

**TIMARU DISTRICT COUNCIL**

**MINUTES OF AN ORDINARY MEETING OF THE TIMARU DISTRICT COUNCIL  
HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL BUILDING, KING  
GEORGE PLACE, TIMARU ON TUESDAY 24 FEBRUARY 2009 AT 2PM**

**PRESENT** Mayor Janie Annear (Chairman), Clrs Barker, Bennett,  
Bowen, Bradley, Coughlan, Jack, Kennedy, Lyon,  
Mulvey and Oliver

**IN ATTENDANCE** Chief Executive (WA Isaacs), District Services Manager  
(AA Harper), Regulatory Services Manager  
(P Thompson), Chief Financial Officer (T Rogers),  
Secretary (JM Brownie)

Les Double – Temuka Community Board (until 4.30pm)  
John Esler – Pleasant Point Community Board

**OPENING PRAYER** Bryan Gilmour St Paul's Presbyterian Church, offered a  
prayer for the work of the Council

**1 PUBLIC FORUM - AQUATIC CENTRE**

**Les Rawlings**

Mr Rawlings spoke against the current aquatic centre concept expressing concerns at the cost and the process followed to date.

**Ian Robinson**

Mr Robinson suggested that additional funding for community projects (such as the aquatic centre) could be available if shares in Alpine Energy Ltd were held in a community trust.

**Karl Butzbach**

Mr Butzbach believes that the town needs a tidy up, and that consent laws are limiting progress.

**McGregor Simpson**

Mr Simpson believes the proposed Aquatic centre is unaffordable – both the capital cost and the ongoing operating cost, particularly with the current recession. He also believes that it is not the role of the Council to operate such facilities.

**Don Binney**

Mr Binney expressed concerns at some elements of the aquatic centre proposal, especially financial aspects and the consultation process.

**2 IDENTIFICATION OF URGENT BUSINESS**

Proposed Clr Jack  
Seconded Clr Bennett

“That a property issue be considered as urgent business in the public excluded section of the meeting.”

**MOTION CARRIED**

**3 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING**

Proposed Clr Bennett  
Seconded Clr Coughlan

“That the minutes of the Council meeting held on 9 December 2008, with the exclusion of the public excluded items, be confirmed as a true and correct record.”

MOTION CARRIED

**4 CONFIRMATION OF MINUTES – EXTRAORDINARY COUNCIL MEETING – STATEMENT OF PROPOSAL TO FORM A COUNCIL CONTROLLED ORGANISATION**

Proposed Clr Barker  
Seconded Clr Mulvey

“That the minutes of the Extraordinary Council Meeting held on 10 February 2009, to consider a Statement of Proposal to form a Council Controlled Organisation, be confirmed as a true and correct record.”

MOTION CARRIED

**5 SCHEDULE OF FUNCTIONS ATTENDED BY THE MAYOR AND DEPUTY MAYOR AND COUNCILLORS**

Proposed Clr Bowan  
Seconded Clr Coughlan

“That the schedule of functions be received and noted.”

MOTION CARRIED

**6 SCHEDULE OF FUNCTIONS ATTENDED BY THE CHIEF EXECUTIVE**

Proposed Clr Jack  
Seconded Clr Coughlan

“That the Chief Executive’s report to the Council for the period 1 December 2008 to 12 February 2009 be received and noted.”

MOTION CARRIED

**7 AFFIXING OF THE COMMON SEAL**

Proposed Clr Bennett  
Seconded Clr Oliver

“That the affixing of the common seal to the following documents be noted:

22 December 2008	Contract Number 1860 – Kerb and Channel Replacement
23 December 2008	Warrant of Appointment – Paul Hansen Building Advisor

9 January 2009 Contract Number 1834 Timaru Cemetery Grounds Maintenance

9 January 2009 Contract Number 1835 – Temuka Parks / Cemetery Grounds Maintenance

14 January 2009 Form 31 - Instrument Creating Esplanade Strip

14 January 2009 Warrant of Appointment – Dog Control Officer  
Belinda Selbie

16 January 2009 Contract Number 1833 – Timaru Sports Parks Ground Maintenance

21 January 2009 Contract Number 1853 – Supply, Installation and Commissioning of Milliscreens and Ancillary Equipment

2 February 2009 Contract Number 1850 – Whales Creek Stormwater Renewal Upgrade

17 February 2009 Contract Number 1847 – Road Reseals 2008-10.”

MOTION CARRIED

**8 CONTRACTS LET BY THE CHIEF EXECUTIVE UNDER DELEGATED AUTHORITY**

Proposed Clr Bowan  
Seconded Clr Bradley

“That the following information be received on contracts let by the Chief Executive under delegated authority:

<b>Contract Number / Description</b>	<b>Number of Tenders</b>	<b>Price Range \$</b>	<b>Successful Tender and Price</b>
Contract 1850 – Whales Creek Stormwater Renewal Upgrade	7	\$169,701.00 to \$257,139.00	<b>SICON Ltd</b> <b>\$169,701.00</b>
Contract 1860 – Regent Street Kerb and Channel Replacement	4	\$192,534.10 to \$249,939.88	<b>Beeby Contracting Ltd</b> <b>\$192,534.10</b>

The above prices are GST exclusive  
All tenders were evaluated by the Lowest Price Conforming Tender Method.”

MOTION CARRIED

Comment was made that it is encouraging to now see the variation in prices being received, indicating a more competitive market at present.

**9 ELECTED MEMBER REMUNERATION 2009/10** (File C5/23)

The Council considered a report by the Chief Executive on elected member remuneration levels for the 2009/10 year, for recommendation to the Remuneration Authority.

Considerable discussion took place on the issue with comment being made that with the recession, now is not necessarily a good time to increase remuneration. It was pointed out that if the increase is not allocated, then a larger, perhaps less publicly acceptable adjustment may be forced on Council from 1 July 2010.

Alternatives to the proposal were suggested, such as

- councillors receiving the increased remuneration, paying full tax on it, then allocating the amount to a community project, in order to return the increase to the ratepayers;
- reducing the meeting fees pool to equate to a payment per councillor of \$90 per meeting, however the Chief Executive advised that this is not a feasible option as if the Council pays out less from the pool, then more has to be allocated through the councillors' salaries;
- agreeing unanimously not to accept an increase and then submitting to the Remuneration Authority that the remuneration pool be reduced, without necessitating an increase in the following year.

Proposed Clr Bradley  
Seconded Clr Bennett

"That the Council recommends to the Remuneration Authority that the remuneration pool for the Timaru District Council remains the same as the 2008/09 year."

MOTION PUT AND CARRIED

Clr Kennedy requested that his vote against the motion be recorded in the minutes of the meeting.

Clrs Kennedy and Barker expressed concern at the large gap between the salaries of councillors and chairmen. The Mayor pointed out that this gap has been reduced over recent years.

Proposed Clr Jack  
Seconded Clr Bennett

"That the model and meeting fee rules for the remuneration system remain the same as adopted for the 2008/09 year."

MOTION CARRIED

A division was called for and the voting was as follows:

For: Clrs Oliver, Bradley, Bennett, Jack, Mulvey, Lyon, Coughlan, Bowan  
and the Mayor  
Against: Clrs Kennedy and Barker

**10 CITIZENSHIP**

The meeting adjourned for New Zealand citizenship to be bestowed on the following:

Supriya Devi, Abraham Espach, Jacoba Espach, Kamini Modi, Vrinda Modi, Mit Modi, Gareth Thomas, Sheila Thomas, Suzanne Thomas, Shaun Wheeler, Leah Wheeler, Joe Goring, Richard Else, Craig Hiddleston, Philip Hughes, David Lee, Peter Marsh, Ann Marsh, Alice Marsh, Jack Marsh, Grace Marsh, Charles Robinson, Samuel Robinson, Emma Robinson, Hannah Robinson, Ian Stone, Siew Tong, Paul Wright.

**11 WORK PROGRAMME AND FINANCIAL RESULTS REPORT FOR THE PERIOD ENDED 31 DECEMBER 2008**

The Council considered the work programme and financial results report for the period ended 31 December 2008.

Proposed Clr Bowan  
Seconded Clr Bennett

“That the report be received and noted.”

MOTION CARRIED

**12 PROPOSED AQUATIC CENTRE – CONSULTATION (File S5/10)**

The Council considered a report by the District Services Manager on the results of the consultation carried out on the proposed Aquatic Leisure Centre. The stakeholders were commended for taking such an active part in the consultation process.

Proposed Clr Coughlan  
Seconded Clr Jack

“That the report be received and noted.”

MOTION CARRIED

**13 PROPOSED AQUATIC LEISURE CENTRE (File S5/10)**

The Council considered a report by the District Services Manager on the next steps for the proposed Aquatic Leisure Centre project, with the Council agreeing to exclude the matter of the fitness centre from this part of the debate. A lengthy question and answer time and discussion took place with all councillors expressing their views on the subject, taking into account the extensive information provided and consultation undertaken, during the investigative process to date.

Proposed Clr Bradley  
Seconded Clr Oliver

1 “That the proposed Aquatic Leisure Centre project now proceed based on the following:

- Aquatic Leisure Centre Concept plans dated October 2008
- Capital Cost of \$23.5m in 2011 dollars
- Funding model based on a \$5 Adult casual entry charge and an approximate \$102 per rateable property annual charge.

- 2 That the nominal completion date for the Aquatic Leisure Centre be 30 June 2012.
- 3 That as the design is further developed, consideration be given to including issues raised during the consultation process, including but not limited to, the Fitness Centre, lazy river or similar, and pool depths.
- 4 That the project will be contingent upon external funding of \$8-9m.”

MOTION CARRIED 7/4

A division was called for and the voting was as follows:

For: Clrs Bradley, Jack, Mulvey, Oliver, Barker and Kennedy and the Mayor  
Against: Clrs Bennett, Bowan, Coughlan and Lyon

#### **Fitness Centre**

The Council considered the issue of whether a fitness centre is to be included in the proposed aquatic leisure centre. Some councillors supported the fitness centre as a logical inclusion in a leisure complex while others commented that there are already enough gyms in Timaru. While it was acknowledged that the fitness centre would provide an important source of revenue for the leisure complex, concern was expressed that the Council should not be competing with an existing business (which was the main theme from public comments received in opposition to the fitness centre). However it was noted that the fitness centre is aiming at being close to cost neutral and is also one aspect of the leisure centre that has potential to grow the business.

Proposed Clr Jack  
Seconded Clr Barker

“That the fitness centre be included in the aquatic centre; the business to be operated through partnering with an existing fitness business after inviting expressions of interest from existing fitness centre businesses in the Timaru District.”

MOTION PUT AND CARRIED

A division was called for and the voting was as follows:

For: Clrs Jack, Bennett, Barker, Bradley, Oliver and Mulvey and the Mayor  
Against: Clrs Kennedy, Coughlan, Bowan and Lyon

#### **14 EFFECT ON RATES OF RATEABLE VALUE REVALUATIONS AND SECTOR DIFFERENTIALS**

##### **Recommendation from Policy and Development Committee**

The Council considered a recommendation from the Policy and Development Committee meeting of 10 February 2009 on the impact of the Rateable Value revaluation which comes into effect for the 2009/10 rating year.

Proposed Oliver  
Seconded Bradley

“That the sector differentials for the 2009/10 financial year be amended as follows:

Commercial / Industrial	4.422
Primary	0.318
Residential / Recreational	1.000
Residential – Multi Unit	1.973.”

MOTION CARRIED

**15 RECEIPT OF COMMUNITY BOARD AND COUNCIL COMMITTEE MINUTES**

Proposed Clr Bowan  
Seconded Clr Jack

“That the minutes of the following meetings with the exclusion of the public excluded items, be received:

Temuka Community Board	26 January 2009
Geraldine Community Board	28 January 2009
Community Development Committee	10 February 2009
Resource Planning and Regulation Committee	10 February 2009
District Services Committee	10 February 2009
Policy and Development Committee	10 February 2009.”

MOTION CARRIED

**16 EXCLUSION OF THE PUBLIC**

Proposed Clr Bennett  
Seconded Clr Jack

That the Council resolves to exclude the public on the grounds contained in Section 48(1) of the Local Government Official Information and Meetings Act:

Confirmation of Minutes  
Council Meeting  
Section 7(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.

Section 7(2)(a)

The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons.

Property Matters  
Section 7(2)(h)

The withholding of the information is necessary to enable the Council to carry out, without prejudice or disadvantage, commercial activities

MOTION CARRIED

Mr Esler retired from the meeting.

**17 READMITTANCE OF THE PUBLIC**

Proposed Bennett  
Seconded Coughlan

“That the public be readmitted to the meeting.”

MOTION CARRIED

The meeting concluded at 7pm.

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Chairman