



MINUTES

Ordinary Council Meeting Tuesday, 29 June 2021

Ref: 1431263

**Minutes of Timaru District Council
Ordinary Council Meeting
Held in the Council Chamber, District Council Building, King George Place, Timaru
on Tuesday, 29 June 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 (from 3.20pm), Cr Steve Wills

In Attendance: Lucy Millar – Chairperson, Orari-Temuka-Opihi-Pareora Water Zone Committee – for item 9.2

Wayne O'Donnell Chairperson - Geraldine Community Board
Neville Gould – Pleasant Point Community Board

Chief Executive (Bede Carran), Group Manager Infrastructure (Andrew Dixon), Acting Group Manager Commercial and Strategy (Ashley Harper), Group Manager People & Digital and Acting Group Manager Community Services (Symon Leggett), Group Manager Environmental Services (Paul Cooper), Strategy and Corporate Planning Manager (Mark Low), Governance Support Officer (Joanne Brownie)

1 Opening Prayer and Waiata

Kathleen MacDonald of Restoration Ministries offered a prayer for the work of the Council, followed by the singing of the Council Waiata.

2 Apologies

Apology

Resolution 2021/105

Moved: Cr Steve Wills

Seconded: Cr Barbara Gilchrist

That the apology received from Stephanie McCullough – Temuka Community Board be accepted.

Carried

3 Public Forum

Kristy Phillips, local branch president of the Hospitality Association and national board member, addressed the meeting on the role of the Association, the challenges being faced by the industry and its important support of its members. The Association's main function is to support its members, through contact and advice during the Covid 19 lockdown, advocacy, developing training programmes, assistance with District Licensing processes and liaising with local and central government. appreciate being able to work with Council at times.

The Association is also working on innovations to future proof the industry, with a learning management system via an online learning tool, that can be customised to suit different

establishments, development of a Kiwi Access identification system, and establishment of a new gift voucher system.

Consistency of messaging from central government for various tourism activities is an issue, making it hard for operators. Also a current issue is the impact on the hospitality industry of reduced immigration and the resultant reduction in workers. The industry is seeking to have overseas workers currently in the country permitted to work,

Despite the Covid pandemic, the industry itself is growing and there has been good community support for the industry. Kristy Phillips acknowledged the ability to engage with Council and indicated the Association would be interested in being involved in council based activities such as the city hub.

4 Identification of Urgent Business

There were no urgent business items.

5 Identification of Matters of a Minor Nature

Motion

Resolution 2021/106

Moved: Mayor Nigel Bowen

Seconded: Cr Barbara Gilchrist

That advisories on 3Waters be discussed as a minor nature item at this meeting.

Carried

6 Declaration of Conflicts of Interest

There were no conflicts of interest declared.

7 Confirmation of Minutes

7.1 Minutes of the Council Meeting held on 11 May 2021

Resolution 2021/107

Moved: Cr Sally Parker

Seconded: Cr Gavin Oliver

That the Minutes of the Council Meeting held on 11 May 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 31 May 2021

Resolution 2021/108

Moved: Cr Peter Burt

Seconded: Cr Barbara Gilchrist

That the Minutes of the Council Meeting held on 31 May 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 2021/109

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 2021/110

Moved: Cr Richard Lyon

Seconded: Cr Paddy O'Reilly

That the report be received and noted.

Carried

9 Reports

9.1 Affixing of the Common Seal

Council considered the affixing of the Common Seal to Warrants of Appointment.

Resolution 2021/111

Moved: Cr Barbara Gilchrist

Seconded: Cr Peter Burt

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

4 May 2021 Warrants of Appointment.

Carried

9.2 Orari-Temuka-Opihi-Pareora Water Zone Annual Progress Report

The 2020 Annual Report of the Orari-Temuka-Opihi-Pareora Water Zone (OTOP) was presented by OTOP Chairperson Lucy Millar. The report covers the 2020 Calendar year. The year was a challenging one for the committee. Having completed its input into the plan change process for the Land and Water Regional Plan, establishing a new role for the committee is still being worked through. The aim is to focus on a ground-up approach, with less of a focus on meetings. A success

of note was the support for the new Catchment Collective SC Society, which helped the society become a legal entity and therefore be in a position to apply for national funding. The continued biodiversity focus is another positive for OTOP.

Cr Gilchrist, Council's representative on OTOP, thanked Lucy Millar for her chairmanship in what has been a very challenging time and she looks forward to being part of the new focus going forward. The Mayor also congratulated Lucy on her leadership through the difficult period and noted that it is important for Council to support OTOP initiatives, which impact on both the urban and rural community.

Resolution 2021/112

Moved: Cr Barbara Gilchrist

Seconded: Cr Peter Burt

That the Orari-Temuka-Opihi-Pareora Water Zone Annual Progress report be received.

Carried

9.3 Adoption of Timaru District Council Long Term Plan 2021-31

The final Long Term Plan 2021-31 was presented to Council, including the Financial Strategy 2021-31, the Infrastructure Strategy 2021-51 and the Fees and Charges for the period 1 July 2021 to 30 June 2022 for adoption.

While Council expected to approve the Long Term Plan at today's meeting in order to meet statutory deadlines, Audit NZ has given very late notice to Council that Audit is still deliberating on the presentation of the Capital Work Programme in the LTP and has not given its approval.

The issue concerning Audit NZ is how the 90% delivery of the capital expenditure programme is presented in the LTP, and how the 10% undelivered is shown. It was noted that Council in the past has included a 100% delivery programme for its Capital Works and therefore the issue has not arisen before.

Council voiced its disappointment at Audit NZ advising of its concerns at such late notice, especially given that earlier indications from Audit signalled that all was in order and in an acceptable presentation format. Council has taken the same presentation in the LTP consultation document (which was approved by Audit NZ) through to the final LTP and therefore the questions being raised now are frustrating, and may cause the Council to not meet the deadline, despite every effort to do so.

It was suggested that until confirmation is received from Audit NZ, Council is not in a position to adopt the Long Term Plan or to set the rates.

9.4 Resolution to Set Rates 2021/2022

Council considered the resolution to set the rates for the 2021/22 financial year.

The instalment date of 20 December was raised, being so close to Christmas, this could pose a problem for some ratepayers. While it is too late to alter this date for the coming year it was agreed that options for payment systems, dates and methods etc could be part of the planned rating review.

10 Consideration of Urgent Business Items

There were no urgent business items.

11 Consideration of Minor Nature Matter**3Waters Information Campaign**

There have been concerns expressed from various parts of the country in regard to the communications from the Department of Internal Affairs regarding 3Waters. Councillors supported the concerns and expressed disquiet about the whole process and the lack of independent control local authorities have in the process. There appears to be a certain amount of predetermination of whole process and a control of the narrative.

Further announcements are due to be made in the next few days.

12 Long Term Plan and Resolution to Set Rates (cont'd)

The meeting adjourned at 3.50pm to allow for officers to check as to any confirmation being received from Audit NZ to allow for the meeting business in respect of the Long Term Plan adoption and the setting of the rates, to be dealt with.

The meeting resumed at 4pm, with the Chief Executive informing the meeting that confirmation from Audit NZ has still not been granted.

An Extraordinary meeting will be called at the earliest opportunity to confirm the Long Term Plan after re-conferring with Audit NZ on the capital works programme issue. This will mean that Council will not meet its statutory deadline.

Council asked that its protest at Audits very late notice of its concerns, be conveyed to Audit NZ, particularly when earlier communications with Audit indicated that Council's Long Term Plan was in order.

Resolution 2021/113

Moved: Cr Steve Wills

Seconded: Cr Gavin Oliver

That the meeting's business items in respect to the adoption of the Long Term Plan and the Resolution to Set the Rates, be deferred until confirmation has been received from Audit NZ.

Carried

12 Public Forum Items Requiring Consideration

There were no public forum issues requiring consideration.

13 Resolution to Exclude the Public**Resolution 2021/114**

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
<p>13.1 - Public Excluded Minutes of the Council Meeting held on 11 May 2021</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)(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 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>	<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>13.2 - Public Excluded Minutes of the Council Meeting held on 31 May 2021</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>
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Carried

14 Public Excluded Reports

13.1 Public Excluded Minutes of the Council Meeting held on 11 May 2021

13.2 Public Excluded Minutes of the Council Meeting held on 31 May 2021

15 Readmittance of the Public

Resolution 2021/115

Moved: Cr Stu Piddington

Seconded: Cr Gavin Oliver

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

Carried

The meeting closed at 4.08pm.

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Mayor Nigel Bowen
Chairperson