



MINUTES

Ordinary Council Meeting Tuesday, 10 December 2024

Ref: 1728441

**Minutes of Timaru District Council
Ordinary Council Meeting
Held in the Council Chamber, District Council Building, King George Place, Timaru
on Tuesday, 10 December 2024 at 2pm**

Present: Mayor Nigel Bowen (Chairperson), Allan Booth, Peter Burt, Gavin Oliver, Sally Parker, Stu Piddington, Stacey Scott, Scott Shannon, Michelle Pye, Owen Jackson

In Attendance: Nigel Trainor (Chief Executive); Andrew Dixon (Group Manager Infrastructure; Tony O'Brien (Chairperson Venture Timaru); Mark Rogers (Chairperson Timaru District Holdings Ltd); Frazer Munro (General Manager , Timaru District Holdings Limited); Paul Cooper (Group Manager Environmental Services); Stephen Doran (Group Manager Corporate & Communications); Nicole Timney (Group Manager Property); Jayson Ellis (Building Control Manager); Elliot Higbee (Legal Services Manager); Darryn Grigsby (Manager, Emergency Management); Stephanie Forde (Corporate and Strategic Planner); Maddison Gourlay (Marketing & Communications Advisor); Brendan Madley (Senior Policy Advisor); Stephen Compton (Minutes)

1 Opening Prayer

Said by Mayor Nigel Bowen

2 Apologies

Nil

3 Public Forum

There were no public forum items.

4 Identification of Urgent Business

A matter of urgent business was raised by Mayor Nigel Bowen to be discussed in Public Excluded as item 13.7.

5 Identification of Matters of a Minor Nature

Clr Stu Piddington requested that a regular timeline for the delivery of the Theatre Royal and Stadium be published monthly on the Timaru District Council (TDC) website. The Chair Requested GM Corporate and Communications pick this up.

6 Declaration of Conflicts of Interest

Clr Sally Parker declared a conflict of interest in relation to item 9.2, due to a being a director of Timaru District Holdings Limited.

Clr Stacey Scott declared a conflict of interest in relation to item 9.1, due being a director of Venture Timaru Limited.

7 Confirmation of Minutes

7.1 Minutes of the Council Meeting held on 22 October 2024

Resolution 2024/91

Moved: Clr Michelle Pye

Seconded: Clr Peter Burt

That the Minutes of the Council Meeting held on 22 October 2024 be confirmed as a true and correct record of that meeting and that the Chairperson's electronic signature be attached.

Carried

7.2 Minutes of the Council Meeting held on 31 October 2024

Resolution 2024/92

Moved: Clr Owen Jackson

Seconded: Clr Allan Booth

That the Minutes of the Council Meeting held on 31 October 2024 be confirmed as a true and correct record of that meeting and that the Chairperson's electronic signature be attached.

Carried

8 Schedules of Functions Attended

8.1 Schedule of Functions Attended by the Chief Executive

Resolution 2024/93

Moved: Clr Sally Parker

Seconded: Clr Allan Booth

That the Schedule of Functions Attended by the Chief Executive be received and noted.

Carried

8.2 Schedule of Functions Attended by the Mayor, Deputy Mayor and Councillors

It was noted that Clr Burt also spoke at the Timaru Armistice Day Meeting

Resolution 2024/94

Moved: Deputy Mayor Scott Shannon

Seconded: Clr Gavin Oliver

That the Schedule of Functions Attended by the Mayor, Deputy Mayor and Councillors be received and noted.

Carried

9 Reports

9.1 Venture Timaru Quarterly Report - 01 July to 30 September 2024

- 1 To present the Venture Timaru quarterly report for their Economic Development and Visitor Promotion operations for the period 01 July – 30 September 2024.

The Chair welcomed Tony O' Brien (Chairperson Venture Timaru (TOB)) and acknowledged the apology from Venture Timaru (VT) Chief Executive, Nigel Davenport

TOB spoke to the report, highlighting that:

- the Major Events Fund had been distributed
- there would be fewer Cruise Ships visiting this season
- Food Festivals had been very successful

In summary, the year had been tough, and noted that demographic trends were of concern, and there was a need to bring in new and a diverse range of businesses to benefit the local economy and community.

Chair thanked for the report, and opened the floor to questions

General discussion around need for VT to be proactive in "hunting" businesses to move to the area and difficulties of the current economic circumstances.

Resolution 2024/95

Moved: Clr Peter Burt

Seconded: Clr Allan Booth

That Venture Timaru's quarterly report for the period 01 July to 30 September 2024 be received and noted.

Carried

9.2 Presentation of Timaru District Holdings Limited Audited Annual Report 2023/24

- 1 The purpose of this report is to receive and note the Timaru District Holdings Limited (TDHL) audited Annual Report for the financial year 01 July 2023 to 30 June 2024.

The Chair welcomed Mark Rogers (Chairperson) and Frazer Munroe (General Manager) to the meeting and requested a summary

Rogers spoke to the report, noting that the audited report was largely in line with the management report previously submitted. Chair thanked for the report and opened the floor to questions

Clr Booth Queried if there was an increase in oversight of Alpine Energy?

Rogers said that it was not increased, but maintained proactive oversight and while no guarantee that there won't be any surprises going forwards, was not expecting any

Clr Booth asked has TDHL started receiving money from the Local Government Funding Agency (LGFA) yet?

Munro said that the potential savings are being worked through, and this is work in progress, but ultimately will give access to materially lower interest rates and costs which will support the diversification drive

Clr Piddington requested an update on the outcome of the Alpine Commerce Commission?

Munro said it was still a work in progress and ideally will have something out in the next couple of months

Clarification was sought of Employee benefits costs, relating to staffing costs (salaries and associated staff costs)

Resolution 2024/96

Moved: Clr Allan Booth

Seconded: Clr Michelle Pye

That Council receives and notes the audited Timaru District Holdings Limited Annual Report for the financial year 01 July 2023 to 30 June 2024

Carried

9.3 Timaru District Holdings Limited Quarterly Report - 01 July to 30 September 2024

- 1 The purpose of this report is to present the Timaru District Holdings Limited quarterly report for the period 1 July to 30 September 2024.

At 2:24 pm, Clr Stu Piddington left the meeting.

The TDHL Chairperson spoke to the report noting that results were largely in line with budget and tracking in line with the financial year

At 2:26 pm, Clr Stu Piddington returned to the meeting

Resolution 2024/97

Moved: Mayor Nigel Bowen

Seconded: Cllr Peter Burt

That the Timaru District Holdings Limited quarterly report for the period 1 July to 30 September 2024 be received and noted

Carried

9.4 Affixing of the Common Seal

1. To report the Chief Executive has approved the Warrant of Appointments and is reporting that as required under the delegation manual (Clause 3.4.5).
2. To note the names have been redacted for the privacy of the employees.

Resolution 2024/98

Moved: Cllr Gavin Oliver

Seconded: Cllr Sally Parker

That the following warrants have been approved by the Chief Executive and are being reported to the Council for noting:

09 October 2024 – Approval of Warrants

12 November 2024 – Approval of Warrants

Carried

9.5 Release of Public Excluded Items

- 1 The purpose of this report is to provide the Council with an updated status of Public Excluded items released to the Public.

Resolution 2024/99

Moved: Cllr Owen Jackson

Seconded: Cllr Peter Burt

That the Council notes the following public excluded items have been released to the public;

1. Item 13.2 Parks Section 17a Review (redacted) 13 February 2024

Carried

9.6 Actions Register Update

- 1 The purpose of this report is to provide the Council with an update on the status of the action requests raised by councillors at previous Council meetings.

The mayor spoke to items on the Action Register.

Investigation into Sub Contracting – this was noted as being tied in with Small Trades and noted that in discussions with the Chief Executive Nigel Trainor and there is hoping to be a paper presented at the meeting on the 4 February 2025

Asset Management Program – noted this is across disciplines of Council, and it was noted that this is aimed at the Parks Department, and an Asset Management resource has been recruited, and Chair requested an update report from Andrew Dixon (Group Manager Infrastructure) and this is to be taken off the list

Other updates:

- Monthly financials – noted that they were being circulated at the end of each month, and to be left on in the meantime
- Information around the Theatre etc to be removed
- Timaru Library and Museum Actions to be removed from the register
- ECan rates – discussion around redesign of invoices and promotion of receiving rates via email (as per Commercial Strategy Standing Committee Meeting/Minutes)
- Smithfield Action point to be removed from Register

Resolution 2024/100

Moved: Cllr Peter Burt

Seconded: Cllr Owen Jackson

That the Council receives and notes the updates to the Actions Register.

Carried

9.7 Updated Delegations Manual

- 1 The purpose of this report is to present Council with an update on the changes that have been made to the Delegations Manual during the period 18 July 2023 to 30 June 2024. .

The report was spoken to by Group Manager Corporate and Communications and the Group Manager Infrastructure (AD)) to the meeting.

It was noted this is statutory notification of changes to the Delegations Manual. Much is tightening up of the financials as per the CEO's request, and no decisions to be made on that part, but there is a request to Council to raise the Emergency Fund Limit from \$500,000 to \$2m to reflect increased costs of replacing infrastructure during emergencies

GM Infrastructure noted that \$2m is more realistic if funding is needed urgently, and the request is that the Chief Executive (CE) has a higher delegation for that purpose in a Civil Defence Emergency

General discussion around the need to increase the limit, and example given of \$4m cost to repair the 2019 Rangitata event, and local share (approx. \$2m) was spent quickly

Further discussion around outside agencies (ECan and NZTA) being responsible, and clarification that their funds are retrospective.

NT noted the need for the funds is to allow the CE to approve the purchase of emergency support if required. Also noted the requirements for prompt payments to local suppliers.

AD further noted that TDC are responsible for roads and infrastructure and we are covered by Insurance, NEMA is for Social response

Councillors were generally supportive if in liaison with the Mayor and Chief Executive.

Further Queries discussed

Chair noted a typing error on page 132-133 (amending of grade)

Query (Clr Shannon) – Queried how often changes would be made to the Delegation Manual

The GM Corporate and Communications noted this is a living document, and that they are working through a backlog of changes so going forwards should be fewer changes required.

Committee Recommendation

Moved: Mayor Nigel Bowen

Seconded: Clr Gavin Oliver

That Council:

1. Receives and notes the amendments to the Delegations Manual; and
2. Authorise the proposed increase to permitted expenditure in the event of a Civil Defence Emergency from \$500,000 to \$2,000,000 by the Chief Executive in consultation with the Mayor (or representative) at para 4.1.9.

In Favour: Clrs Nigel Bowen, Peter Burt, Gavin Oliver, Sally Parker, Stu Piddington, Stacey Scott, Scott Shannon, Michelle Pye and Owen Jackson

Against: Clr Allan Booth

Carried 9/1

9.8 Annual Plan 2024/25 Three Month Service Performance Report for the period 01 July to 30 September 2024

- 1 The purpose of this report is to outline progress on the performance measures included in the Annual Plan 2024/25, Year One of the 2024-34 Long Term Plan (LTP).

The paper was presented by the Group Manager Corporate and Communications and the Corporate and Strategic Planner who spoke to the report and noted this is the first report from the Long-Term Plan (LTP).

It was noted that:

- Green highlighted those actions achieved or on track
- Yellow highlighted those actions are within 5% of achieved
- Red highlighted those actions that are off track by more than 5% of being achieved

- Grey areas are based on residents survey which are done every 2 years

There was a query with expected end year result, why are we not going for “Achieved” in everything. It was noted that at this stage this is a tracking report, to make Council aware of any potential upcoming issues

There was a further query over the lack of percentage against Local Government Official Information & Meetings Act (LGOIMA) request and requested details.

It was noted that There was just one response, and IT retrieved it from a Junk Folder (which will not happen again) and it was resolved and as we have as missed one, the target of 100% is not achievable

A query about the number of LGOIMA requests coming through, was responded to saying it can be included in 6 monthly report.

Queries also included around the building Building Consent numbers, sewerage overflows.

Noted that Sewage overflows were based on medians, not averages, and that the numbers were indicative at this stage.

It was noted the protozoal rules, seemed to indicate a failing scheme. The response was that it was a bit of a grey area in the way that Taumata Arowai report things, it is a data collection issue and software systems interacting issue.

The popularity of the dog education visits to schools scheme and there was discussion around maintenance of walking tracks

There was further discussion around water consumption at around 300 l per day, and whether stock could be taken out. But it was noted that the total figure is a mandatory reporting number required by Department of Internal Affairs.

There Further discussion around the need for water meters as the only successful measure to reduce water consumption. The Chair noted that money had been set aside for water meters, and there would be a future update on that

A Query was raised about the recycling contamination percentage sitting at 25.92%. It was noted that this was measured by sample, and noted that the figure includes Mackenzie and Waimate. Timaru alone stands at 12% contamination and Temuka 3%.

There was a query around maintenance and quality of footpath, it was noted in response that funding allocation from NZTA is significantly reduced.

At 3:06 pm, Cllr Stu Piddington left the meeting.

There was discussion over the building control measures with the Building Control Manager and around waste management unexpected expensed.

This was following discussions around any need for Asset Management plans elsewhere in the Council, and the only department without one is Parks and the resource has been recruited to deal with this.

At 3:10 pm, Cllr Stu Piddington returned to the meeting.

It was noted that the timing of the Disabled Toilet installation at the Art Gallery would be early 2025, and this was a typing error.

A query if there was purchasing freeze in place for storage issue was responded to saying the immediate problem will be relieved by the House Gallery opening, but there is a long-term need for further storage

There was a question about the C10 course, with the Manager Emergency Management noting that the C10 course was attended by 2 staff, but there is a need for 5 staff, and need staff to volunteer. It is paid for, and they are not taking the time as holiday.

Resolution 2024/101

Moved: Cllr Michelle Pye

Seconded: Cllr Stu Piddington

That Council receives and notes the three-month service performance report for the period 01 July to 30 September 2024

Carried

9.9 South Rangitata Reserve Management Plan Review

The Group Manager Infrastructure spoke to this report, noting that it was a referral for decision from the Infrastructure Committee.

Resolution 2024/102

Moved: Cllr Sally Parker

Seconded: Cllr Owen Jackson

That Council publicly notify the intention to undertake a comprehensive review of the South Rangitata Reserve (Reserve 5266) Management Plan.

Carried

9.10 Dangerous, Affected and Insanitary Buildings Policy - deliberations and adoption

- 1 The purpose of this report is to 1) present Council with officer commenting on the written submissions received during consultation, 2) facilitate deliberations on the content of the final policy (including changes from the draft policy where deemed appropriate), and 3) seek adoption of a final version of the policy.

This report was spoken to by the Senior Policy Advisor, who with the Building Control Manager presented the proposed policy.

It was noted that the policy was required by law, and that the Public consultation had received two submissions, which officers had reviewed and some of the suggestions were incorporated (but not all). Officers had been in dialogue with Ministry for Business Innovation and Employment (MBIE), and presented the proposal for feedback and potential adoption

The Building Control Manager noted that there were no fundamental changes to proposal previously presented.

Resolution 2024/103

Moved: Cllr Peter Burt

Seconded: Cllr Allan Booth

That Council:

1. Deliberates on the submissions received and officer commenting; and
2. Adopts the “Dangerous, Affected and Insanitary Buildings Policy”.

Carried

9.11 Draft Property Acquisition, Management and Disposal Policy

The purpose of this report is to present Council with the draft “Property Acquisition, Management and Disposal Policy”, to seek elected member input regarding the policy content, and to approve the policy for a targeted consultation.

The paper was spoken to by the Senior Policy Adviser and Group Manager Property.

The Senior Policy Adviser noted that this was a proposal to go to targeted consultation in the New year and superseded the current property management policy (attached for reference). The policy was to provide a framework for the how Council dealt with the lifecycle of a property from acquisition to disposal. This is a draft proposal and noted that they have used two industry leading policies from two councils (Waimakariri and Waikato) and have spoken to them in the process of developing this, and Officers are now looking to Councillors for feedback.

Noted one slight tweak that Officers would like Councillors to adopt: Point 31 (page 198):

“The proceeds of sales will be prioritised to meet the cost of transaction to the property group, the property owner and any other applicable Council Units. The balance will revert to Council General Funds”

This would be amended to:

“The proceeds of sales will be prioritised to meet the cost of transaction to the property group, the property owner and any other applicable Council Units. Council will resolve how to utilise any balance.”

This allows the Council Members to decide where the fund go, noting finance and funding policy

It was separately noted that in the course of next year’s annual plan, there would be a couple of relatively minor amendments to the policy to be more prudent and best practice.

The GM Property noted that this is enabling us to tidy up a lot of the work being done around the divestment of property every quarter. It was noted that TDHL were spoken to (although their expertise is in mainly commercial buildings)

Clarification was requested of Point 33. It was noted that this point considers proceeds from Asset sales in relation to Property, there may need to be some clarification of what are listed as assets

caution was advised on this and clarification was requested in final policy.

There was further discussion about how we ensure the policy is adopted and used and what the review period should be, suggesting that six years was too long.

It was noted in relation to the 6 years, officers are looking to move to a default position of policies being reviewed every 6 years with a desktop review every three years and through

reporting to Council and other bodies, being able to flag how they are performing and to give oversight.

There was discussion over principle 6, and whether it should be there, with the agreement that it needed to be considered further.

There was discussion of who had been consulted in writing this policy, and there was concern noted over the level of flexibility and is the policy going in to too much detail.

It was Confirmed that this was considered, and noted that the draft policy included an outline of processes as well, and Officers felt that there was enough flexibility in the policy itself, and that the matrix was an Officer tool, and so could be amended as they saw fit. It was noted that there are legal requirements to be considered, and this policy meets more of the requirements of the Local Government Act (LGA)

Legal Counsel noted the Council has the authority to acquire and dispose of properties, and this policy is to provide the right evidence of that. It is a governance tool for that purpose and designed to give Officers guidance to get the right information to the Council

An apparent contradiction regards scope and whether or not infrastructure and improvements are included, was agreed to be tidied up in the final.

A query over leases and licenses was answered saying that is something a little different to be developed around this. Also noted that Leases are not considered a Council service and acknowledged that this needs further consideration

There was further discussion on areas needing tidied up, amended or clarified in the final version, an example being land and parcels that have been purchased (e.g. for Theatre hub proposals) that are not surplus to requirements - this gives the officers a step to consider if this is an opportunity or not

The chair Noted that this was a draft policy and open to targeted consultation, so there will be an opportunity to review again.

Resolution 2024/104

Moved: Mayor Nigel Bowen

Seconded: Cllr Owen Jackson

That Council:

1. Receive and note the draft "Property Acquisition, Management and Disposal Policy"; and
2. Approve the draft "Property Acquisition, Management and Disposal Policy" for a targeted consultation.

Carried

10 Consideration of Urgent Business Items

No items of urgent business were received.

11 Consideration of Minor Nature Matters

Matters of a minor nature were resolved at the time of raising.

12 Public Forum Items Requiring Consideration

There were no public forum items.

At 4.01 pm the meeting adjourned for a 10 minute recess.

At 4.11 pm the meeting resumed.

13 Resolution to Exclude the Public**Resolution 2024/105**

Moved: Mayor Nigel Bowen

Seconded: Cllr Allan Booth

That the public be excluded from—
the following parts of the proceedings of this meeting, namely,—

13.1 Building Consent Authority Reform**13.2 Divestment of Property Update****13.3 Appointment of Directors to Timaru District Holdings Limited****13.4 Appointment of Directors to Venture Timaru Limited****13.5 Timaru District Holdings Limited and Venture Timaru Limited Director Fees****13.6 Section 17A Review - Council Social Housing****13.7 Washdyke Industrial Land**

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:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Plain English Reason
13.1 - Building Consent Authority Reform	s7(2)(f)(i) - The withholding of the information is necessary to maintain the effective conduct of public affairs through free and frank expressions of opinion by or between or to members or officers or employees of any local	To maintain the effective conduct of public affairs

	authority in the course of their duty	
13.2 - Divestment of Property Update	<p>s7(2)(h) - The withholding of the information is necessary to enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities</p> <p>s7(2)(i) - The withholding of the information is necessary to enable the Council to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>To enable Council to carry out commercial activities</p> <p>To enable Council to carry out commercial or industrial negotiations</p>
13.3 - Appointment of Directors to Timaru District Holdings Limited	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	To protect a person's privacy, including the privacy of deceased persons
13.4 - Appointment of Directors to Venture Timaru Limited	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	To protect a person's privacy, including the privacy of deceased persons
13.5 - Timaru District Holdings Limited and Venture Timaru Limited Director Fees	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	To protect a person's privacy, including the privacy of deceased persons
13.6 - Section 17A Review - Council Social Housing	s7(2)(h) - The withholding of the information is necessary to enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities	To enable Council to carry out commercial activities
13.7 Washdyke Industrial Land	s7(2)(h) - The withholding of the information is necessary to enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities	To enable Council to carry out commercial activities.

Carried

Note

[Section 48\(4\)](#) of the Local Government Official Information and Meetings Act 1987 provides as follows:

- “(4)Every resolution to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof)—
 - (a)shall be available to any member of the public who is present; and
 - (b)shall form part of the minutes of the local authority.”

14 Public Excluded Reports**13.1 Building Consent Authority Reform****13.2 Divestment of Property Update****13.3 Appointment of Directors to Timaru District Holdings Limited****13.4 Appointment of Directors to Venture Timaru Limited****13.5 Timaru District Holdings Limited and Venture Timaru Limited Director Fees****13.6 Section 17A Review - Council Social Housing****13.7 Washdyke Industrial Land****15 Readmittance of the Public****Resolution 2024/106**

Moved: Mayor Nigel Bowen

Seconded: Deputy Mayor Scott Shannon

That the meeting moves out of Closed Meeting into Open Meeting.

Carried

The meeting closed at 6.06pm.

Minutes Confirmed 04 February 2025.



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Mayor Nigel Bowen

Chairperson