



MINUTES

Ordinary Council Meeting Tuesday, 9 August 2022

Ref: 1519914

**Minutes of Timaru District Council
Ordinary Council Meeting
Held in the Council Chamber, District Council Building, King George Place, Timaru
on Tuesday, 9 August 2022 at 3pm**

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

In Attendance: Bede Carran (Chief Executive), Paul Cooper (Group Manager Environmental Services), Andrew Dixon (Group Manager Infrastructure), Beth Stewart-Wright (Director User Experience & Community Engagement), Jason Rivett (Acting Group Manager Commercial & Strategy), Wayne O'Donnell (Geraldine Community Board), Jan Finlayson (Geraldine Community Board), Nicole Timney (Property Services and Client Representative), Eric Barnes (Acting Group Manager Recreation & Cultural Services), Wayne O'Donnell (Chairperson Geraldine Community Board), Paul Tilsley (FENZ), Nick O'Brien (FENZ), Claire Copeland (Executive Assistant Environmental Services).

1 Opening Prayer

Wendy Geering from Gleniti Baptist Church conducted the opening prayer.

Cr Barbara GilChrist led the Waiata.

2 Apologies

Nil

3 Public Forum

3.1 Fire and Emergency New Zealand: Timaru firefighters presenting

Staff at FENZ Timaru presented on current staffing levels and conditions. Noted that the low staffing levels is making it difficult to run training courses. To date Timaru has not had to short crew or remove trucks from the service, although this required fire officers to do collectively 1,600 hours of overtime in one month.

Reference made to the condition of the fleet and equipment and that it required significant investment to maintain levels of services.

Firefighters noted that issues extended beyond remuneration to include the risks of occupational cancer (carcinogenic exposure), which is far more likely for firefighters than the population as a whole, and psychological wellbeing given the serious and distressing nature of incidents they attend.

The Firefighters Union is proposing that on Friday 19 August 2022 there will be union action in the form of a 1 hour stop work from 1100 to 1200 for all career fire fighters, including call centre workers which will result in no responses during this hour.

The firefighters are seeking Council support to improve the terms and conditions of their employment via a range of channels (refer attachment to the minutes).

4 Identification of Urgent Business

No items of urgent business were received

5 Identification of Matters of a Minor Nature**4.1 Clock working**

Cr Piddington asked for an update on plans and repair costings for the council clock

6 Declaration of Conflicts of Interest

No conflicts of interest were declared.

7 Confirmation of Minutes**7.1 Minutes of the Council Meeting held on 28 June 2022****Resolution 2022/49**

Moved: Cr Peter Burt

Seconded: Deputy Mayor Steve Wills

That the Minutes of the Council Meeting held on 28 June 2022 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 2022/50**

Moved: Mayor Nigel Bowen

Seconded: Cr Peter Burt

That the report be received and noted.

Carried

8.2 Schedule of Functions Attended by the Chief Executive**Resolution 2022/51**

Moved: Mayor Nigel Bowen

Seconded: Deputy Mayor Steve Wills

That the report be received and noted.

Carried

9 Reports

9.1 Affixing of the Common Seal

Resolution 2022/52

Moved: Deputy Mayor Steve Wills

Seconded: Cr Paddy O'Reilly

That the affixing of the Common Seal as noted in the recommendation.

28 June 2022 Approval of Warrants

30 June 2022 Approval of Warrants

4 July 2022 Approval of Warrants

8 July 2022 Approval of Warrants

Carried

9.2 Proposed Road Stopping - part of Hayman Street, Timaru

Officers presented to Council a request to stop a section of Hayman Street and gain approval to undertake the road stopping process in accordance with legislation.

Noted Council's initiation of the proposed road stopping is the first step. The process requires public notification and it is open to any party to lodge an objection in which instance the determination of the road stopping will proceed to the Environment Court.

Further noted that Council, as the road controlling authority, must consider the proposal and whether to initiate the road stopping process.

Cr Parker disclosed she is a director of Timaru District Holdings Limited, the requester for the road stopping to be initiated.

Resolution 2022/53

Moved: Mayor Nigel Bowen

Seconded: Clr Allan Booth

That Council approves the initiation of the proposed road stopping process for a section of Hayman Street, Timaru between Fraser Street and Hayes Street in accordance with Schedule 10 of the Local Government Act 1974.

Carried

9.3 3Waters 'Better Off' Government Funding Package Offer

Council discussed the report considering whether or not to participate in the Government's Three Water Reforms 'Better Off' Funding Package. If approval is given to participate the report has an additional purpose to consider which projects should be submitted for funding.

Resolution 2022/54

Moved: Deputy Mayor Steve Wills

Seconded: Clr Peter Burt

Council resolved as follows:

1. to continue to oppose the reform model proposed by the Government and support the model promoted by C4LD and set out in its submission to the select committee.
2. to note the Department of Internal Affairs clarification regarding acceptance of the Better Off Funding for those Councils who propose an alternative model for the three waters reform to that set out in the Water Services Entities Bill:

“The Funding Agreement for the better off package does not prevent or prohibit councils from doing this [i.e. opposing the Three Waters Reform]. For the avoidance of doubt, publicly criticising or expressing opinions on reform cannot reasonably be expected to have an adverse effect on the reputation, good standing or goodwill of the Department or the New Zealand Government, and would not represent a breach of the funding agreement.”

3. to propose an amendment to the Funding Agreement as follows

(a) clause 2.16 (c) as set out in the C4LD letter sent to Deputy Chief Executive Local Government on 26 May 2022):

Notwithstanding anything to the contrary in this Agreement, the parties agree that:

Limit on support arrangements: The Recipient's obligation to collaborate and co-operate with the DIA under this Agreement shall not require the Recipient to take any action or provide any resources that the Recipient reasonably considers will interfere with its normal business operation or ability to carry out or complete any activities or obligations that are normally, or otherwise required to be, completed by the Recipient in the ordinary course of its business. If the Recipient reasonably considers that any collaboration or co-operation requested by the DIA (including any requested secondment, or other proposed engagement, of the Recipient's employees, any requested involvement of the Recipient's staff or any other matter referred to in Schedule 2 of this Agreement) will interfere with its normal business operations or otherwise cannot be complied with by the Recipient for any legitimate reason, the Recipient will:

- i. *promptly notify the DIA of this (within 5 working days of such request being made, where reasonably practicable);*
 - ii. *ii. communicate with the DIA regarding whether any alternative collaboration or cooperation can be provided by the Recipient instead (in a manner that the Recipient considers would not interfere with its normal business operations or other obligations in the circumstances); and*
 - iii. *iii. not be a breach of this Agreement for its failure to comply with the relevant request if it has complied with the above obligations.*
4. to propose a further amendment to the Funding Agreement that the funding is applied and appropriated at Council's determination
 5. that the Chief Executive is to write to the Department of Internal Affairs on matters 3 and 4 above.

In Favour: Clrs Nigel Bowen, Steve Wills, Allan Booth, Peter Burt, Barbara Gilchrist, Richard Lyon, Gavin Oliver, Paddy O'Reilly and Sally Parker

Against: Clr Stu Piddington

Carried 9/1

Council considered the project list on the basis that the Department of Internal Affairs agrees to the amended terms in the funding Agreement.

Resolution 2022/55

Moved: Deputy Mayor Steve Wills

Seconded: Clr Stu Piddington

Council further resolved as follows:

6. On the condition that the Department of Internal Affairs agrees to the amended Funding Agreement that the projects submitted be 3 or less, and
7. Potential projects are as follows:
 - i. Southern Trust Events Centre (STEC) particularly the opportunity to fund any changes in scope and scale that will enhance the facility to be a multi-purpose sporting and cultural centre.
 - ii. Art Gallery redevelopment acceleration or changes to scope and scale.
 - iii. Construction of new cycling and/or walking tracks that contribute to community wellbeing. These can improve active transport linkages and promote tourism and community development opportunities. District wide including Geraldine, Pleasant Point and Temuka.

Carried

9.4 Grant of Funds Application for \$250,000 from Geraldine Endowment Land Fund

It was noted the purpose of the Fund is to support community development across the District and is not limited to the Geraldine Ward.

Members of the Geraldine Community Board are supportive of the grant being made.

Resolution 2022/56

Moved: Cr Sally Parker

Seconded: Cr Gavin Oliver

That the Council resolve to:

1. Provide a grant of funds from the Geraldine Endowment Land Fund to the Peel Forest Outdoor Pursuits Centre in exchange for the following:
 - (a) A public walking track within the 22ha private site belonging to the Peel Forest Outdoor Pursuit Centre with a caveat on the title of land allowing public access in exchange for a grant of \$145,000 from the Geraldine Endowment Land Fund

- (b) The purchase back of buildings from the Peel Forest Outdoor Pursuits Centre that reside on the Timaru District Council land area currently leased by the Centre for \$68,000 from the Geraldine Endowment Land Fund and a retirement of the outstanding loan for \$42,000.

Carried

10 Consideration of Urgent Business Items

No items of urgent business were received

11 Consideration of Minor Nature Matters

No matters of a minor nature were raised.

12 Public Forum Items Requiring Consideration

Nil

13 Resolution to Exclude the Public

Resolution 2022/57

Moved: Cr Peter Burt

Seconded: Cr Sally Parker

That at 5.39pm 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 - Orari-Temuka-Opihi-Pareora Water Zone Committee Refresh Membership	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 Orari-Temuka-Opihi-Pareora Water Zone Committee Refresh Membership

15 Readmittance of the Public

Resolution 2022/578

Moved: Cr Gavin Oliver

Seconded: Cr Peter Burt

That the meeting moves out of Closed Meeting into Open Meeting at 5.40pm

Carried

The meeting closed at 5.41pm

Minutes confirmed 6 September 2022

Mayor Nigel Bowen

Chairperson