



MINUTES

Ordinary Council Meeting Tuesday, 15 December 2020

Ref: 1396545

**Minutes of Timaru District Council
Ordinary Council Meeting
Held in the Council Chamber, District Council Building, King George Place, Timaru
on Tuesday, 15 December 2020 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: Chief Executive (Bede Carran), Group Manager Environmental Services (Tracy Tierney), Group Manager People and Digital/Acting Group Manager Community Services (Symon Leggett), Group Manager Infrastructure (Andrew Dixon), Water Services Stimulus Package Manager (Ashley Harper), Strategy and Corporate Planning Manager (Mark Low), Programme Delivery Manager (Lili Delwaide), Acting Chief Financial Officer (Sandy Hogg), Team Leader Consents and Compliance (Nathan Hole), Governance Advisor (Jo Doyle)
John Mackey Audit New Zealand Director (Via Video Link)

1 Opening Prayer and Waiata

Cr Paddy O'Reilly offered a prayer for the work of Council followed Cr Gilchrist leading the singing of the Council Waiata.

2 Apologies

Resolution 2020/68

Moved: Cr Sally Parker

Seconded: Cr Paddy O'Reilly

That the apology received from Ross Munro of Pleasant Point Community Board and Jennine Maguire of Geraldine Community Board be accepted.

Carried

3 Public Forum

Jason Grant of Federated Farmers presented a summary of Federated Farmers to the public forum.

- Federated Farmers' origins go back over 120 years with the first meeting of the New Zealand Farmers' Union in 1899, and in 1945 Federated Farmers of New Zealand was formed when the New Zealand Farmers' Union joined with the Sheepowners' Federation.
- Federated Farmers has 6 industry groups, Arable, Dairy, Goats, High Country, Meat & Wool and Rural Butchers.
- It is the independent voice of farming and has 550 members in the South Canterbury region which is one of 24 provinces which have their own provincial presidents and executives.
- Federated Farmers works with decision makers to create better out comes for profitable and sustainable farming.

- It has no guaranteed funding, and relies on annual voluntary subscription of farmer members.
- Local issues consist of Water, Environment/RMA/Biodiversity reforms, Pending dry season, Employment, Pest and Weed Management.
- Jason Grant noted that South Canterbury is very fortunate and has the whole package of a primary industry, irrigation schemes, water storage, major processing capacity and town with support industries.

Federated Farmers were thanked for hosting the planning team recently to hold an open meeting with farmers for the draft district plan.

The impact of water issues were discussed and possible solutions. Science and time are needed to fix the issue of nitrates in the water, fencing off waterways has made great headways.

Regenerative farming was also discussed, most farmers take these principles on board, but the definition is very broad and evolving all the time. Farmers are always watching for new principles such as grazing patterns.

4 Identification of Urgent Business

There was no urgent business.

5 Identification of Matters of a Minor Nature

There were no minor nature matters.

6 Declaration of Conflicts of Interest

There were no conflicts of interest.

7 Confirmation of Minutes

7.1 Minutes of the Council Meeting held on 6 October 2020

Resolution 2020/69

Moved: Cr Steve Wills

Seconded: Cr Barbara Gilchrist

That the Minutes of the Council Meeting held on 6 October 2020 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 27 October 2020

Resolution 2020/70

Moved: Cr Barbara Gilchrist

Seconded: Cr Paddy O'Reilly

That the Minutes of the Council Meeting held on 27 October 2020 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 24 November 2020

Resolution 2020/71

Moved: Cr Richard Lyon

Seconded: Cr Allan Booth

That the Minutes of the Council Meeting held on 24 November 2020 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 Directors and Trustee Appointment Subcommittee Meeting held on 6 October 2020

Resolution 2020/72

Moved: Cr Steve Wills

Seconded: Cr Sally Parker

That the Minutes of the Directors and Trustee Appointment Subcommittee Meeting held on 6 October 2020 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 Directors and Trustee Appointment Subcommittee Meeting held on 19 October 2020

Resolution 2020/73

Moved: Cr Steve Wills

Seconded: Cr Sally Parker

That the Minutes of the Extraordinary Directors and Trustee Appointment Subcommittee Meeting held on 19 October 2020 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 Tenders and Procurement Committee Meeting held on 3 November 2020

Committee Recommendation

Moved: Mayor Nigel Bowen

Seconded: Cr Barbara Gilchrist

That the Minutes of the Tenders and Procurement Committee Meeting held on 3 November 2020 be confirmed as a true and correct record of that meeting and that the Chairperson's electronic signature be attached.

7.7 Minutes of the Tenders and Procurement Committee Meeting held on 24 November 2020

Resolution 2020/74

Moved: Mayor Nigel Bowen

Seconded: Cr Barbara Gilchrist

That the Minutes of the Tenders and Procurement Committee Meeting held on 24 November 2020 be confirmed as a true and correct record of that meeting and that the Chairperson's electronic signature be attached.

Carried

7.8 Minutes of the Extraordinary Tenders and Procurement Committee Meeting held on 8 December 2020

Resolution 2020/75

Moved: Cr Barbara Gilchrist

Seconded: Cr Peter Burt

That the Minutes of the Extraordinary Tenders and Procurement Committee Meeting held on 8 December 2020 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 2020/76

Moved: Mayor Nigel Bowen

Seconded: Cr Steve Wills

That the report be received and noted.

Carried

8.2 Schedule of Functions Attended by the Chief Executive

Resolution 2020/77

Moved: Mayor Nigel Bowen

Seconded: Cr Sally Parker

That the report be received and noted.

Carried

9 Reports

9.1 Affixing of the Common Seal

Council was advised of the affixing of the Common Seal to Warrants of Appointment.

Resolution 2020/78

Moved: Cr Barbara Gilchrist

Seconded: Cr Gavin Oliver

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

- 19 October 2020 Warrants of Appointment
- 21 October 2020 Warrants of Appointment
- 13 November 2020 Warrants of Appointment
- 18 November 2020 Warrants of Appointment

Carried

9.2 Contracts Let From Tenders and Procurement Committee

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

Resolution 2020/79

Moved: Cr Barbara Gilchrist

Seconded: Cr Peter Burt

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
Contract 2479 – Winchester-Geraldine, Coach, Tiplady and McKenzie Roads Intersection Upgrade	2	\$1,327,903.87 to \$1,352,375.22	Fulton Hogan Limited \$1,352,374.22

Contract 2459 – Orari Back Road Seal Extension	3	\$983,674.54 to \$1,684,493.60	Rooney Earthmoving Limited \$983,674.54
Tenders were evaluated using price quality method.			

All prices exclude GST

Carried

9.3 Contracts Let Under Delegated Authority

Council was advised of contracts let by the Chief Executive under Delegated Authority.

Resolution 2020/80

Moved: Cr Peter Burt

Seconded: Cr Barbara Gilchrist

That the following information on a contract let by the Chief Executive under delegated authority, be received.

Contract Description	Number of Tenders	Price Range	Successful Tenderer and Price
Contract 2488 – Temuka Golf Course and Domain Sewermain Upgrade	2	\$736,834.69 to \$850,329.00	Rooney Earthmoving Limited \$736,834.69
Tenders for contract 2488 were evaluated using the Weighted Attribute Method			

All prices exclude GST

Carried

9.4 Council Meeting Calendar 2021

Council was presented with the meetings calendar for the 2021 calendar year.

Two of the Audit and Risk Committee meetings have been moved since the last Council meeting as well as the need to align Council meetings with the Long Term Plan.

Resolution 2020/81

Moved: Cr Steve Wills

Seconded: Cr Sally Parker

That the Council meetings calendar for 2021 be adopted.

Carried

9.5 Land Transport Infrastructure Asset Revaluation Process

Council was provided with an overview of the Land Transport Infrastructure asset revaluation project by Group Manager Infrastructure.

Following the revaluing of Council water assets, the roading assets will now be revalued to reflect the market value as currently based on 2005 asset values.

Resolution 2020/82

Moved: Mayor Nigel Bowen

Seconded: Cr Barbara Gilchrist

That Council note the update and endorse the revaluation of Council's Land Transport assets.

Carried

9.6 Plan Change 22 - Adoption of Commissioner's Decision

Council was presented with the Commissioners decision on Proposed Plan Change 22 (PC22) by Team Leader Consents and Compliance

This reflects a parcel of land in Washdyke that is being rezoned from a rural 2 zone to light industrial in order to be developed as industrial land. This change was indicated in the draft district plan, however it was requested through a private plan change, and is now approved by the Commissioner. Once adopted by Council, this change will be publically notified.

Resolution 2020/83

Moved: Mayor Nigel Bowen

Seconded: Cr Sally Parker

That the Commissioners decision on provisions and submissions for Proposed Plan Change 22 is adopted by Council.

Carried

9.7 Review of Council Committee and Subcommittee Remuneration Policy

Council was presented with the draft Council Committee and Subcommittee Remuneration Policy for adoption by the Policy Analyst.

This is the continuation of review of governance policies and involves a change in the framework of terms of appointments for members of committees who are not Elected Members.

These changes will be in place for the next triennium and the process will be managed by the governance team.

The current payment structure will remain status quo until the end of the current triennium.

Resolution 2020/84

Moved: Cr Steve Wills

Seconded: Cr Richard Lyon

1. That Council adopts the Council Committee and Subcommittee Remuneration Policy

Carried

9.8 Annual Plan 2020/21 - Four Month Report to 31 October 2020

Council was presented with the progress against Council's 2020/21 Annual Plan (Year Three of the 2018-2028 Long Term Plan) including financial results, progress towards achieving the key performance indicators and the capital projects work programme for the four month period ended 31 October 2020.

This report was presented by the Water Services Stimulus Package Manager, Strategy and Corporate Planning Manager, Programme Delivery Manager and Acting Chief Financial Officer.

This is the first four month report for the current financial year. This a period of planning of projects, and financials reflects timing, for example that some NZTA subsidies are not yet received for the year.

The result shows 80% of KPIs on capital projects, however many projects are well underway.

The Geraldine sewer siphon upgrade was discussed as it is unlikely to meet the financial deadline of 30 June 2021. There are major considerations with this project and is to be reviewed with the engineers and consulting team. There are constraints such as environmental, geotechnical and land entry factors that may stop this project from being completed in the original timeframe.

Resolution 2020/85

Moved: Cr Steve Wills

Seconded: Cr Barbara Gilchrist

1. That the key performance indicators and capital projects work programme progress report to 31 October 2020 be received and noted.
2. That the summary financial results to 31 October 2020 be received and noted.

Carried

9.9 Carry Forward Requests

Council was presented with funding previously approved in the Annual Plan 2019-20 for capital expenditure and projects that were forecast to be completed or commenced during the financial year by the Acting Chief Financial Officer.

This report is split into two areas, requests for ratification for works that have occurred from July to December 2020 and carry forwards which are committed funds, however no expenditure has occurred to October.

This ensures the funding required for the capital expenditure and projects is in place to ensure their purchase and/or completion.

Resolution 2020/86

Moved: Cr Peter Burt

Seconded: Cr Paddy O'Reilly

That the Council ratifies \$4,587,661 and approves \$3,157,328 carried forward expenditure outlined in this report and that the 2020-21 forecast be amended to reflect this approved expenditure (noting it does not have an impact on rates for the current financial year).

Carried

10 Consideration of Urgent Business Items

There was no urgent business.

11 Consideration of Minor Nature Matters

There were no minor nature items.

12 Public Forum Items Requiring Consideration

There were no items from public forum for consideration.

13 Resolution to Exclude the Public

Resolution 2020/87

Moved: Cr Barbara Gilchrist

Seconded: Cr Sally Parker

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 6 October 2020	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
13.2 - Public Excluded Minutes of the Council Meeting held on 27 October 2020	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons 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 s7(2)(b)(ii) - The withholding of the information is necessary to	To protect a person's privacy To prevent disclosing a trade secret Commercial sensitivity To protect all communications between a legal adviser and clients from being disclosed without the permission of the client. To enable commercial activities

	<p>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)(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>	
13.3 - Public Excluded Minutes of the Directors and Trustee Appointment Subcommittee Meeting held on 6 October 2020	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
13.4 - Public Excluded Minutes of the Extraordinary Directors and Trustee Appointment Subcommittee Meeting held on 19 October 2020	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
13.5 - Public Excluded Minutes of the Tenders and Procurement Committee Meeting held on 3 November 2020	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
13.6 - Public Excluded Minutes of the Tenders and Procurement Committee Meeting held on 24 November 2020	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
13.7 - Public Excluded Minutes of the Extraordinary Tenders and Procurement Committee	s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the	Commercial sensitivity

<p>Meeting held on 8 December 2020</p>	<p>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>13.8 - Timaru District Council Annual Report 2019/20</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)(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>Commercial sensitivity To enable commercial activities</p>

That pursuant to section 48(5) of the Local Government Official Information and Meetings Act, John Mackey from Audit New Zealand be permitted to attend this meeting after the public has been excluded, due to his knowledge of the issue being considered under item 13.8 - Timaru District Council Annual Report 2019/20.

Carried

Resolution 2020/88

Moved: Mayor Nigel Bowen

Seconded: Cr Barbara Gilchrist

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

Carried

- 13 Public Excluded Reports**
- 13.1 Public Excluded Minutes of the Council Meeting held on 6 October 2020**
- 13.2 Public Excluded Minutes of the Council Meeting held on 27 October 2020**
- 13.3 Public Excluded Minutes of the Directors and Trustee Appointment Subcommittee Meeting held on 6 October 2020**
- 13.4 Public Excluded Minutes of the Extraordinary Directors and Trustee Appointment Subcommittee Meeting held on 19 October 2020**
- 13.5 Public Excluded Minutes of the Tenders and Procurement Committee Meeting held on 3 November 2020**
- 13.6 Public Excluded Minutes of the Tenders and Procurement Committee Meeting held on 24 November 2020**
- 13.7 Public Excluded Minutes of the Extraordinary Tenders and Procurement Committee Meeting held on 8 December 2020**
- 13.8 Timaru District Council Annual Report 2019/20**
- 14 Readmittance of the Public**

The meeting closed at 4.10pm.

Minutes confirmed 9 February 2021.

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Mayor Nigel Bowen
Chairperson