

MINUTES OF THE FINANCE REGULATORY AND BUSINESS SUPPORT OF THE GREY DISTRICT COUNCIL

Held in Council Chambers, 105 Tainui Street, Greymouth
on Monday 9 September 2024 commencing at 2.00pm

- PRESENT:** Cr Rex MacDonald (Chair)
Mayor Tania Gibson, Councillor Allan Gibson, Councillor John Canning, Councillor Kate Kennedy, Councillor Robert Mallinson, Councillor Jack O'Connor (via Zoom), Councillor Tim Mora,
- IN ATTENDANCE:** Paul Pretorius (Acting Chief Executive), Neil Engelbrecht (Finance Manager), Russel Maliwat (ICT Manager), Nelia Heersink (Community & Recreation Services Manager), Trish Jellyman (Democracy Advisor), Megan Bourke (Communications Officer)

1 APOLOGIES AND DECLARATIONS OF INTEREST

1.1 APOLOGIES

APOLOGIES

COMMITTEE RESOLUTION FRABS 24/09/006

Moved: Cr Rex MacDonald
Seconded: Mayor Tania Gibson

That the apologies from Cr Peter Davy and Kaiwhakahaere Francois 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.

1.4 NOTIFICATION OF LATE ITEMS

There were no late items.

2 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

2.1 CONFIRMATION OF THE FINANCE REGULATORY AND BUSINESS SUPPORT COMMITTEE HELD ON 29 JULY 2024

COMMITTEE RESOLUTION FRABS 24/09/007

Moved: Cr Allan Gibson

Seconded: Cr John Canning

That the minutes of the Finance Regulatory and Business Support Committee held on 29 July 2024 be confirmed as true and correct.

Carried Unanimously

MATTERS ARISING FROM THE MINUTES**ICT Item**

Cr Mora stated that he thought that the ICT Manager was to present to this meeting.

The Chairman advised that the ICT Manager presented to the Risk & Assurance Subcommittee on 26 August. It was agreed that the ICT Manager would present to the next meeting of this committee on 21 October.

2.2 RECEIPT OF MINUTES OF THE RISK AND ASSURANCE SUB-COMMITTEE MEETING HELD UNDER DELEGATED AUTHORITY FOR INFORMATION OF COUNCIL HELD 26 AUGUST 2024**COMMITTEE RESOLUTION FRABS 24/09/008**

Moved: Cr Robert Mallinson

Seconded: Mayor Tania Gibson

That the minutes of the Risk and Assurance Sub-Committee Meeting held on 26 August 2024 be received and noted.

Carried Unanimously

3 AGENDA ITEMS**3.1 SEWER PAN RATE: FOR SCHOOLS, HOTELS, MOTELS AND OTHER MULTI PAN ESTABLISHMENTS: RATE APPLICATION.**

Refer page 19 of the agenda.

Cr Gibson asked if Council has discussed pan tax rates for schools before.

The Acting CE confirmed this had been discussed and advised that the current Annual Plan and the Rating Policy provides for pan rates and it has been in place for quite some years.

The FM advised pan charges have always been in place but not always applied.

It was confirmed that the pan rate is one full rate and 25% of the full rate per pan thereafter.

The Acting CE advised that the problem is that the charging oversight has been corrected for schools only. He stated that the rates have already been struck and cannot be changed but rebates can be considered. He said his comments are about the principle and not the history of the matter, which because of time constraints could not be fully investigated.

Cr Mallinson stated in his view that if Council hasn't applied the policy properly over the past few years, then Council has made an error and now needs to make an allowance for this.

Cr O'Connor agreed with Cr Mallinson and was in favour of the suggestion of a rebate system.

Her Worship confirmed that the report outlines approaches by other councils bar Westland District Council (WDC). At the time of writing this report there was nobody available at WDC to provide the information as they had been hit with the flu bug and in the meantime our agenda had to be out.

Cr Mora supports the rebate but was concerned about what happens going forward.

The Acting CE said there is an inconsistency between the Rating Policy and the Annual Plan. He stated that Council as part of the next Annual Plan should provide clear direction for the future.

Cr Mallinson agreed that the staff recommendation is correct.

COMMITTEE RESOLUTION FRABS 24/09/009

Moved: Cr Rex MacDonald

Seconded: Mayor Tania Gibson

That the Finance Regulatory and Business Support Committee

1. Notes the contents of the report.

Moved: Cr Robert Mallinson

Seconded: Mayor Tania Gibson

2. Agrees to maintain a single pan charge for schools for 2024/5 but to give notice to all multi pan establishments that the single pan rate as has been applied over the past few years has been in error and that Council intends correcting the error from 1 July 2025.
3. Council notes that the rates invoices for 2024/5 cannot be changed and approves a rebate to each school for 2024/5 beyond the single pan charge, noting that the financial impact of this adjustment will not impact the Annual Plan significantly.
4. The matter be a specific focus area for the next Annual Plan.

Carried Unanimously

3.2 ECONOMIC DEVELOPMENT RATE: INCONSISTENCY IN APPLYING THE RATE:

Refer page 24 of the agenda.

The Chairman declared a conflict of interest and took no further part in consideration and voting on the matter.

Her Worship took the chair.

The Acting CE stated that this is a similar circumstance to the previous agenda item but that the motivation is totally different as Council still has an expenditure for economic development every year. This should have been corrected 2024/25 after earlier COVID allowances by Council and, as it has been corrected now ratepayers are faced with potentially sharp increases.

Cr Mallinson stated he is concerned that the 2023/24 rate was levied on a questionable basis from a legal perspective. He fully acknowledged that this matter predates the Acting CE's tenure.

The Acting CE agreed this is unfortunate but legally it is not going to be a major issue, as Council will not be charging more, it will be charging less, but it could certainly be an audit query.

In response to a query from Cr Kennedy, the Acting CE confirmed that Council some years ago transferred the economic development function to DWC retaining parts of it. He suggested that as part of the rating review this be confirmed.

Cr Mallinson stated that ratepayers are used to paying the lower rate and he feels Council needs to allow for appropriate remissions. It was noted the amount equates to \$150,000 in rates which is 0.6%.

The Acting CE advised that the two lapses total \$300,000 in loss. He confirmed that the money is spent on economic development will become part of the rating review. He stated that Economic Development was part of the Annual Plan and people did have the opportunity to submit on it.

COMMITTEE RESOLUTION FRABS 24/09/010

Moved: Mayor Tania Gibson

Seconded: Cr Allan Gibson

That the Finance Regulatory and Business Support Committee recommends to Council:

1. That the report be noted.

Moved: Cr Robert Mallinson**Seconded: Cr John Canning**

2. That the apparent mistake of not reinstating the “full” Economic Development rate for 2023/24 be noted and the loss of income accepted as unfortunate.
3. That Council commits to a comprehensive review of the Economic Development rate for purposes of the 2025/26 Annual Plan.
4. That Council confirms the 2024/25 Economic Development rate to have been struck in error at the COVID rate and approves rebates to make up the difference between the COVID rate and the rate struck for 2024/25 in recognition of the fact that the rate is unexpected.

Carried Unanimously

Cr MacDonald resumed the Chair.

3.3 REGULATORY, RECREATION, BUSINESS SUPPORT AND CUSTOMER SERVICES REPORT

Refer page 28 of the agenda.

Cr Mallinson referred to page 45, item 6.2.2 and stated that he is concerned that this agenda item is again included in the public agenda. He stated this needs to be resolved going forward and he has requested twice that it be taken out of the public section of the meeting.

The Acting CE agreed, and accepted full responsibility for the oversight. He stated that the template has been changed to ensure that this does not happen again. The information is sensitive and no further attention to it should be drawn.

Her Worship commented that it has been a very busy time and the item may have been overlooked. She also apologised.

Her Worship spoke of complaints she has received regarding equipment at the WRC that is not working. She asked for some communications to be put out that advising that staff are working through this and when repairs are likely to be made.

She stated that it is good to see the stats for HappyOrNot going up.

Her Worship stated that she would like a review of the Afterhours Service to ascertain how this is going compared to previous service.

Her Worship stated that it is pleasing to see the high number of people using the Library service. She stated that this strongly underpins the need for a new library.

Cr O'Connor commented that 20% of people are not happy with their experience at the WRC going by the HappyOrNot stats and he would like to see some follow up on this. He commented that the positioning of machine is right next to the food store and last week he observed a child hitting the buttons on the machine. He queried as to whether it may be worth moving the machine.

The CRSM responded that a lot of the comments received are made by children and they will often make comments that are not related to customer service and are not complaints.

Cr Canning stated that he is concerned with the amount of overdue debtors.

The FM advised that the main percentage of overdue debtors is rates.

The Acting CE advised that the amount overdue for land leases is due to there being no debt collection in place over the past 3 to 4 years. He advised that this process is now being turned around. It was agreed these figures would be included in next month's report.

Her Worship commented that the pool at the WRC has been closed quite often recently due to the faecal incidents. She stated that Council is receiving quite a lot of criticism about this, and asked if anything can be done as it will be costing Council quite a lot of money.

The CRSM advised that this problem occurs more often over the school holidays. She advised that it is not always children and it is very hard for staff to work out who the perpetrators are. The temperature of the water adds to the problem occurring.

Cr MacDonald asked how much the cleaning and closure costs each time this type of incident occurs.

The CRSM agreed to provide the financial information on how much this type of incident costs Council especially when Swim School has to be cancelled.

Cr Mallinson asked the FM when is the unaudited deficit will be known. The FM advised that this will be to hand by the end of this week.

The Acting CE advised that finance staff are working on the Annual Plan as well as the Long Term Plan, a work programme is in place but as the Auditors will be on site on the third week of this month, the focus is on finalising the Annual Report for audit. He stated that the unaudited deficit will be passed onto Councillors as soon as it is to hand.

Cr Kennedy asked the CRSM how the new café at the WRC is going. The CRSM responded that the café is proving very popular. She stated that she is not privy to the financials but understands that the café operator is very happy and has now extended their hours to 8.30 – 6.00pm.

COMMITTEE RESOLUTION FRABS 24/09/011

Moved: Cr Robert Mallinson

Seconded: Mayor Tania Gibson

That the Finance Regulatory and Business Support Committee:

1. Receives the Regulatory, Recreation and Customer Services report and notes the information contained herein.

Carried Unanimously

4 IN COMMITTEE ITEMS

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

Agenda items 4.1, 4.2 and 4.3

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:

COMMITTEE RESOLUTION FRABS 24/09/012

Moved: Cr Rex MacDonald

Seconded: Mayor Tania Gibson

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
4.1 - CONFIRMATION OF IN COMMITTEE MINUTES OF FINANCE REGULATORY AND BUSINESS SUPPORT COMMITTEE HELD ON 29 JULY 2024	s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
4.2 - RECEIPT OF IN COMMITTEE MINUTES OF THE RISK AND ASSURANCE SUB-COMMITTEE MEETING HELD UNDER DELEGATED AUTHORITY FOR INFORMATION OF COUNCIL HELD 26 AUGUST 2024	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
4.3 - CLAIM AGAINST COUNCIL: DAMAGE TO TANKER: SETTLEMENT.	s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

Carried Unanimously

5 SUB-COMMITTEE RESUMES IN OPEN MEETING

CLOSURE OR RATIFICATION OF DECISIONS IN OPEN MEETING.

The meeting concluded at 2.47 pm

Confirmed

R MacDonald

Chairperson

____/____/____

Date

UNCONFIRMED