



MINUTES

Ordinary Council Meeting Tuesday, 13 February 2024

Ref: 1650521

**Minutes of Timaru District Council
Ordinary Council Meeting
Held in the Council Chamber, District Council Building, King George Place, Timaru
on Tuesday, 13 February 2024 at 3pm**

Present: Mayor Nigel Bowen (Chairperson), Cllrs Allan Booth, Peter Burt, Gavin Oliver, Sally Parker, Stu Piddington, Stacey Scott, Scott Shannon, Michelle Pye, Owen Jackson

In Attendance: **Community Board Members:** Janene Adams (Geraldine Community Board), Rosie Woods (Geraldine Community Board), Nicola Nimo (Temuka Community Board), Anna Lyon (Pleasant Point Community Board)

Officers: Nigel Trainor (Chief Executive), Paul Cooper (Group Manager Environmental Services), Andrew Dixon (Group Manager Infrastructure), Beth Stewart (Group Manager Community Services), Andrea Rankin (Chief Financial Officer), Mark Abbot (Acting Strategy and Corporate Planning Manager), Vincie Billante (LTP Project Lead), Nicole Timney (Manager of Property Services and Client Representative), Suzy Ratahi (Land Transport Manager), Stephen Doran (Communications & Engagement Manager), Debbie Fortuin (Environmental Compliance Manager), Hamish Barrell (Planning Manager - Consents, Compliance & Strategy), Matt Sisson (Property Projects Officer), Steph Forde (LTP Project Officer), Brendan Madley (Policy Advisor), Maddison Gourlay (Marketing and Communications Advisor), Sam Molyneux (Operations Coordinator Community Services), Jacky Clarke (Programme Delivery Manager), Rachel Scarlett (Governance Advisor), Jessica Kavanaugh (Team Leader Governance)

Public: Frazer Munro (Timaru District Holdings Ltd General Manager), Mark Rogers (Timaru District Holdings Ltd Chairperson), Ryan Dejoux (Timaru Developments)

1 Opening Prayer

Martin Winterson (Life Church Timaru) conducted the opening prayer

Cllr Sally Parker led the waiata.

2 Apologies

No apologies were received.

3 Public Forum

There were no public forum items.

4 Identification of Urgent Business

No items of urgent business were received.

5 Identification of Matters of a Minor Nature**5.1 Minor Nature Items Presented**

Clr Stu Piddington requested information about how much ratepayers are going to pay for the Theatre Royal and Heritage Hub.

6 Declaration of Conflicts of Interest

- Mayor Nigel Bowen declared a conflict of interest in item 9.9 Local Alcohol Policy Adoption and will sit back from the table during this item. Deputy Mayor Scott Shannon will chair this item.

7 Confirmation of Minutes**7.1 Minutes of the Council Meeting held on 28 November 2023****Resolution 2024/3**

Moved: Clr Peter Burt

Seconded: Clr Allan Booth

That the Minutes of the Council Meeting held on 28 November 2023 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 12 December 2023**Resolution 2024/4**

Moved: Clr Sally Parker

Seconded: Clr Owen Jackson

That the Minutes of the Council Meeting held on 12 December 2023 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 Extraordinary Council Meeting held on 30 January 2024**Resolution 2024/5**

Moved: Mayor Nigel Bowen

Seconded: Deputy Mayor Scott Shannon

That the Minutes of the Extraordinary Council Meeting held on 30 January 2024 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 2024/6

Moved: Mayor Nigel Bowen

Seconded: Cllr Stacey Scott

That the Schedule of Functions Attended by the Mayor, Deputy Mayor and Councillors be received and noted.

Carried

8.2 Schedule of Functions Attended by the Chief Executive

Resolution 2024/7

Moved: Mayor Nigel Bowen

Seconded: Cllr Stacey Scott

That the Schedule of Functions Attended by the Chief Executive be received and noted.

Carried

9 Reports

9.1 Affixing of the Common Seal

Council considered the report noting the affixing of the Common Seal to an Approval of Warrants of which names have been redacted to protect the privacy of employees.

Resolution 2024/8

Moved: Cllr Allan Booth

Seconded: Cllr Stacey Scott

That the following warrants have been approved by the Chief Executive and are being reported to the Council for noting:

1. 14 December 2023 – Approval of Warrants
2. 18 December 2023 – Approval of Warrants
3. 18 December 2023 – Approval of Warrants

4. 17 January 2024 – Approval of Warrants
5. 17 January 2024 – Approval of Warrants
6. 17 January 2024 – Approval of Warrants
7. 17 January 2024 – Approval of Warrants
8. 17 January 2024 – Approval of Warrants
9. 17 January 2024 – Approval of Warrants
10. 31 January 2024 – Approval of Warrants

Carried

9.2 Actions Register Update

The Mayor spoke to this report to provide the Council with an update on the status of the action requests raised by councillors at previous Council meetings.

It is confirmed the underutilised assets report will be on the 26 March agenda.

Resolution 2024/9

Moved: Mayor Nigel Bowen

Seconded: Cllr Scott Shannon

That the Council receives and notes the updates to the Actions Register.

Carried

9.3 Release of Public Excluded Reports

The Mayor spoke to this report to provide the Council with an updated status of Public Excluded Reports released to the Public.

Resolution 2024/10

Moved: Mayor Nigel Bowen

Seconded: Cllr Owen Jackson

That the Council notes the following public excluded reports have been released to the public:

1. Purchase of Meadows Road property, Washdyke
2. Appointment of Civil Defence Emergency Management Controllers and Recovery Manager

Carried

9.4 Aorangi Park Sports Stadium Options

The Group Manager Infrastructure spoke to the report for the Council to consider further options for the increase in the number of indoor courts at the Aorangi Park sports stadium to potentially reduce cost.

It is requested that an update be provided to the users on the design and build timeline. The ability for future growth with the extension of the existing stadium. It is clarified the use of the facility as a welfare centre for civil defence for options one and two.

Further discussion included the impact on the netball pavilion for both options. It is confirmed the community fundraising element of the build in the current Long Term Plan is set at 10%. It is noted the importance of communication to the community if any part of the facility needs to shut down during construction.

Resolution 2024/11

Moved: Cllr Stu Piddington

Seconded: Cllr Stacey Scott

1. That Council endorses two options being an extension of the existing stadium (Option 1) extending from the existing stadium out towards and onto the area currently used for the netball courts at Aorangi Park together with the build a new 10-court stadium on the existing netball courts (Option 2).
2. That an expression of interest process for the design and build be undertaken to explore these options.
3. Note that consultation has been undertaken under the Long Term Plan 2021/31 as acknowledged by Council as per resolution 2021/95.

Carried

9.5 Public Excluded Meetings and Workshops Policy

The Acting Strategy and Corporate Planning Manager spoke to the report to provide to Council, for its adoption, the "Public Excluded Meetings and Workshops Policy" as per draft approved by the Audit and Risk Committee (Resolution 2023/219 - 27 November 2023) subject to an amendment relating to the clarification as to where accountability for the record keeping of meetings and workshops being a faithful representation, rests.

Resolution 2024/12

Moved: Mayor Nigel Bowen

Seconded: Cllr Peter Burt

That Council

1. Receives the "Public Excluded Meetings and Workshops Policy"
2. Adopts the "Public Excluded Meetings and Workshops Policy".
3. Provide a joint delegation to the Mayor and Chief Executive to release material from being publicly excluded.

Carried

9.6 Update on Report by the Ombudsman - Meeting and Workshop Practices at Timaru District Council

The Acting Strategy and Corporate Planning Manager spoke to the report to provide to Council, for information, the "Update on Report by the Ombudsman – Meeting and Workshop Practices at Timaru District Council".

It is requested to add to the report whether the Timaru District Council believes the actions are complete. Also, to investigate further the ability of members of the public to subscribe and receive notifications of meetings.

Resolution 2024/13

Moved: Mayor Nigel Bowen

Seconded: Cllr Owen Jackson

That Council

1. Receives the Report "Update on Report by the Ombudsman - Meeting and Workshop Practices at Timaru District Council"
2. Notes that this report will form the basis of an update to the Ombudsman, due 1 March 2024.

Carried

9.7 Annual Plan 2023/24 Six Month Performance Report to 31 December 2023

The Acting Strategy and Corporate Planning Manager and Chief Financial Officer spoke to the report to outline progress on implementing the Annual Plan 2023/24 (Year Three of the 2021-31 Long Term Plan (LTP)). This includes the key performance indicators, work programme, and the financial results for the three months ended 31 December 2023.

Discussion is had on the Roding and Footpath Key Performance Indicator. Clarification is given on the issues with the new Caroline Bay toilet block. There is also clarification on Social Housing and the work being undertaken to increase the number of serviceable units, it is requested to add the percentage of leased units.

Further discussion included the operating deficit and internal work that is being done to address this. Clarified are any non-cash items included in revenue. The work was undertaken in the Land Transport Unit and the subsidy from New Zealand Transport Agency Waka Kotahi. Finance and Interest costs are discussed including the assumptions, including improvements to capital programme reporting.

Clarification is sought on the Museum capital, parking facilities, overspend on purchasing of vehicles, and the timing differences throughout the presentation of the financials.

Resolution 2024/14

Moved: Cllr Owen Jackson

Seconded: Cllr Allan Booth

That Council receives the Report: Annual Plan 2023/24 Six Month Performance Report to 31 December 2023 and notes it includes:

- (a) Key performance indicators progress report to 31 December 2023;

- (b) Council's financial performance as of 31 December 2023; and
- (c) Capital work programme progress report to 31 December 2023.

Carried

9.8 Review of External Governance Appointments Policy

The Acting Strategy and Corporate Planning Manager spoke to the report to present to Council for approval and adoption of an amended "Review of External Governance and Appointments Policy" following discussion at the Council Meeting, 28 November 2023.

Discussion was had on the wording in item 5.3 of the policy.

Resolution 2024/15

Moved: Mayor Nigel Bowen

Seconded: Cllr Stacey Scott

That Council

1. Receives the report "Review of External Governance Appointments Policy: and
2. Approves and adopts the "External Governance Appointments Policy" with the amendment in pt 5.3 from required to encourage to become members of the New Zealand Institute of Directors.

Carried

9.9 Local Alcohol Policy adoption

Cllr Scott Shannon chaired this item and Mayor Nigel Bowen withdrew from the table.

The Group Manager Environmental Services, Environmental Compliance Manager, and Policy Advisor spoke to the report to enable the Council to decide whether to adopt the Local Alcohol Policy (LAP) as recommended by the Joint Local Alcohol Policy Committee (the Joint Committee), or whether to seek amendments to the policy from the Joint Committee.

At 4.17pm, Mayor Nigel Bowen left the meeting.

At 4.20pm, Mayor Nigel Bowen returned to the meeting.

Discussion included the sale of bottled wine and the discretionary condition that can be added.

Noted is Cllr Peter Burt conflict as a member of the Licensing Panel.

Resolution 2024/16

Moved: Cllr Michelle Pye

Seconded: Cllr Owen Jackson

That Council:

1. Adopt the Local Alcohol Policy recommended by the Joint Local Alcohol Policy Committee.

Carried

9.10 Timaru District Holdings Limited - Application for Local Government Funding Agency (LGFA) Funding

Mayor Nigel Bowen resumed chair for the remainder of the meeting.

The Chief Executive spoke to the report to detail Timaru District Holdings Ltd (TDHL) funding arrangements and seek Council to approve TDHL's application to borrow funds directly from the Local Government Funding Agency (LGFA).

Discussion included the impact on the Timaru District Council's debt cap and borrowing and the margin on the borrowing for Council.

Resolution 2024/17

Moved: Clr Stu Piddington

Seconded: Clr Allan Booth

1. That Council approves Timaru District Holdings Limited applying to borrow funds directly from the Local Government Funding Agency.

Carried

9.11 Council Investments and Borrowing

The Chief Finance Officer spoke to the report to update the Committee on the status of Council's treasury activities on 30 June 2023.

Resolution 2024/18

Moved: Mayor Nigel Bowen

Seconded: Clr Sally Parker

That the Commercial and Strategy Committee receives and notes the Council Investments and Borrowing report.

Carried

9.12 Proposed District Plan Hearing Update

The Group Manager Environmental Services and Planning Manager - Consents, Compliance & Strategy spoke to the report to provide Council an update for information on the revised schedule and organisation for the Proposed District Plan hearing process, including that of decision makers, staff, and consultants.

Noted Clr Stacey Scott declared a conflict of interest in this item.

There was a discussion on the ability to have local planners on the panel.

Resolution 2024/19

Moved: Clr Sally Parker

Seconded: Clr Peter Burt

That Council receives this briefing 'Proposed District Plan Hearing Update' and notes the contents.

Carried

10 Consideration of Urgent Business Items

No items of urgent business were received.

11 Consideration of Minor Nature Matters**11.1 Theatre Royal and Heritage Hub**

Clr Stu Piddington requested information on what the effect to ratepayers will be for the Theatre Royal and Heritage Hub. It is advised this information will be presented in the public workshop on 14 February 2024.

12 Public Forum Items Requiring Consideration

There were no public forum items.

13 Resolution to Exclude the Public**Resolution 2024/20**

Moved: Mayor Nigel Bowen

Seconded: Clr Gavin Oliver

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 at 4.37pm:

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 28 November 2023	<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)(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</p>	<p>To protect a person's privacy, including the privacy of deceased persons</p> <p>To enable Council to carry out commercial activities</p> <p>To enable Council to carry out commercial or industrial negotiations</p>

	disadvantage, negotiations (including commercial and industrial negotiations)	
13.2 - Parks Section 17a Review	<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)(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, including the privacy of deceased persons</p> <p>To enable Council to carry out commercial or industrial negotiations</p>

Carried

14 Public Excluded Reports

13.1 Public Excluded Minutes of the Council Meeting held on 28 November 2023

13.2 Parks Section 17a Review

15 Readmittance of the Public

Resolution 2024/21

Moved: Mayor Nigel Bowen

Seconded: Cllr Peter Burt

That the meeting moves out of Closed Meeting into Open Meeting at 5.06pm.

Carried

The meeting closed at 5.07pm.

Minutes confirmed 26 March 2024



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Mayor Nigel Bowen
Chairperson