



MINUTES

Ordinary Council Meeting
Tuesday, 7 December 2021

Ref: 1466571

**Minutes of Timaru District Council
Ordinary Council Meeting
Held in the Council Chamber, District Council Building, King George Place, Timaru
on Tuesday, 7 December 2021 at 3pm**

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, Cr Steve Wills

In Attendance: Bede Carran (Chief Executive), Steve McKnight (Group Manager Commercial & Strategy), Andrew Dixon (Group Manager Infrastructure), Hamish Barlow (Acting Group Manager Environmental Services), Erik Barnes (Acting Group Manager Recreation & Cultural Services), Hannah Goddard-Coles (Director Engagement & Culture), Beth Stewart-Wright (Director User Experience & Community Engagement), Frazer Munro (General Manager of Timaru District Holdings Ltd), Nigel Davenport (Chief Executive of Venture Timaru), Tony Howey (Chair of Venture Timaru), Mark Low (Strategy & Corporate Planning Manager), Cath Irvine (Waste Manager), Azoora Ali (Chief Financial Officer), Lili Delwaide (Programme Delivery Manager)

1 Opening Prayer

Gordon Rosewall of the Life Church Timaru gave the opening prayer for the Council. This was followed by the Council waiata.

2 Apologies

There were no apologies.

3 Public Forum

There were no items for Public Forum.

4 Identification of Urgent Business

There were no items of urgent business to be received.

5 Identification of Matters of a Minor Nature

There were no matters of minor nature.

6 Declaration of Conflicts of Interest

Mayor Nigel Bowen declared a conflict of interest in relation to item 9.5, due to his business interests.

7 Confirmation of Minutes**7.1 Minutes of the Council Meeting held on 21 September 2021****Resolution 2021/129**

Moved: Cr Peter Burt

Seconded: Cr Barbara Gilchrist

That the Minutes of the Council Meeting held on 21 September 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 Extraordinary Council Meeting held on 28 September 2021****Resolution 2021/130**

Moved: Cr Steve Wills

Seconded: Cr Sally Parker

That the Minutes of the Extraordinary Council Meeting held on 28 September 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 Council Meeting held on 26 October 2021****Resolution 2021/131**

Moved: Cr Richard Lyon

Seconded: Cr Allan Booth

That the Minutes of the Council Meeting held on 26 October 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 Extraordinary Council Meeting held on 5 November 2021****Resolution 2021/132**

Moved: Cr Steve Wills

Seconded: Cr Sally Parker

That the Minutes of the Extraordinary Council Meeting held on 5 November 2021 be confirmed as a true and correct record of that meeting and that the Chairperson's electronic signature be attached.

Carried

7.5 Minutes of the Extraordinary Council Meeting held on 9 November 2021**Resolution 2021/133**

Moved: Cr Gavin Oliver

Seconded: Cr Sally Parker

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

Carried

7.6 Minutes of the Extraordinary Council Meeting held on 23 November 2021**Resolution 2021/134**

Moved: Mayor Nigel Bowen

Seconded: Cr Paddy O'Reilly

That the Minutes of the Extraordinary Council Meeting held on 23 November 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 2021/135**

Moved: Cr Steve Wills

Seconded: Mayor Nigel Bowen

That the report be received and noted.

Carried

8.2 Schedule of Functions Attended by the Chief Executive

Resolution 2021/136

Moved: Cr Barbara Gilchrist

Seconded: Cr Peter Burt

That the report be received and noted.

Carried

9 Reports

9.1 Affixing of the Common Seal

To report the affixing of the Common Seal to Approval of Warrants letter.

Resolution 2021/137

Moved: Cr Peter Burt

Seconded: Cr Barbara Gilchrist

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

15 November 2021 Approval of Warrants

be received and noted.

Carried

9.2 Venture Timaru Quarterly Report 1 July to 30 September 2021

The Chief Executive of Venture Timaru and the Chairperson of Venture Timaru spoke to the Council to present the Venture Timaru quarterly report for their Economic Development and Visitor Promotion operations for the quarter to 30th September 2021.

Discussion concentrated on the economic impact of Covid-19 on the region in terms of events being cancelled, a horticultural workshop with several industry representatives, Regional Apprenticeship Initiative galvanized by the Scott Base Redevelopment.

The Council wished to acknowledge the good work of Mark Rogers over the past five years with Venture Timaru.

Resolution 2021/138

Moved: Cr Peter Burt

Seconded: Cr Steve Wills

That the Venture Timaru Quarterly Report for the period ending 30 September 2021 be received and noted.

Carried

9.3 Timaru District Holdings Limited (TDHL) Quarterly Report July to September 2021

The General Manager of TDHL spoke to this report to present the TDHL quarterly report for the period ending 30 September 2021.

Resolution 2021/139

Moved: Mayor Nigel Bowen

Seconded: Cr Paddy O'Reilly

That the Timaru District Holdings Limited (TDHL) quarterly report for the period ending 30 September 2021 be received and noted.

Carried

9.4 Aorangi Stadium Trust Financial Reports 2021 audit Letter of Comfort authorisation

The Chief Financial Officer and Acting Group Manager Recreation & Cultural Services spoke to this report for the authorisation of a letter of comfort from Council to the Aorangi Stadium Trustees (a letter of comfort is a commitment by Council that it will ensure the Trust is supported to meet any financial obligations associated with the maintenance work programme and is similar to a guarantee).

Resolution 2021/140

Moved: Cr Barbara Gilchrist

Seconded: Cr Steve Wills

That Council agree to:

1. providing a letter of comfort to the Trustees of the Aorangi Stadium Trust for potential future financial liabilities; and
2. authorise the Chief Executive of Timaru District Council to provide such a letter.

Carried

3.36pm Mayor Nigel Bowen relinquished the Chair. Cr Steve Wills assumed the Chair.

9.5 Local Alcohol Policy Review Next stages and Formation of Joint Committee

The Strategy & Corporate Planning Manager & Acting Group Manager Environmental Services spoke to this report to outline the next stage of the review of the Local Alcohol Policy (LAP), establish a Joint Committee and nominate two Elected Members to be part of the Joint Committee.

Resolution 2021/141

Moved: Cr Peter Burt

Seconded: Cr Gavin Oliver

That:

1. Council approves entering into an agreement with the Mackenzie District Council and the Waimate District Council under clause 30A of Schedule 7 of the Local Government Act 2002 to establish a Joint Committee in relation to the review of the Joint Local Alcohol Policy.
2. Council approves the Local Alcohol Policy Joint Committee Agreement and Terms of Reference.
3. Council appoints Cr Barbara Gilchrist & Cr Paddy O'Reilly to the Local Alcohol Policy Joint Committee.

Carried

Cr Steve Wills nominated Cr Barbara Gilchrist.

Cr Peter Burt nominated Cr Paddy O'Reilly

Amendment

Moved: Cr Gavin Oliver

Seconded: Cr Peter Burt

That Cr Barbara Gilchrist & Cr Paddy O'Reilly be appointed to the Joint Committee.

3.39pm Mayor Nigel Bowen resumes the Chair.

9.6 Draft Council Submission - Taking Responsibility for Our Waste Consultation Document

The Group Manager Infrastructure & Waste Manager spoke to this report to seek approval for a submission from Timaru District Council on the Ministry for the Environment's (MfE) consultation document 'Te kawē i te haepapa para, Taking Responsibility for Our Waste.'

The key topics in this consultation are a proposed new national waste strategy and proposed new waste legislation, replacing the Waste Minimisation Act (2008) and Litter Act (1979).

Delegated authority was requested for Mayor Nigel Bowen, the Chair Environmental Services and Chair Infrastructure Committee to sign off on the submission & for any changes.

Resolution 2021/142

Moved: Cr Barbara Gilchrist

Seconded: Cr Peter Burt

That Council approves the draft submission, with any amendments, to the Ministry for the Environment consultation document – Te kawa i te haepapa para, Taking responsibility for Our Waste.

That delegated authority for any changes and signing off the submission is given to Mayor Nigel Bowen, Chair Environmental Services Committee and Chair Infrastructure Committee.

Carried

9.7 Annual Plan 2020/21 Four Month Performance Report to 31 October 2021

The Strategy & Corporate Planning Manager, Acting Group Manager Recreation & Cultural Services, Chief Financial Officer, Programme Delivery Manager, and Three Waters Stimulus Advisor spoke to this report to outline progress on implementing the Annual Plan 2021/22 (Year One of the 2021-31 Long Term Plan). This includes the work programme, key performance indicators and the financial results for the four month period ended 31 October 2021. The report also includes a request to change our reporting cycle to a three monthly reporting cycle.

Discussion centred on the value of Councils' Asset Base, Key Performance Indicators (KPIs), effect of Covid-19 of revenue, and South Canterbury Gym Sports increase in capital expenditure.

Resolution 2021/143

Moved: Cr Peter Burt

Seconded: Cr Barbara Gilchrist

That:

1. Council receive and note the report with particular attention to:
 - (a) The key performance indicators progress report to 31 October 2021.
 - (b) The Annual Report 2021/22 work programme progress report to 31 October 2021.
 - (c) The financial position as at 31 October 2021.
2. That Council adopt a quarterly reporting cycle.

Carried

9.8 Downlands Agreement Commencement Date

The Three Water Stimulus Advisor spoke to this report to seek approval of an amended commencement date for the new Downlands Joint Committee Agreement in order to satisfy audit requirements associated with international accounting standards.

Resolution 2021/144

Moved: Cr Richard Lyon
Seconded: Mayor Nigel Bowen

That the Timaru District Council approves the commencement date for the new Downlands Joint Committee Agreement as 1 July 2020.

Carried

9.9 Government 3Waters Reforms-Economic Regulation.

The Three Water Stimulus Advisor spoke to this report on the Government issued discussion paper *Economic Regulation and Consumer Protection for Three Waters Services in New Zealand* with submissions closing on 20 December 2021. This deadline is between Council meetings and therefore a suitable delegated authority is required for a submission to be approved and submitted on time.

Resolution 2021/145

Moved: Cr Steve Wills
Seconded: Cr Peter Burt

That the Mayor and the Chief Executive be delegated authority to approve a submission to the Governments discussion paper "*Economic Regulation and Consumer Protection for Three Waters Services in New Zealand*".

Carried

10 Consideration of Urgent Business Items

There were no items of urgent business to be received.

11 Consideration of Minor Nature Matters

There were no matters of minor nature.

12 Public Forum Items Requiring Consideration

There were no matters from Public Forum requiring consideration.

13 Resolution to Exclude the Public

Resolution 2021/146

Moved: Mayor Nigel Bowen

Seconded: Cr Peter Burt

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
13.1 - Public Excluded Minutes of the Council Meeting held on 21 September 2021	<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)(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</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 protect a person's privacy</p> <p>Commercial sensitivity</p> <p>To enable commercial or industrial negotiations</p>
13.2 - Public Excluded Minutes of the Council Meeting held on 26 October 2021	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
13.3 - Public Excluded Minutes of the Extraordinary Council Meeting held on 5 November 2021	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	<p>Commercial sensitivity</p> <p>To enable commercial or industrial negotiations</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)	
13.4 - Public Excluded Minutes of the Extraordinary Council Meeting held on 9 November 2021	s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege	To protect all communications between a legal adviser and clients from being disclosed without the permission of the client.
13.5 - Public Excluded Minutes of the Extraordinary Council Meeting held on 23 November 2021	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
13.6 - Timaru District Holdings Limited: Appointment of chairperson and deputy chairperson	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 21 September 2021**
- 13.2 Public Excluded Minutes of the Council Meeting held on 26 October 2021**
- 13.3 Public Excluded Minutes of the Extraordinary Council Meeting held on 5 November 2021**
- 13.4 Public Excluded Minutes of the Extraordinary Council Meeting held on 9 November 2021**
- 13.5 Public Excluded Minutes of the Extraordinary Council Meeting held on 23 November 2021**
- 13.6 Timaru District Holdings Limited: Appointment of chairperson and deputy chairperson**

15 Readmittance of the Public

Resolution 2021/147

Moved: Mayor Nigel Bowen

Seconded: Cr Gavin Oliver

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

Carried

The meeting closed at 4.13pm.

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Mayor Nigel Bowen

Chairperson

Unconfirmed