

To reimburse for the costs of their phone/printer/computers and related consumables, as follows:

- The Mayor to receive an allowance of \$9.61 per fortnight.
- The Councillors to receive an allowance of \$17.30 per fortnight.
- Community Board Chairpersons to receive an allowance of \$32.69 per fortnight.
- Community Board members to receive \$32.69 per fortnight.

### Services

To reimburse for the costs of an Internet connection to their residential address to provide computer access to the Council, as follows:

- The Mayor and Councillors to receive an allowance of \$30.76 per fortnight
- Community Board Chairpersons to receive an allowance of \$30.76 per fortnight
- Community Board members to receive an allowance of \$30.76 per fortnight.

If a local authority requests a member to use the member's own mobile telephone service for the purpose of the member's work on local authority business, the member is entitled, at the member's option to –

- (a) An allowance for that use of up to \$500 for the determination term; or
- (b) Reimburse of actual costs of telephone calls made on local authority business on production of the relevant telephone records and receipts.

## 5.11. Childcare allowance

5.11.1. A local authority may pay a childcare allowance, in accordance with subclauses (2) and (3), to an eligible member as a contribution towards expenses incurred by the member for childcare provided while the member is engaged on local authority business.

5.11.2. A member is eligible to be paid a childcare allowance in respect of childcare provided for a child only if:

- (a) the member is a parent or guardian of the child, or is a person who usually has responsibility for the day-to-day care of the child (other than on a temporary basis); and
- (b) the child is aged under 14 years of age; and
- (c) the childcare is provided by a person who—
  - (i) is not a parent of the child or a spouse, civil union partner, or de facto partner of the member; and

- (ii) does not ordinarily reside with the member; and
- (d) the member provides evidence satisfactory to the local authority of the amount paid for childcare.

5.11.3. A local authority must not pay childcare allowances to a member that total more than \$6,000 per child during the determination term.

## **6. Breaches**

An alleged breach of allowance and expense rules is to be considered under the Code of Conduct.

## **7. Effective date**

12 July 2022

## **8. Review date**

This policy will be reviewed annually following the release of the Remuneration Authorities Local Government Members Determination. The next review is due July 2023.

## **9. Policy owned by**

The Governance Manager

## **10. Approval**

Approved by Waimakariri District Council on 12<sup>th</sup> July 2022 for receipt by the Remuneration Authority

# Appendix 1

Type of Meeting/Functions	Mileage	
	Paid	Not Paid
Council meetings (ordinary, special, extra-ordinary and emergency)	✓	
Committees and Subcommittees of Council (if appointed a member)	✓	
Community Board meetings (if an appointed member)	✓	
Resource Consent Hearings (if an appointed member of the Hearings Panel)	✓	
WDC Advisory Group meetings (if appointed by the Council as its representative) (e.g. Ohoka Domain Advisory Group)	✓	
Formally representing Council (as a result of resolution of Council) at a formal meeting of another local authority.	✓	
Meetings of other outside organisations as the Council's appointed representative (appointment pursuant to a Council resolution). (Note that meetings of Council Controlled Organisations and Trusts where Councillors and Community board members are otherwise remunerated do not qualify for payment.)	✓	
Full Council workshops or briefings (which have the prior approval of the Mayor and Chief Executive) at which no resolutions or decisions are made. These workshops are to be held solely to discuss major policy or strategic issues of interest to all Councillors.	✓	
Training and development courses, field trips, site visits, where authorised by the Mayor or formal resolution of Council or Community Board, in excess of four hours.	✓	
Public meetings where the Council is officiating.	✓	
Meetings with other statutory bodies to deal with issues which would be the responsibility of a Committee or Subcommittee of Council of which the Councillor attending is a member or which deal with issues directly affecting the Councillors Ward or Portfolio.	✓	
<i>Local Conferences/Seminars (if an appointed WDC representative)</i> <i>Note – Local being generally the Canterbury region. Mileage outside the region at the discretion of the Mayor.</i>	✓	
Working groups or working parties	✓	
Field trips or site visits/inspections (including site visits for resource consent hearings where approved by Mayor or Committee Chairperson)	✓	

Type of Meeting/Functions	Mileage	
	Paid	Not Paid
Briefings and discussions with the Mayor, Chief Executive, Senior Managers and Officers	✓	
Where Councillors, other than the Deputy Mayor, officiate at "official" functions as determined by the Mayor.	✓	
Constituency "meetings" (either with individuals or organisations) unless there is formal approval requiring official attendance		X
Social functions		X
Event attendance in a non-representative capacity		X
Travel not related to the business of the Waimakariri District Council		X
Personal travel interspersed with Council related business		X

**WAIMAKARIRI DISTRICT COUNCIL****REPORT FOR INFORMATION**

**FILE NO and TRIM NO:** GOV-11/220622107255

**REPORT TO:** COUNCIL

**DATE OF MEETING:** 12 July 2022

**AUTHOR(S):** Sarah Nichols, Governance Manager

**SUBJECT:** Elected Member Remuneration 2022/23

**ENDORSED BY:** \_\_\_\_\_  
(for Reports to Council, Committees or Boards)

General Manager



Acting Chief Executive

**1. SUMMARY**

- 1.1 This report provides an update on the Remuneration Authority Determination for the July 2022 to June 2023 financial year, pertaining to elected members remuneration and expenses.
- 1.2 It should be noted that the Mayor and Councillors remuneration is in two stages – 1 July to 15 October 2022 (pre-election) and secondly post-election 16 October 2022 to 30 June 2023. There is no change to Community Board members remuneration during the 2022/23 financial year (ie pre or post-election).
- 1.3 The remuneration pool for councillors (including deputy mayor) from mid-October 2022 to 30 June 2023 is \$555,247. This is higher than the base councillor rate of \$42,143 as all councillors carry high duties with portfolios and chairperson requirements.
- 1.4 This report also updates the Elected Member Expenses Policy to 30 June 2023, as required by the Remuneration Authority.

**Attachments:**

- i. Draft Elected Member Expenses Policy to 30 June 2023 (Trim 220707115598)
- ii. Extract of Remuneration Authority Determination 2022/23

**2. RECOMMENDATION**

**THAT** the Council

- (a) **Receives** Report No. 220622107255.
- (b) **Notes** the remuneration set by the Remuneration Authority for Waimakariri Mayor, Councillors and Community Board members in two stages from 1 July 2022 to date of official election result declared (approx. 15 October 2022) and 16 October 2022 to 30 June 2023 as follows:

	Pre-election	Post-election
Mayor	\$139,425	\$146,838
Deputy Mayor	\$59,820	** <i>indicative</i> \$69,373
Councillor (with portfolio and chairing responsibilities)	\$49,210	** <i>indicative</i> \$53,986

Kaiapoi-Tuahiwi Community Board Chair	\$17,991	\$17,991
Kaiapoi-Tuahiwi Community Board	\$8,995	\$8,995
Oxford-Ohoka Community Board Chair	\$16,949	\$16,949
Oxford-Ohoka Community Board	\$8,475	\$8,475
Rangiora-Ashley Community Board Chair	\$23,206	\$23,206
Rangiora-Ashley Community Board	\$11,603	\$11,603
Woodend-Sefton Community Board Chair	\$14,863	\$14,863
Woodend-Sefton Community Board	\$7,431	\$7,431

- (c) **Notes** the incoming Council will review and endorse the Deputy Mayor and Councillors remuneration based on remuneration pool share at the late October 2022 meeting.
- (d) **Approves** the Elected Member Expenses Policy to 30 June 2023 (*Trim 220707115598*).
- (e) **Circulates** a copy of this report and the approved Expenses Policy to all Community Boards for their reference.

### 3. **BACKGROUND**

- 3.1 The Remuneration Authority (RA) set the remuneration, allowances and expenses for elected members and Determinations normally covers a financial year (1 July to 30 June).
- 3.2 The Determination of remuneration changes to elected members is made by the Remuneration Authority and the legislative instrument processed through Parliament before receiving the Royal Assent. The Council has no choice, but to follow the legislation.
- 3.3 On receipt of the new Remuneration for the financial year, the Elected Member Expenses Policy is also required to be reviewed, and adjusted in line with the Determination. On conclusion of the Council accepting this information the updated Policy is sent to the RA for reference.
- 3.4 The governance remuneration pool do not apply to Mayors or Community Board members.

### 4. **ISSUES AND OPTIONS**

- 4.1. The Remuneration Authority received feedback from Councils during the 2021/22 year as part of their review of remuneration for 2022/23. Consideration was given to population as it's an indicator of relative scale of 'constituency' work, however districts with high tourist/visitor surges or transient populations did not affect the RA weightings in relation to population. Economic growth was also an aspect raised, however the RA did not factor this into their consideration based on limited regular and reliable data to regions. Maori wards and number of councillors undertaking workloads in an area was considered and this did not influence the determined remuneration pool. The RA considered geographic areas and land size and agreed with submitters for regional and unitary councils, as this recognises their significant land/water regulatory responsibilities, which territorial authorities do not have to the same extent. Therefore the RA considered the mileage allowance, which has been adjusted, as adequate compensation. The RA have also been asked about the impact the Three Waters Reform and the Review into the Future for Local Government will have on elected members remuneration, with the short answer being that it is too early to make any predictions in that respect and the RA will review the situation at a later time.

- 4.2. The remuneration pools support the mandatory criteria (clause 7, schedule 7 of the Local Government Act 2002) that the Authority is required to consider when determining local government members pay. In particular, the RA were concerned with achieving and maintaining fair relativity with the levels of remuneration received elsewhere and being fair to the elected members and ratepayers. The governance remuneration pool provides the total amount that must be paid in remuneration to councils in each individual council and is based on the collective governance role (size index) of the council. The pool does not take into account the number of councillors on the council.
- 4.3. The vehicle kilometre rates have been adjusted to reflect the current rates prescribed by the Inland Revenue Department on 27 May 2022. The new rates are in response to the overall increase in vehicle running costs largely due to fuel costs.
- 4.4. Hearing fees (RMA/District Licencing) have been amended to remove the time constraint placed on preparing for hearings, acknowledging that preparation time can be longer than the actual hearing. The fee for a chairperson the rate has increased for \$100 to \$116 per hour, and a member has increased from \$80 to \$93 per hour. These fees were last increased in 2011.
- 4.5. No change has occurred to the ICT and childcare allowances.
- 4.6. Access to staff benefits schemes has been requested from time to time by various local authorities. These schemes often offer council staff discounted access to council owned or controlled facilities such as swimming pools, gyms and museums. Given the nature of these schemes, it would be not only inappropriate for councils to offer these schemes to elected members, but would be contrary to both the LGA and the Remuneration Authority Act 1977.
- 4.7. The Chief Executive has reviewed this report.

#### **Implications for Community Wellbeing**

There are not implications on community wellbeing by the issues and options that are the subject matter of this report.

### **5. COMMUNITY VIEWS**

#### **5.1. Mana whenua**

Te Ngāi Tūāhuriri hapū are not likely to be affected by, or have an interest in the subject matter of this report.

#### **5.2. Groups and Organisations**

There are not groups and organisations likely to be affected by, or to have an interest in the subject matter of this report.

#### **5.3. Wider Community**

The wider community is not likely to be affected by, or to have an interest in the subject matter of this report.

### **6. OTHER IMPLICATIONS AND RISK MANAGEMENT**

#### **6.1. Financial Implications**

There are financial implications of the decisions sought by this report.

- 6.1.1. Elected member remuneration is funded from the Governance Budget, which has adequate provision for the 2022/23 budget.

6.1.2. The governance remuneration pool (schedule 2) for councillors (including deputy mayor) from the day after the date of which the official result of the 2022 election is declared is \$555,247.00. The remuneration pool (schedule 1) prior to mid-October 2022 is \$502,716.00. This is higher than the base councillor rate of \$42,143 as all councillors carry high duties with portfolios and chairperson requirements.

6.1.3. Inland Revenue deems elected members of local authorities to be self-employed. Therefore, elected members are required to make their own ACC levy payments and KiwiSaver arrangements. They may also be required to make provisional tax payments. Being self-employed, elected members are taxed as individuals at a rate determined by Inland Revenue. Remuneration is taxed and is paid directly to the IRD from the Council fortnightly payments, generally at a rate of 33% tax (WT tax code). All allowances are non-taxable.

6.1.4. The Remuneration Authority have set the elected member remuneration from 1 July 2022 to 30 June 2023 in two stages as follows:

Position	2021/22	Pre-election	Post-election
Mayor	\$137,500	\$139,425	\$146,838
Deputy Mayor	\$58,994	\$59,820	** indicative \$69,373
Councillor (with portfolio and chairing responsibilities) (all 9 Councillors)	\$48,531	\$49,210	** indicative \$53,986
Kaiapoi-Tuahiwi Community Board Chair	\$17,742	\$17,991	\$17,991
Kaiapoi-Tuahiwi Community Board	\$8,871	\$8,995	\$8,995
Oxford-Ohoka Community Board Chair	\$16,715	\$16,949	\$16,949
Oxford-Ohoka Community Board	\$8,358	\$8,475	\$8,475
Rangiora-Ashley Community Board Chair	\$22,885	\$23,206	\$23,206
Rangiora-Ashley Community Board	\$11,443	\$11,603	\$11,603
Woodend-Sefton Community Board Chair	\$14,658	\$14,863	\$14,863
Woodend-Sefton Community Board	\$7,329	\$7,431	\$7,431

6.1.5. The expenses that an elected member is entitled to claim such as mileage has changed for 2022/23, however internet/phone/consumables allowance has remained unchanged for the 2022/23 Determination. Refer to the attached policy for new rates.

## 6.2. Sustainability and Climate Change Impacts

The recommendations in this report do not have sustainability and/or climate change impacts.

## 6.3. Risk Management

There are not risks arising from the adoption/implementation of the recommendations in this report.

## 6.4. Health and Safety

There are not health and safety risks arising from the adoption/implementation of the recommendations in this report.



## 7. **CONTEXT**

### 7.1. **Consistency with Policy**

This matter is not a matter of significance in terms of the Council's Significance and Engagement Policy.

### 7.2. **Authorising Legislation**

Local Government Members (2022/23) Determination 2022

Local Government Act 2002 (clauses 6, 7A, 7(2) Schedule 7)

Remuneration Authority Act 1977

### 7.3. **Consistency with Community Outcomes**

The Council's community outcomes are relevant to the actions arising from recommendations in this report.

### 7.4. **Authorising Delegations**

By legislation, the Remuneration Authority Determination is final.

**WAIMAKARIRI DISTRICT COUNCIL****REPORT FOR INFORMATION**

**FILE NO and TRIM NO:** EXC-57 / 221020183380

**REPORT TO:** COUNCIL

**DATE OF MEETING:** 8 November 2022

**AUTHOR(S):** Jeff Millward – Acting Chief Executive

**SUBJECT:** Health, Safety & Wellbeing Report – October 2022

**ENDORSED BY:**  
(for Reports to Council,  
Committees or Boards)

\_\_\_\_\_  
Department Manager

  
\_\_\_\_\_  
Acting Chief Executive

**1. SUMMARY**

- 1.1. This report provides an update to the Council on Health, Safety & Wellbeing matters for October 2022. The dashboard reporting in this report is trending from mid-September 2021 to mid-October 2022.
- 1.2. There were 5 incidents which occurred from mid-September to 18 October 2022, all of which were resolved with minimal medical intervention and staff and externals are well. This has meant there was no lost time to the organisation. Ongoing lost time from historic incidents is reported in Appendix A.
- 1.3. Recruitment for a permanent, full time Health, Safety & Wellbeing Advisor has been finalised. Start date 1 November 2022
- 1.4. Situational Safety and Armed Robbery Training for employees is underway.

**Attachments:**

- i. Appendix A: Incidents, Accidents, Near-misses reporting
- ii. Appendix B: Contractor Health and Safety Capability Pre-qualification Assessment (drawn from the Site Wise database)
- iii. Appendix C: Health, Safety & Wellbeing Dashboard Reports

**2. RECOMMENDATION**

**THAT** the Council

- (a) **Receives** Report No 221020183380
- (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 information to Community Boards for their information.

### 3. **BACKGROUND**

- 3.1. The Health and Safety at Work Act 2015 requires that Officers must exercise due diligence to make sure that the organisation complies with its health and safety duties.
- 3.2. An officer under the Health and Safety at Work Act 2015 is a person who occupies a specified position or who occupies a position that allows them to exercise a significant influence over the management of the business or undertaking. Councillors and the Chief Executive are considered to be the Officers of the Waimakariri District Council.
- 3.3. The World Health Organisation has declared a pandemic as a result of the transmission of the COVID-19 virus across the world. This report continues to provide the Council with a summary of activities which are underway to support our organisations response to the pandemic.

### 4. **ISSUES AND OPTIONS**

#### 4.1. Incidents and accidents

- 4.1.1. August to October has shown a low accumulation of employee and contractor incidents and a higher rate of public incidents (minor aquatics due to school holidays)

#### 4.2. Recruitment

- 4.2.1. Recruitment for a permanent Full time Health, Safety & Wellbeing Advisor is completed with a start date 1<sup>st</sup> of November. The Health, Safety & Wellbeing Team plan to develop a programme of work to share with the organisation.

#### 4.3. Training

- 4.3.1. Situational Safety Training is underway and has been offered to over 200 staff. This is a role-based training with high attendance due to the impact of Covid over the past 2 years. Armed Robbery Training is scheduled to provide further experience for front line staff. There is a back log of training to schedule and coordinate over the next 12 months.

#### **Implications for Community Wellbeing**

There are implications for community wellbeing by the issues and options that are the subject matter of this report.

- 4.4. The Management Team has reviewed this report and support the recommendations.

### 5. **COMMUNITY VIEWS**

#### 5.1. **Mana whenua**

Te Ngāi Tūāhuriri hapū are not likely to be affected by or have an interest in the subject matter of this report.

#### 5.2. **Groups and Organisations**

There are no external groups and organisations likely to be affected by, or to have an interest in the subject matter of this report.

#### 5.3. **Wider Community**

The wider community is likely to be affected by, or to have an interest in the subject matter of this report.

## **6. OTHER IMPLICATIONS AND RISK MANAGEMENT**

### **6.1. Financial Implications**

There are no financial implications of the decisions sought by this report.

### **6.2. Sustainability and Climate Change Impacts**

The recommendations in this report do not have sustainability and/or climate change impacts.

### **6.3 Risk Management**

The organisation has reviewed its health and safety risk register and developed an action plan.

Failure to address these risks could result in incidents, accidents or other physical or psychological harm to staff or the public.

The regular review of risks is an essential part of good safety leadership.

### **6.4 Health and Safety**

There are health and safety risks arising from the adoption/implementation of the recommendations in this report. Continuous improvement, monitoring, and reporting of Health and Safety activities are a key focus of the health and safety management system.

## **7. CONTEXT**

### **7.1. Consistency with Policy**

This matter is not a matter of significance in terms of the Council's Significance and Engagement Policy.

### **7.2. Authorising Legislation**

The key legislation is the Health and Safety at Work Act 2015.

The Council has a number of Human Resources policies, including those related to Health and Safety at Work.

The Council has an obligation under the Local Government Act to be a good employer.

### **7.3. Consistency with Community Outcomes**

The Council's community outcomes are relevant to the actions arising from recommendations in this report.

- There is a safe environment for all.
- Harm to people from natural and man-made hazards is minimised.
- Our District has the capacity and resilience to quickly recover from natural disasters and adapt to the effects of climate change.

The Health, Safety and Wellbeing of the organisation, its employees and volunteers ensures that Community Outcomes are delivered in a manner which is legislatively compliant and culturally aligned to our organisational principles.

### **7.4. Authorising Delegations**

An officer under the Health and Safety at Work Act 2015 is a person who occupies a specified position or who occupies a position that allows them to exercise a significant influence over the management of the business or undertaking. Councillors and Chief Executive are considered to be the Officers of WDC.

## Appendix A

Date	Person type	Occurrence	Event description	Response
19/09/2022	Employee/Volunteer	Ambulance	Staff member slipped fell, hitting head hip and shoulder (previous injury)	Under investigation, Aggravated previous injury.
30/09/2022	Employee/Volunteer	Injury	Staff member slipped on a hose and hurt their wrist	No medical attention needed, and no further investigation needed.
1/10/2022	Employee/Volunteer	Injury	Staff member was Conducting a shelving Adult of books and pulled a muscle in their upper back.	Rest and no medical attention required.
3/10/2022	Employee/Volunteer	Medical	A person fainted in the Aquatics spa. First aid applied and no injuries incurred.	First aid applied and no further investigation required.
18/10/2022	Non-Employee	Property/vehicle damage	Motorcycle had crushed into the back of a work vehicle at very slow speed.	No injuries and minimal damage to both the bike and vehicle. No further investigation needed.

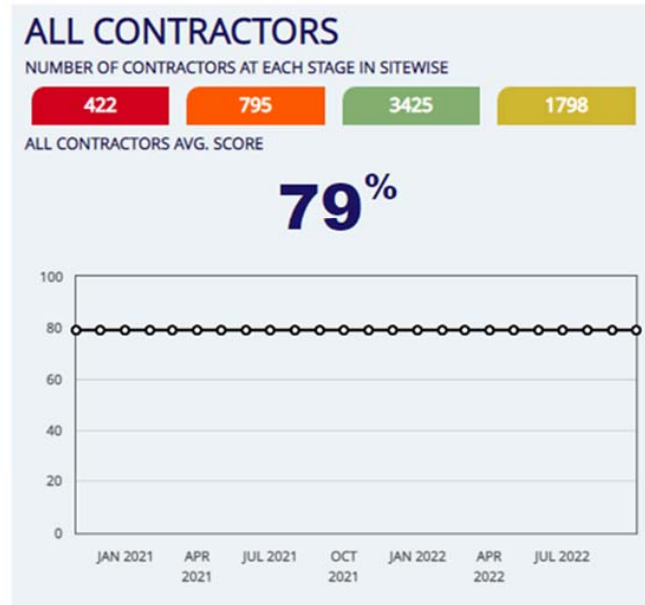
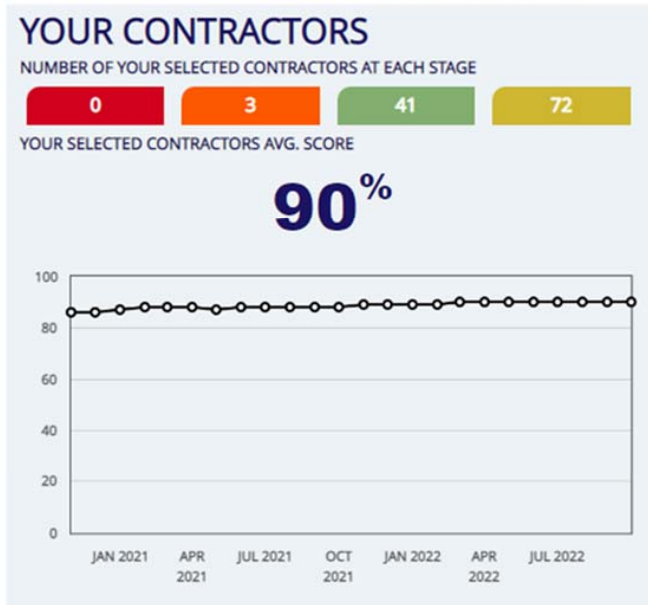
<b>Lost Time Injuries – 2 Injuries</b>	2019 – to current	4,046 hrs lost to date 1 currently unfit to work and one has recently returned to full time duties.
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\*Note a year-on-year comparison will be available for the next meeting.

Appendix B



CONTRACTOR ASSESSMENT SCORES

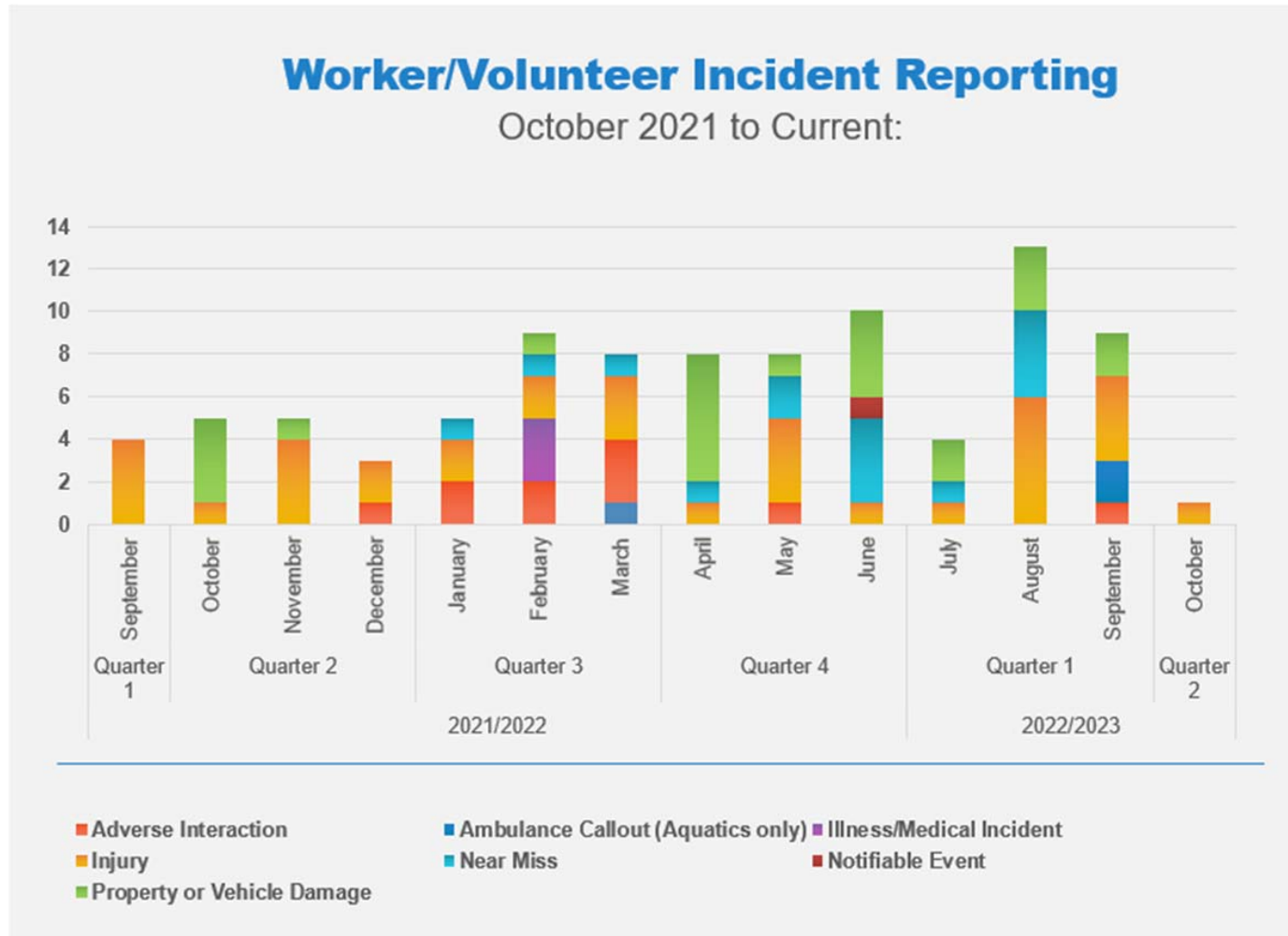


VIEW ALL CONTRACTORS

INVITE NEW CONTRACTORS

VIEW STATUS OF INVITED CONTRACTORS

Appendix C



## Worker/Volunteer Incident Reporting

October 2021 to Current:

