

AGENDA



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MEMBERSHIP: Her Worship the Mayor Rehette Stoltz, Deputy Mayor Josh Wharehinga, Meredith Akuhata-Brown, Bill Burdett, Andy Cranston, Shannon Dowsing, Sandra Faulkner, Larry Foster, Debbie Gregory, Isaac Hughes, Tony Robinson, Pat Seymour, Terry Sheldrake and Kerry Worsnop.

EXTRAORDINARY COUNCIL

DATE: Thursday 27 May 2021

TIME: Following the Finance & Performance Committee Meeting

AT: Te Ruma Kaunihera (Council Chambers), Awarua, Fitzherbert Street, Gisborne

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Council

Chairperson:	Mayor Stoltz
Deputy Chairperson:	Cr Wharehinga
Membership:	Mayor and all Councillors
Quorum:	Half of the members when the number is even and a majority when the number is uneven
Meeting Frequency:	Six weekly (or as required)

Terms of Reference:

The Council's terms of reference include the following powers which cannot be delegated to committees, subcommittees, officers or any other subordinate decision-making body which includes:

1. The power to make a rate.
2. The power to make a bylaw.
3. The power to borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Plan.
4. The power to adopt a Long Term Plan, Annual Plan, or Annual Report.
5. The power to appoint a Chief Executive.
6. The power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the Long Term Plan or developed for the purpose of the Local Governance Statement.
7. The power to adopt a remuneration and employment policy.
8. Committee Terms of Reference and Delegations for the 2019–2022 Triennium.
9. The power to approve or change a proposed policy statement or plan under clause 17 of Schedule 1 of the Resource Management Act 1991 (RMA).
10. The power to approve or amend the Council's Standing Orders.
11. The power to approve or amend the Code of Conduct for elected members.
12. The power to appoint and discharge members of Committees.
13. The power to establish a joint committee with another local authority or other public body.

14. The power to make the final decision on a recommendation from the Ombudsman where it is proposed that Council not accept the recommendation.
15. Make those decisions which are required by legislation to be made by resolution of the local authority that are not listed in 1-14 above.
16. Consider any matters referred to it from any of the Committees.
17. Authorise all expenditure not delegated to staff or other Committees.

Note: for 1-7 see clause 32(1) Schedule 7 Local Government Act 2002 and for 8-13 see clauses 15, 27, 30 Schedule 7 of Local Government Act 2002 and section 34A of Resource Management Act 1991

9. Reports of the Chief Executive and Staff for DECISION



21-126

Title: 21-126 Notice of Motion Report 21-75 2021-2031 Long Term Plan
Deliberations - Finance and Affordability

Section: Democracy & Support Services

Prepared by: Heather Kohn - Democracy & Support Services Manager

Meeting Date: Thursday 27 May 2021

Legal: No

Financial: Yes

Significance: **Medium**

Report to COUNCIL for decision

PURPOSE

The purpose of this report is to receive a Notice of Motion requesting a revocation of a decision and consideration of a substitute recommendation.

SUMMARY

A Notice of Motion was received from Councillors Seymour and Burdett with the required number of signatures in accordance with Standing Order 24.1.

This notice was accepted by the Chief Executive at 2pm Tuesday 25 May 2021.

The first section of Standing Order 24.3 requires the member to give notice to the Chief Executive at least five working days before the meeting at which it is proposed to consider the motion. The meeting has been scheduled to follow the Finance and Performance meeting Thursday 27 May 2021 which is less than the required five working days. Council can suspend Standing Orders to expedite the process.

An Impact Summary will be tabled on the day outlining the impacts of the proposed recommendation.

The decisions or matters in this report are considered to be of **Medium** significance in accordance with the Council's Significance and Engagement Policy.

RECOMMENDATIONS

That the Council:

- 1. Suspends Standing Order 24.3 Requirement to give notice to the Chief Executive at least five working days before the meeting at which it is proposed to consider the motion.**
- 2. Considers the recommendations in the attached Notice of Motion.**

Authorised by:

Nedine Thatcher Swann - Chief Executive

Keywords: Notice of Motion, three waters, revocation, substitute, recommendation

ATTACHMENTS

1. Attachment 1 - NOTICE of MOTION Councillors Seymour and Burdett 2021-05-25#2 [**21-126.1** - 1 page]

NOTICE of MOTION from Crs Seymour and Burdett

Report 21-75 2021-2031 Long Term Plan Deliberations – Finance and Affordability

This notice of motion requests a revocation of the following resolution previously agreed at the Council meeting held 19 May 2021 under Standing Order 24.1:

That the Council:

1. Approves the Revenue and Finance Policy with no changes, including:

- b) Three water rates, where 10% of the activity costs will be 10% general rates. This option aligns with the consistency of other infrastructure rates (flood control), and it reflects wider benefits of the infrastructure network to the region as a whole.**

The reasons for the revocation are:

- A number of submitters submitted against this charge
- The signatories suggest this is not like a library or swimming pool charge
- Those that receive the service must pay the full cost of the provision of drinking water and wastewater to their serviced properties not just a token charge.

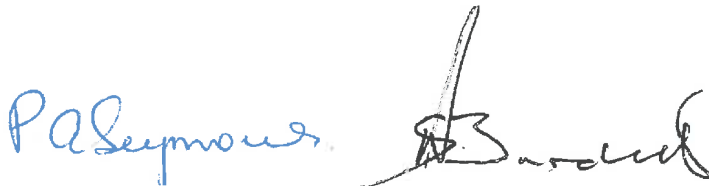
The motion that is intended to be moved in substitution is as follows:

That the Council:

1. Approves the Revenue and Finance Policy with one change:

- b) (i) Wastewater and drinking water rates be removed from the general rate and charges as a targeted rate to those receiving the service.**
- (ii) Storm water rates to apply as they do currently where the rural areas pay 20% of the storm water rate.**

Signed: Cr Seymour and Cr Burdett



25 May 2021

Signed by Elected members (name and signature)



Kerry Worsnop



Sandra Faulkner



Shannon Dowsing

Isaac Hughes

A2120847

10. Public Excluded Business

RESOLUTION TO EXCLUDE THE PUBLIC

Section 48, LOCAL GOVERNMENT OFFICIAL INFORMATION and MEETINGS ACT 1987

That:

1. The public be excluded from the following part of the proceedings of this meeting, namely:

DECISION Report

21-127 Gisborne Holdings Limited Director Appointment 2021

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

	7(2)(a)	Protect the privacy of natural persons, including that of deceased natural persons.
Item 10.1	7(2)(j)	Enable any Council holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).