



# MINUTES

## Ordinary Council Meeting Tuesday, 11 May 2021

Ref: 1421325

**Minutes of Timaru District Council  
Ordinary Council Meeting  
Held in the Council Chamber, District Council Building, King George Place, Timaru  
on Tuesday, 11 May 2021 at 5pm**

**Present:** Mayor Nigel Bowen (Chairperson), Cr Allan Booth, Cr Peter Burt, Cr Barbara Gilchrist, Cr Richard Lyon, Cr Gavin Oliver, Cr Paddy O'Reilly, Cr Sally Parker, Cr Stu Piddington (arrived at 5.19pm)

**In Attendance:** Chief Executive (Bede Carran), Group Manager Infrastructure (Andrew Dixon), Acting Group Manager Commercial & Strategy (Ashley Harper), Group Manager People & Digital and Acting Group Manager Community Services (Symon Leggett), Group Manager Environmental Services (Paul Cooper), Governance Advisor (Jo Doyle)

**Community Boards**

Wayne O'Donnell – Chair of Geraldine Community Board  
McGregor Simpson – Geraldine Community Board (arrived 5.12pm)  
Charles Scarsbrook – Temuka Community Board  
Ross Munro – Pleasant Point Community Board

**1 Opening Prayer and Waiata**

Ian Goodman of Wilson Street Baptist offered a prayer for the work of Council, this was followed by the singing of the Council Waiata.

**2 Apologies**

**Resolution 2021/56**

Moved: Cr Barbara Gilchrist

Seconded: Cr Sally Parker

That the apology received from Cr Steve Wills, and apology for lateness for Cr Stu Piddington and McGregor Simpson be accepted and leave of absence granted.

**Carried**

**3 Public Forum**

Janie Shuker attended to speak about the laws associated with animal control and to request that a zero tolerance be considered for dogs who kill or maim.

Janie's cat was attacked 2 years ago by 2 dogs on her doorstep early in the morning.

The animal control officer handled the situation well. However, Janie's frustration built from being unable to prove that the dog owners were negligent.

The police were contacted, but could take no action.

Janie was thanked for coming to Council to share her story. A Bylaw review will be undertaken and updates will be provided.

**4 Identification of Urgent Business****Admission of Supplementary Report****Resolution 2021/57**

Moved: Mayor Nigel Bowen

Seconded: Cr Paddy O'Reilly

That Council agrees to consider the Temporary Road Closures – South Canterbury Car Club Rally 2021 in regard to Agenda item 9.3 as Urgent Business.

**Carried**

**5 Identification of Matters of a Minor Nature**

There were no matters of minor nature.

**6 Declaration of Conflicts of Interest**

There were no conflicts of interest.

**7 Confirmation of Minutes****7.1 Minutes of the Extraordinary Tenders and Procurement Committee Meeting held on 30 March 2021****Resolution 2021/58**

Moved: Cr Sally Parker

Seconded: Mayor Nigel Bowen

That the Minutes of the Extraordinary Tenders and Procurement Committee Meeting held on 30 March 2021 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 30 March 2021****Resolution 2021/59**

Moved: Cr Peter Burt

Seconded: Cr Gavin Oliver

That the Minutes of the Council Meeting held on 30 March 2021 be confirmed as a true and correct record of that meeting and that the Chairperson's electronic signature be attached.

**Carried**

**7.3 Minutes of the Emergency Council Meeting held on 9 April 2021****Resolution 2021/60**

Moved: Cr Allan Booth

Seconded: Cr Richard Lyon

That the Minutes of the Emergency Council Meeting held on 9 April 2021 be confirmed as a true and correct record of that meeting and that the Chairperson's electronic signature be attached.

**Carried**

#### **7.4 Minutes of the Tenders and Procurement Committee Meeting held on 20 April 2021**

##### **Resolution 2021/61**

Moved: Cr Sally Parker

Seconded: Cr Barbara Gilchrist

That the Minutes of the Tenders and Procurement Committee Meeting held on 20 April 2021 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 Mayor, Deputy Mayor and Councillors**

##### **Resolution 2021/62**

Moved: Mayor Nigel Bowen

Seconded: Cr Allan Booth

That the report be received and noted.

**Carried**

##### **8.2 Schedule of Functions Attended by the Chief Executive**

##### **Resolution 2021/63**

Moved: Cr Paddy O'Reilly

Seconded: Cr Peter Burt

That the report be received and noted.

**Carried**

#### **9 Reports**

##### **9.1 Affixing of the Common Seal**

Council was presented with a copy of the affixing of the Common Seal to Warrants of Appointment.

##### **Resolution 2021/64**

Moved: Cr Barbara Gilchrist

Seconded: Cr Gavin Oliver

That the affixing of the Common Seal to the following document be noted:

9 April 2021      Warrants of Appointment

Carried

## 9.2 Contracts Let By Tenders and Procurement Committee

Council was advised of contracts let by the Tenders and Procurement Committee.

### Resolution 2021/65

Moved: Cr Sally Parker

Seconded: Cr Barbara Gilchrist

**That the following information on a contract let by the Tenders and Procurement Committee be received.**

Contract Description	Number of Tenders	Price Range	Successful Tenderer and Price
<b>Contract 2469 – Pareora Pipeline Renewal Section 2 (Pareora Gorge)</b>	<b>1</b>	<b>Direct negotiation</b>	Hadlee and Brunton Limited \$4,808,114.15
Contract 2469 procurement method was agreed by the Tenders and Procurement Committee in November 2020 to undertake direct negotiation with the preferred specialist supplier Hadlee and Brunton Limited.			
<b>Contract 2482 – Cannington Water Network Extension (Downlands Water Supply)</b>	<b>3</b>	<b>\$904,917.90 to \$1,101,979.56</b>	Hadlee and Brunton Limited \$904,917.90
Contract 2482 - Tenders were evaluated using Timaru District Council lowest price conforming method			
<b>Contract 2494 – Road Network Operations and Maintenance Contract 2021-2026</b>	<b>3</b>	<b>\$40,988,727.20 To \$50,095,743.87</b>	Fulton Hogan Limited \$40,988,727.20
Contract 2482 - Tenders were evaluated using Timaru District Council price quality method.			

All prices exclude GST

Carried

## 9.3 Temporary Road Closures - South Canterbury Car Club Rally 2021

Council was presented with a proposal for temporary road closure on Saturday 19 June 2021 to hold a Car Rally Event in accordance with Sections 319 and 342 of the Local Government Act 1974.

**Resolution 2021/66**

Moved: Mayor Nigel Bowen

Seconded: Cr Barbara Gilchrist

That Council approved the temporary closure of various roads within the Timaru District to ordinary vehicular traffic between 6.00am – 8pm on Saturday 19 June 2021, pursuant to Sections 319 and 342 of the Local Government Act 1974 and the 10th Schedule, for the purpose of allowing the South Canterbury Car Club to conduct a Car Rally Event.

**Carried**

**10 Consideration of Urgent Business Items**

Item 9.3 was considered and approved.

**11 Consideration of Minor Nature Matters**

There were no minor nature matters.

**12 Public Forum Items Requiring Consideration**

Animal Control Bylaws to be reviewed earlier than current due date of the 2022 year.

**13 Resolution to Exclude the Public****Resolution 2021/67**

Moved: Cr Peter Burt

Seconded: Cr Barbara Gilchrist

That the public be excluded from the following parts of the proceedings of this meeting on the grounds under section 48 of the Local Government Official Information and Meetings Act 1987 as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Plain English Reason
<b>13.1 - Public Excluded Minutes of the Council Meeting held on 30 March 2021</b>	<p>s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>s7(2)(b)(i) - The withholding of the information is necessary to protect information where the making available of the information would disclose a trade secret</p> <p>s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the</p>	<p>To protect a person's privacy</p> <p>To prevent disclosing a trade secret</p> <p>Commercial sensitivity</p> <p>To protect all communications between a legal adviser and clients from being disclosed without the permission of the client.</p> <p>To enable commercial activities</p> <p>To enable commercial or industrial negotiations</p>

	<p>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</p> <p>s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege</p> <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>	
<b>13.2 - Public Excluded Minutes of the Extraordinary Tenders and Procurement Committee Meeting held on 30 March 2021</b>	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	Commercial sensitivity
<b>13.3 - Public Excluded Minutes of the Tenders and Procurement Committee Meeting held on 20 April 2021</b>	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	Commercial sensitivity
<b>13.4 - Approval of Concept Plans for the Theatre Royal &amp; Heritage Precinct Project</b>	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	<p>Commercial sensitivity</p> <p>To enable commercial activities</p>

	<p>person who supplied or who is the subject of the information</p> <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>	
<b>13.5 - Appointment of External Member to the Audit and Risk Committee</b>	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

Carried

**14 Public Excluded Reports****13.1 Public Excluded Minutes of the Council Meeting held on 30 March 2021****13.2 Public Excluded Minutes of the Extraordinary Tenders and Procurement Committee Meeting held on 30 March 2021****13.3 Public Excluded Minutes of the Tenders and Procurement Committee Meeting held on 20 April 2021****13.4 Approval of Concept Plans for the Theatre Royal & Heritage Precinct Project****13.5 Appointment of External Member to the Audit and Risk Committee**



**15      Readmittance of the Public**

**Resolution 2021/68**

Moved:     Mayor Nigel Bowen

Seconded: Cr Richard Lyon

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

**Carried**

**The meeting closed at 6.42pm.**

**Minutes confirmed 29 June 2021.**

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**Mayor Nigel Bowen**  
**Chairperson**