



MINUTES

Ordinary Council Meeting Tuesday, 27 October 2020

Ref: 1384457

**Minutes of Timaru District Council
Ordinary Council Meeting
Held in the Council Chamber, District Council Building, King George Place, Timaru
on Tuesday, 27 October 2020 at 3pm**

Present: Mayor Nigel Bowen (Chairperson), Cr Barbara Gilchrist, Cr Richard Lyon, Cr Gavin Oliver, Cr Paddy O'Reilly, Cr Sally Parker, Cr Stu Piddington, Cr Steve Wills

In Attendance: Council Officers
Chief Executive (Bede Carran), Group Manager Commercial and Strategy (Donna Cross), Group Manager Environmental Services (Tracy Tierney), Group Manager People and Digital/Acting Group Manager Community Services (Symon Leggett), Group Manager Infrastructure (Andrew Dixon), Manager of Property Services and Client Representative (Nicole Timney), Communications Manager (Stephen Doran), Governance Advisor (Jo Doyle)

1 Opening Prayer and Waiata

Gordon Rosewall of Life Church offered a Prayer for the work of Council followed by the singing of the Council Waiata.

2 Apologies

Resolution 2020/63

Moved: Cr Sally Parker

Seconded: Cr Paddy O'Reilly

That apologies from Cr Allan Booth, Cr Peter Burt, Natasha Rankin of Geraldine Community Board, Stephanie McCullough of Temuka Community Board and Neville Gould of Pleasant Point Community Board be received and accepted.

Carried

3 Public Forum

Steven Greenyer of Fire and Emergency New Zealand (FENZ) attended.

31% of incidents in South Canterbury are false alarms, such as building alarms or false alarms with good intent, e.g. seeing smoke and reporting to 111. The second largest section are medical events and accidents, with FENZ providing response to life threatening events. This increase in workload has come with psychological welfare issues as some events, such as cardiac events do have a low success rate and this ultimately has an effect on firefighters.

In South Canterbury, the positives are that there are no major burnouts or destruction of property and there are a high rate of smoke alarms.

FENZ complimented Timaru District Council for their staff, water, environmental, roads, building department and Civil Defence Emergency Management.

One area of concern are new buildings in industrial zones, fires progress through these buildings very quickly and some commercial buildings are erected before water is available in the area. Ideally the water supplies need to be in place before the buildings go are completed.

Integration of urban and rural fire brigades is well underway, and one manager for all the brigades across South Canterbury will be the new structure from December.

FENZ are always keen to interact with all groups, and would be more than happy if Council has initiatives for the community to engage.

Nigel Gilkison

Attended the Public Forum to present a petition to Council against the proposed development of the Showgrounds.

Background was provided on the sale of the land in 2016 to safe guard the CBD and the subsequent sale and purchase to a developer in 2019. Restrictions were included in the sale and purchase agreement to protect the CBD, however it was felt there was no evidence of this in the resource consent the developer has submitted to Council.

It appears that expert advice about the detriment to the CBD has been ignored, and now there is a public outcry with no compelling evidence in favour of the development.

Council was asked for evidence of balanced decision making, and the transparent process. New development is encouraged, but should be demand driven and within the CBD band rather than on the outline of town.

It is expected that this development will have significant negative effects on Timaru and will choke new development in CBD and the planned Theatre Royal and City Hub strategy will be also be affected.

Council were asked to pause and consult with the community, which should have been done at the start. With the next stage of due diligence due to expire in November, a pause was urged and to ask the community how they want this piece of land put to use.

Motion

Resolution 2020/64

Moved: Mayor Nigel Bowen

Seconded: Cr Steve Wills

That Council received and noted the petition against the proposed development of the Showgrounds.

Carried

Attachments

1 Showgrounds Petition - 27 October 2020

4 Identification of Urgent Business

That items 13.4 and 13.5 on the Public Excluded Supplementary agenda be considered as Urgent Business.

5 Identification of Matters of a Minor Nature

There were no matters of a minor nature.

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 22 September 2020****Resolution 2020/65**

Moved: Cr Barbara Gilchrist

Seconded: Cr Richard Lyon

That the Minutes of the Council Meeting held on 22 September 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 Tenders and Procurement Committee Meeting held on 13 October 2020**Resolution 2020/66**

Moved: Cr Sally Parker

Seconded: Cr Steve Wills

That the Minutes of the Tenders and Procurement Committee Meeting held on 13 October 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 2020/67**

Moved: Mayor Nigel Bowen

Seconded: Cr Gavin Oliver

That the report be received and noted.

Carried

8.2 Schedule of Functions Attended by the Chief Executive

Resolution 2020/68

Moved: Mayor Nigel Bowen

Seconded: Cr Barbara Gilchrist

That the report be received and noted.

Carried

9 Reports

9.1 Contracts Let From Tenders and Procurement Committee

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

Resolution 2020/69

Moved: Mayor Nigel Bowen

Seconded: Cr Sally Parker

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 2468 – Pareora Pipeline Section 1	6	\$5,695,381.21 to \$7,548,115.33	Rooney Group Limited \$5,695,381.21
Tenders were evaluated using weighted attributes method.			

All prices exclude GST

Carried

9.2 Council Meeting Calendar 2021

The Council meeting calendar for 2021 was presented to Council by the Group Manager Commercial and Strategy.

There are two Audit and Risk Committee meetings to be moved, the 7 December meeting will be moved to 14 December and the 30 March meeting will be moved to 23 March.

Resolution 2020/70

Moved: Cr Steve Wills

Seconded: Cr Barbara Gilchrist

That the Council meetings calendar for 2021 be adopted with Audit and Risk Committee meetings now scheduled for 14 December and 23 March.

Carried

9.3 Audit & Risk Committee Updates

Council was presented with a copy of the following:

- The public minutes from the Audit and Risk Committee held on 12 October 2020 meeting (unconfirmed minutes);
- The current Corporate Risk Register, considered at the last Audit and Risk Committee (noting there will be further updates as an outcome of the Audit and Risk Committee and further work being undertaken by officers);
- The draft risk appetite statement, for Council approval;
- The proposed internal audit plan for 2020/21, for Council approval.

Group Manager Commercial and Strategy and Risk & Assurance Manager presented these papers from the Audit and Risk Committee meeting held 12 October 2020.

Resolution 2020/71

Moved: Cr Barbara Gilchrist

Seconded: Cr Gavin Oliver

That Council:

- a. Receive and note this report;
- b. Approve the risk appetite statement; and
- c. Approve the internal audit plan for 2020/21.

Carried

9.4 Nomination of a Council Biodiversity Champion

Council was presented with a report to nominate a Council Biodiversity Champion by Group Manager Environmental Services and Senior Planner.

The Canterbury Mayoral Forum is advocating that each council nominate an elected member to raise, shape and champion better biodiversity outcomes in councils' Long Term Plans 2021-2031 and support the Canterbury Biodiversity Strategy 2008. Cr Gilchrist has considerable interest and knowledge and is willing to accept the nomination for the role.

Resolution 2020/72

Moved: Cr Steve Wills

Seconded: Cr Paddy O'Reilly

That Cr Gilchrist is nominated as the Council Biodiversity Champion.

Carried

9.5 Timaru District Holdings Ltd Annual General Meeting

Council received an report to appoint a proxy and alternative proxy to attend the TDHL Annual General Meeting.

It was discussed that Cr Paddy O’Reilly would be the proxy, and Cr Sally Parker would be the alternative proxy.

Resolution 2020/73

Moved: Cr Steve Wills

Seconded: Cr Barbara Gilchrist

That Cr Paddy O’Reilly will be proxy and Cr Sally Parker will be the alternative proxy to represent the Council at Timaru District Holdings Limited’s Annual General Meeting proposed for 26 November 2020.

Carried

10 Consideration of Urgent Business Items

Items 13.4 and 13.5 will be heard as urgent business.

11 Consideration of Minor Nature Matters

There were no minor nature matters.

12 Public Forum Items Requiring Consideration

There were no further considerations from the public forum items.

13 Resolution to Exclude the Public

Resolution 2020/74

Moved: Mayor Nigel Bowen

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
13.1 - Public Excluded Minutes of the Council Meeting held on 22 September 2020	s7(2)(b)(i) - The withholding of the information is necessary to protect information where the making available of the	To prevent disclosing a trade secret Commercial sensitivity

	<p>information would disclose a trade secret</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)(g) - The withholding of the information is necessary to maintain legal professional privilege</p>	<p>To protect all communications between a legal adviser and clients from being disclosed without the permission of the client.</p>
<p>13.2 - Public Excluded Minutes of the Tenders and Procurement Committee Meeting held on 24 November 2020</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>Commercial sensitivity</p>
<p>13.3 - Audit & Risk Committee Updates</p>	<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)(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>To protect a person’s privacy</p> <p>Commercial sensitivity</p> <p>To enable commercial activities</p>
<p>13.4 - Timaru District Holdings Limited Director Appointments</p>	<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>To protect a person’s privacy</p>

13.5 - Property Matter	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
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That pursuant to section 48(5) of the Local Government Official Information and Meetings Act, Samantha Iles and Brodie Young from Environment Canterbury and Frazer Munro of Timaru District Holdings Limited be permitted to remain at this meeting after the public has been excluded, due to their knowledge of the issue being considered under item 13.5 Property Matter.

Carried

Resolution 2020/75

Moved: Mayor Nigel Bowen

Seconded: Cr Sally Parker

That the supplementary items 13.4 – Timaru District Holdings Limited Director Appointments and 13.5 – Property Matter be admitted as Urgent Business.

Carried

Resolution 2020/76

Moved: Cr Paddy O'Reilly

Seconded: Cr Stu Piddington

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 22 September 2020

13.2 Public Excluded Minutes of the Tenders and Procurement Committee Meeting held on 24 November 2020

13.3 Audit & Risk Committee Updates

13.4 Timaru District Holdings Limited Director Appointments

13.5 Property Matter

14 Readmittance of the Public

The meeting closed at 4.16pm.

Minutes confirmed 15 December 2020

**Mayor Nigel Bowen
Chairperson**