

**MINUTES OF THE EXTRAORDINARY COUNCIL MEETING OF THE GREY DISTRICT COUNCIL****Held in Council Chambers, 105 Tainui Street, Greymouth****on Tuesday 13 August 2024 commencing at 4:00pm**

**PRESENT:** Mayor Tania Gibson (Chair)  
Councillor John Canning, Councillor Kate Kennedy, Councillor Rex MacDonald,  
Councillor Robert Mallinson, Councillor Tim Mora, Councillor Jack O'Connor

**IN ATTENDANCE:** Paul Pretorius (Acting Chief Executive), Neil Engelbrecht (Finance Manager), Megan Bourke (Communications Officer), Trish Jellyman (Democracy Advisor)

## **1 APOLOGIES AND DECLARATIONS OF INTEREST**

### **APOLOGIES**

**RESOLUTION**      **SCM 24/08/040**

**Moved:**      **Mayor Tania Gibson**

**Seconded:** **Cr John Canning**

That the apologies received from Cr Peter Davy, Cr Allan Gibson, and Kw Tumahai be accepted and leave of absence granted.

**Carried Unanimously**

### **1.2 UPDATES TO THE INTERESTS REGISTER**

There were no updates to the Interest Register.

### **1.3 IDENTIFY ANY CONFLICTS OF INTERESTS IN THE AGENDA**

There were no declarations of interest.

## **2 LIST OF ACRONYMS USED**

## **3 AGENDA ITEMS**

### **3.1 LATE ITEM: STANDING ORDERS: AMENDMENT OF TO ALLOW MEMBERS TO JOIN REMOTELY AND ENV 2024-CHC 000041-WCRC & GDC: ATTENDING MEDIATION AND ASSOCIATED COST**

There are two late items for Council to consider.

**RESOLUTION**      **SCM 24/08/041**

**Moved:**      **Mayor Tania Gibson**

**Seconded:** **Cr Robert Mallinson**

1. That Council in accordance with Section 46A(7) of the Local Government Official Information and Meetings Act read with Standing Orders 9.12 the following be considered as a late item:
  - Standing Orders: Amendment of to Allow Members to Join Remotely.
  - Env 2024-CHC-000041- WCRC & GDC: Attending Meditation and Associated Cost.
2. Council notes the following reasons for the need to deal with the items as late items.
  - Standing Orders: - Cut off date is 1 October 2024. Dealing with it now removes any chance of the matter not being in place by 1 October 2024.
  - Env 2024-CHC-000041- WCRC & GDC: Attending Meditation and Associated Cost.
  - The mediation hearing is scheduled for the end of August before the next Council meeting.

**Carried Unanimously**

### 3.1 RATES 2024/25: RE-SETTING OF GENERAL RATE

Refer page 7 of the agenda.

Her Worship thanked staff for their work in correcting the error with the setting of the general rate. She also thanked Cr Mallinson for his input and apologised to ratepayers for this error.

#### RESOLUTION SCM 24/08/042

**Moved: Cr Robert Mallinson**

**Seconded: Cr Tim Mora**

That Council:

1. Notes the contents of the report.
2. Council amends its 27 June 2024 decision under the heading Setting of Rates for 2024/5 Financial Year by replacing the Table under 4. General Rates, setting out the general rate per dollar of land value (GST incl.) with the following table:

| Rating category   | Differential |
|-------------------|--------------|
| Residential 1     | 0.0117307    |
| Residential 2     | 0.0089192    |
| Residential 3     | 0.0050231    |
| Rural Residential | 0.0021304    |
| Rural             | 0.0055896    |
| Commercial 1      | 0.0213692    |
| Commercial 2      | 0.0225684    |
| Commercial 3      | 0.0209795    |
| Farming/Forestry  | 0.0026097    |

3. Council further amends its 27 June 2024 decision under the heading Setting of Rates for 2024/25 Financial Year by amending under 6. Due date for Payment and Penalties (excl. water rates), the first rate instalment date from 20 August 2024 to 20 September 2024

**Carried Unanimously**

### 3.2 ELECTED MEMBERS' REMUNERATION

Refer page 10 of the agenda.

Her Worship stated that the Remuneration Authority have the say on the increasing of elected members remuneration. She stated that she does not feel comfortable getting a payrise in these hard times.

She thanked Councillors for the work that they do. She commented that in the past Council has written to the Remuneration Authority stating that it is not good timing to be receiving a payrise when ratepayers are under stress but the Remuneration Authority does not seem to take notice of this.

The Acting CE advised that Councillors have no option but to accept the payrise.

Her Worship said this is a hard decision when Council knows its communities are struggling.

Cr Mallinson noted that it is up to the Mayor to decide on how Council committees are structured, but he would like to have a discussion next year on this matter.

Her Worship agreed, and stated the Council's committee structure will be looked at when the new CE starts.

#### RESOLUTION SCM 24/08/043

**Moved:** Cr Rex MacDonald

**Seconded:** Cr John Canning

That Council

1. Receives this report.
2. Implements the Remuneration Authority determination of the Mayoral remuneration at \$120,941
3. Implements the Remuneration Authority determination of the Deputy Mayor remuneration at \$54,542 in line with Council's earlier decision to acknowledge the higher duties of the Deputy Mayor
4. Implements the Remuneration Authority's determination of the remaining seven Council members at \$41,230 each noting Council's earlier decision not to acknowledge the input of the Chairs of its subcommittees as higher duties.
5. Council notes that the remuneration paid to the non-elected member Chairs of Committees (i.e. Messrs Caldwell and Becker) falls outside of this determination.

**Carried Unanimously**

### 3.3 WATER DONE WELL: NEW WATER SERVICE DELIVERY MODELS: MINISTERIAL ANNOUNCEMENT.

Refer page 15 of the agenda.

The Acting CE advised that in terms of the Local Government Act, programmes carried out by Councils have to be funded over the life of the asset and that leads to debt. He advised that the government is now saying that certain projects can be brought forward and Councils can now borrow more and do projects quicker. He stated that the Mayor has made a statement to the Minister on this, but Council is conscious that somebody has to pay that debt. He said that on that basis Council intends to be very realistic and responsible about this.

Cr O'Connor feels that the government has dumped this on Councils and ratepayers will be impacted as Council tries to dig itself out of it. He is disappointed that the government has done this.

Cr Mora stated that one change is the encouragement of CCO's and the possibility of working with other councils on the coast.

Her Worship stated that Council investigated the possibility of working with other local councils and that this is ongoing.

**RESOLUTION      SCM 24/08/044****Moved:      Mayor Tania Gibson****Seconded:   Cr Tim Mora**

That Council notes the contents of the 8 August 2024 announcement by Ministers Simeon Brown and Andrew Bayly and that the matter be closely followed.

**Carried Unanimously****LATE ITEM: STANDING ORDERS: AMENDMENT OF TO PROVIDE FOR MEMBERS TO JOIN REMOTELY**

Refer page 3 of the late agenda.

The Acting CE spoke to this item and advised this amendment will allow those elected members joining remotely to be counted as part of the quorum.

He confirmed that this is a country wide amendment.

**RESOLUTION      SCM 24/08/045****Moved:      Mayor Tania Gibson****Seconded:   Cr Jack O'Connor**

That Council:

1.    Notes the contents of the report.
2.    Confirms the need for Council members to, under certain circumstances, join Council meetings remotely and be counted as part of quorum.
3.    Council resolves to amend Standing Orders as follows:
  - To, in Clause 11.1. delete the word "*physically*" from parts (a) and (b) of the Clause
  - To, in Clause 13.8 delete the word "*not*" from the Clause.
  - To in Clause 13.9, delete the word "*physically*" from the Clause.
4.    Council notes that the change will come into force on 1 September 2024.

**Carried Unanimously****LATE ITEM: ENV 2024-CHC-000041-WCRC & GDC: ATTENDING MEDIATION AND ASSOCIATED COST**

Refer page 8 of the late agenda.

Her Worship noted there have been discussions on this matter previously.

In response to a question from Cr MacDonald about what reasonable costs might be. The Acting CE advised that Council does not have much option other than to participate in mediation as Council issued a resource consent and now needs to stand by it. He advised that Council cannot take a decision on behalf of the applicant without having a discussion with the applicant. He stated that reasonable costs will be managed responsibly.

**RESOLUTION      SCM 24/08/046****Moved:      Cr Robert Mallinson****Seconded:   Cr John Canning**

**That Council :**

1. Notes the brief report.
2. Notes that there will be costs involved in attending mediation/appeal hearing but that reasonable costs will be payable by TIGA Mining as applicant.
3. Approves the following formal delegation:

Delegation:

*In respect of the Environment Court Proceeding Coast Road Resilience Group Inc. v West Coast Regional Council and Grey District Council and Others, Council delegates to Michael McEnaney [Regulatory Manager] the power to:*

- *Decide whether Environment Court mediation is entered into;*
  - *Approve and appoint experts and legal advisors to represent the Council's interests;*
  - *Approve and sign on the Council's behalf any pre-mediation agreement that covers the terms and conditions of the mediation;*
  - *Reach agreement with the other parties (either individually or as a whole) as to the terms on which the appeal may be resolved (in part or whole) by way of a settlement agreement and whether such an agreement may be disclosed to third parties;*
  - *Decide the Council's share of the cost of mediation; and*
  - *Sign any documents in respect of the above.*
4. The provisions of 3 above is subject to the Regulatory Manager reporting back to Council on his exercise of the delegation and the implications for Council.

**Carried Unanimously**

## 4 IN COMMITTEE ITEMS

That the public is excluded from this part of the meeting in relation to:

### Agenda item 1.2

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

#### RESOLUTION      **SCM 24/08/047**

**Moved:      Mayor Tania Gibson**

**Seconded:   Cr Rex MacDonald**

| <b>General subject of each matter to be considered</b>    | <b>Reason for passing this resolution in relation to each matter</b>   | <b>Ground(s) under section 48(1) for the passing of this resolution</b>   |
|---|--|---|
| 1.1 - LATE ITEM" CHANGE OF AUTHORISED BANKING SIGNATORIES | s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons | s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for |

|   |  |  |
|---|--|--|
|   |  | which good reason for withholding would exist under section 6 or section 7   |
| 1.2 - CHANGE OF AUTHORISED BANKING SIGNATORIES: BNZ | s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons | s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7 |

**Carried Unanimously**

#### 4 COUNCIL RESUMES IN OPEN MEETING

##### CLOSURE OR RATIFICATION OF DECISIONS IN OPEN MEETING.

**RESOLUTION PE 24/08/048**

**Moved: Mayor Tania Gibson**

**Seconded: Cr Jack O'Connor**

That Council:

1. Receives the report and notes the contents.
2. Specifically delegates the following staff members to sign documentation relating to the BNZ account:
  - Paul Pretorius - Acting Chief Executive
  - Neil Engelbrecht - Finance Manager
  - Petronella Klopper – Financial Accountant

**Carried Unanimously**

The meeting concluded at 4.25 pm

**Confirmed**

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**T Gibson**

**Chairperson**

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**Date**