

### **MINUTES**

# Ordinary Council Meeting Tuesday, 18 February 2020

Ref: 1319970



## Minutes of Timaru District Council Ordinary Council Meeting Held in the Council Chamber, District Council Building, King George Place, Timaru on Tuesday, 18 February 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: Community Board Members

Janene Adams – Geraldine Community Board Gaye Broker – Temuka Community Board

**Council Officers** 

Chief Executive (Bede Carran), Group Manager Environmental Services (Tracy Tierney), Group Manager Community Services (Sharon Taylor), Group Manager Commercial and Strategy (Donna Cross), Acting Group Manager Infrastructure (Erik Barnes), Chief Financial Officer (David Codyre), Development Manager (Frazer Munro), Policy Analyst (Fabia Fox), Governance Advisor (Jo Doyle)

#### 1 Opening Prayer and Waiata

Josh Taylor, of St Johns Anglican Church offered a prayer for the work of the Council

#### 2 Apologies

#### Committee Resolution 2020/1

Moved: Cr Sally Parker Seconded: Cr Barbara Gilchrist

That the apology from Raewyn Hessell of Pleasant Point Community Board be accepted.

**Carried** 

#### 2 Public Forum

There was no public forum.

#### 3 Identification of Urgent Business

There were no matters of urgent business.

#### 4 Identification of Matters of a Minor Nature

#### 4.1 Delivery of Tourism and Visitor Promotion Services - Public Excluded Item

The question was asked why this Agenda Item has been included in the Public Excluded portion of the Agenda and a request was received that Council consider the option of moving this report into the Public section of the meeting.

Discussion was held around the sensitivity of this topic and protecting the privacy of the staff affected and whether the level of public interest requires this report to be moved into the open forum.

#### **Committee Resolution 2020/2**

Moved: Cr Steve Wills Seconded: Cr Stu Piddington

That Council resolves that the Public Excluded report "Delivery of Tourism and Visitor Promotions Services" be moved to the last item of business in the Public meeting.

Carried

#### 5 Declaration of Conflicts of Interest

There no declarations of conflicts of interest.

#### 6 Confirmation of Minutes

#### 6.1 Minutes of the Council Meeting held on 10 December 2019

#### **Committee Resolution 2020/3**

Moved: Cr Barbara Gilchrist Seconded: Cr Paddy O'Reilly

That the Minutes of the Council Meeting held on 10 December 2019 be confirmed as a true and correct record of that meeting.

**Carried** 

#### 7 Schedules of Functions Attended

#### 7.1 Schedule of Functions Attended by the Mayor, Deputy Mayor and Councillors

#### **Committee Resolution 2020/4**

Moved: Mayor Nigel Bowen

Seconded: Cr Steve Wills

That the report be received and noted.

Carried

#### 7.2 Schedule of Functions Attended by the Chief Executive

#### **Committee Resolution 2020/5**

Moved: Cr Sally Parker Seconded: Cr Barbara Gilchrist

That the report be received and noted.

Carried

#### 8 Reports

#### 8.1 Adoption of the Canterbury Triennial Agreement

The Council considered a report by the Strategy and Corporate Planning Manager seeking Council approval for the Canterbury Triennial Agreement 2020-2022, which requires signing by all the Canterbury councils not later than 1 March 2020.

This is the start of the new triennium and at a recent workshop and meeting of the Canterbury Mayors they set the priorities, with a work programme to be completed to achieve these priorities.

It was also noted that roading is topical, and having a collective voice will assist in future discussions.

#### **Committee Resolution 2020/6**

Moved: Cr Peter Burt

Seconded: Mayor Nigel Bowen

- 1. That the Council:
  - (a) approves the Canterbury Triennial Agreement 2020-22
  - (b) authorises the Mayor to sign the Canterbury Triennial Agreement 2020-22 on behalf of the Timaru District Council.

**Carried** 

#### 8.2 Establishment and Membership of Subcommittees and other groups

The Council considered a report by the Mayor on the establishment and membership of remaining subcommittees and groups.

The establishment of these subcommittees is required under various Council policies and for some of these subcommittees their meetings will only be held on an as needed basis. This will finalise Council committee structure until a mid term review of structure.

#### **Committee Resolution 2020/7**

Moved: Cr Steve Wills Seconded: Cr Peter Burt

That Council:

- 1. Establishes the following Subcommittees and groups
  - Theatre Royal Elected Members Reference Group
  - Rates Remission Subcommittee

- Community Awards Selection Panel
- Donations and Loans Subcommittee
- Hall of Fame Selection Subcommittee
- Museum Collection Subcommittee
- Public Art Advisory Group
- Russell Hervey Library Fund Subcommittee
- Youth Initiatives Subcommittee
- 2. Approves the delegations and Membership for each of the Subcommittees and groups, as set out in Appendix A
- 3. Resolves that the Council's Delegations Manual be updated to include these Subcommittees and groups and their delegations.

#### **Theatre Royal Elected Members Reference Group**

Туре	Reference Group (informal)		
Subordinate to	None (informal forum)		
Subordinate Committees	None		
Legislative basis	Nil. Not a decision-making body under the Local Government Act.		
Policy Basis	Resolution – Policy and Development Committee – 12.3.19		
	Terms of Reference – attached		
Membership	Mayor, Deputy Mayor, Chairperson Community Services		
	Committee and one Councillor representing the rural community		
Functions	To support and advise the staff project team on:		
	Matters of community engagement and user interest		
	2. Matters of choice at the project teams request		
	3. Fundraising		
Meeting Frequency	1. As required.		
Delegations	2. Nil		

#### **Commercial and Strategy Committee**

The following subcommittees and groups report to the Commercial and Strategy Committee.

Rates Remission Subcommittee

#### **Rates Remission Subcommittee**

Туре	Subcommittee
Subordinate to	Commercial and Strategy Committee
<b>Subordinate Committees</b>	None

Legislative basis	3. Subcommittee established pursuant to clause 30 and 31 of Schedule 7 of the Local Government Act 2002		
	4. Subcommittee delegated powers by Council pursuant to clause 32 of Schedule 7 of the Local Government Act 2002		
Policy Basis	Rates Remission Policy, Rates Remission and Postponement Policy on Maori Freehold Land		
Membership	Mayor, Chairperson Commercial and Strategy		
Quorum	Mayor and Chairperson Commercial and Strategy		
Functions	Decision-making on rates remissions appeals where application declined or partly remitted		
Meeting Frequency	As required		
Delegations	The Commercial and Strategy Committee delegates the following general powers, duties and responsibilities:		
	1. That subject to the following limitations the Rates Remission Subcommittee shall have power to act in all matters concerning the functions granted by Council provided they do not conflict with the stated policy of the Council.		
	2. Delegated authority as outlined in the Rates Remission Policy adopted by the Council as part of the Long Term Plan to hear and make a final decision on appeals, where an application for remission has been declined or only partly remitted (as applies in the policy).		
	3. That minutes of subcommittee meetings contain details of subcommittee decisions made under delegated authority.		

#### **Community Services Committee**

The following subcommittees and groups report to the Community Services Committee.

- Community Awards Selection Panel
- Donations and Loans Subcommittee
- Hall of Fame Selection Subcommittee
- Museum Collection Subcommittee
- Public Art Advisory Group
- Russell Hervey Library Fund Subcommittee
- Youth Initiatives Subcommittee

#### **Community Awards Selection Panel**

Type of Committee	Panel
Subordinate to	Community Services Committee

Subordinate Committees	None	
Legislative basis	1 Subordinate Decision-Making Body established pursuant to clause 30 and 31 of Schedule 7 of the Local Government Act 2002	
	2 Subordinate Decision-Making Body delegated powers by Council pursuant to clause 32 of Schedule 7 of the Local Government Act 2002	
Policy Basis	Community Awards Policy	
Membership	The Selection Panel shall comprise four Councillors appointed at the beginning of each term of Council.  The Panel must elect and appoint four community representatives to the Panel for the current term of Council.	
Quorum	Two Councillors and two community representatives	
Functions	Consider and make decisions on selection of persons for Community Awards and conduct award presentation ceremonies.	
Meeting Frequency	As required	
Delegations	The Community Services Committee delegates the following general powers, duties and responsibilities:	
	1. That subject to the following limitations the Community Awards Selection Panel shall have power to act in all matters concerning the functions granted by Council provided they do not conflict with the stated policy of the Council.	
	2. Delegated authority to consider and make decisions on nominations for Civic Awards for voluntary service and matters pertaining to the awards presentation ceremony	
	3. Delegated authority to appoint four community representatives for the panel.	
	4. That minutes of subcommittee meetings contain details of subcommittee decisions made under delegated authority.	

#### **Donations and Loans Subcommittee**

Type of Committee	Subcommittee	
Subordinate to	Community Services Committee	
Subordinate Committees	None	
Legislative basis	1 Subcommittee established pursuant to clause 30 and 31 of Schedule 7 of the Local Government Act 2002	

	2 Subcommittee delegated powers by Council pursuant to clause 32 of Schedule 7 of the Local Government Act 2002		
Policy Basis	Donations and Loans Policy		
Membership	Chairperson of the Community Services Committee, the Mayor, two Councillors, plus one Councillor representing the rural sector		
Quorum	3 Members		
Functions	Consideration of applications made under the Donations and Loans Policy and recommendations to the Community Services Committee.		
Meeting Frequency	Twice annually		
Delegations	The Community Services Committee delegates the following general powers, duties and responsibilities:		
	1. That subject to the following limitations the Donations and Loans Subcommittee shall have power to act in all matters concerning the functions granted by Council provided they do not conflict with the stated policy of the Council.		
	2. Delegated Authority to consider applications made under the Donations and Loans Policy, and bring recommendations to the Community Services Committee.		
	3. That minutes of subcommittee meetings contain details of subcommittee decisions made under delegated authority.		

#### **Hall of Fame Selection Subcommittee**

Type of Committee	Subcommittee	
Subordinate to	Community Services Committee	
Subordinate Committees	None	
Legislative basis	1 Subcommittee established pursuant to clause 30 and 31 of Schedule 7 of the Local Government Act 2002	
	2 Subcommittee delegated powers by Council pursuant to clause 32 of Schedule 7 of the Local Government Act 2002	
Policy Basis	Hall of Fame Policy	
Membership	The Mayor (Chairperson), Deputy Mayor, Chairperson Community Services Committee, President of the South Canterbury Historical Society.  Chief Executive to appoint TDC staff to advisory committee.	
Quorum	3 members	
Functions	Decision-making on selection of person for Council's Hall of Fame.	

Meeting Frequency	As required	
Delegations	The Community Services Committee delegates the following general powers, duties and responsibilities:	
	1. That subject to the following limitations the Hall of Fame Subcommittee shall have power to act in all matters concerning the functions granted by Council provided they do not conflict with the stated policy of the Council.	
	2. Delegated authority to select persons for Council's Hall of Fame, who qualify as per the Hall of Fame guidelines adopted by Council.	

#### **Museum Collection Subcommittee**

Type of Committee	Subcommittee	
Subordinate to	Community Services Committee	
Subordinate Committees	None	
Legislative basis	1 Subcommittee established pursuant to clause 30 and 31 of Schedule 7 of the Local Government Act 2002	
	2 Subcommittee delegated powers by Council pursuant to clause 32 of Schedule 7 of the Local Government Act 2002	
Policy Basis	Museum Policy	
Membership	The Subcommittee comprises an equal number of South Canterbury Historical Society members and Timaru District Councillors, including a Councillor as Chairperson. The Museum Director advises the Subcommittee but has no voting power at Subcommittee meetings. Membership will be appointed by Council or the Community Services Committee.	
Quorum	4 members	
Functions	Overall responsibility for accessions and deaccessions in accordance with the Museum Collection Policy.	
Meeting Frequency	As required	
Delegations	The Community Services Committee delegates the following general powers, duties and responsibilities:	
	1. That subject to the following limitations the Museum Collection Committee shall have power to act in all matters concerning the functions granted by Council provided they do not conflict with the stated policy of the Council.	
	2. Overall responsibility for accessions and deaccessions in accordance with the Museum Collection Policy (#1240714).	

3.	That the Committee has delegated power to delegate administration of accessioning items into the collection.
4.	That minutes of subcommittee meetings contain details of subcommittee decisions made under delegated authority.

#### **Public Art Advisory Group**

Type of Committee	Advisory Group	
Subordinate to	Community Services Committee	
Subordinate Committees	None	
Legislative basis	<ul> <li>Subordinate Decision-making body established pursuant to clause 30 and 31 of Schedule 7 of the Local Government Act 2002</li> <li>Subordinate Decision-making body delegated powers by</li> </ul>	
	Council pursuant to clause 32 of Schedule 7 of the Local Government Act 2002	
Policy Basis	Art in Public Spaces Policy	
Membership	The group will comprise up to 7 members including the Council manager responsible for the site, another with expertise in arts, with another Council staff member with knowledge of maintenance, health and safety or another relevant discipline if required. Up to four members of the community with a background in arts, architecture, landscape architecture, tangata whenua, or urban design will complete the membership of the group.	
	There is no Councillor membership on the group.	
	The policy states Council will appoint membership.	
Quorum	4 members	
Functions	<ul> <li>Assessment of public art work proposals against acceptance criteria and recommendation to Community Services Committee or Community Board where within the Temuka, Pleasant Point or Geraldine wards</li> <li>Advice around relocation and removal of permanent public</li> </ul>	
	artworks.	
Meeting Frequency	As required	
Delegations	The Community Services Committee delegates the following general powers, duties and responsibilities:	
	1. That subject to the following limitations the Public Arts Advisory Group shall have power to act in all matters concerning the functions granted by Council provided they do not conflict with the stated policy of the Council.	

2.	To consider the receipt of art donations and their location in outdoor public spaces and make recommendation to the Community Services Committee.
3.	That minutes of subcommittee meetings contain details of subcommittee decisions made under delegated authority.

#### **Russell Hervey Library Fund Subcommittee**

Type of Committee	Subcommittee		
Subordinate to	Community Services Committee		
Subordinate Committees	None		
Legislative basis	1 Subordinate Decision-making body established pursuant to clause 30 and 31 of Schedule 7 of the Local Government Act 2002		
	2 Subordinate Decision-making body delegated powers by Council pursuant to clause 32 of Schedule 7 of the Local Government Act 2002		
Policy Basis	Russell Hervey Library Fund Policy		
Membership	Chairperson of Community Services Committee, Libraries Manager and Group Manager Community Services		
Quorum	Two Members		
Functions	Decision-making on application of Russell Hervey Library Fund		
Meeting Frequency	As required.		
Delegations	The Community Services Committee delegates the following general powers, duties and responsibilities:		
	1. That subject to the following limitations the Russell Hervey Library Fund Subcommittee shall have power to act in all matters concerning the functions granted by Council provided they do not conflict with the stated policy of the Council.		
	2. To apply the capital and/or accumulated income of the Russell Hervey Library Fund for the purposes of the Timaru District Library in accordance with the terms of the gift.		
	3. That in respect of matters requiring financial input:		
	(a) The subcommittee has the power to approve funding where provision has been made in the annual Budget.		
	4. That minutes of subcommittee meetings contain details of subcommittee decisions made under delegated authority.		

#### **Youth Initiatives Subcommittee**

Type of Committee	Subcommittee		
Subordinate to	Community Services Committee		
Subordinate Committees	None		
Legislative basis	1. Subcommittee established pursuant to clause 30 and 31 of Schedule 7 of the Local Government Act 2002		
	2. Subcommittee delegated powers by Council pursuant to clause 32 of Schedule 7 of the Local Government Act 2002		
Policy Basis	Youth Initiative Funding Policy		
Membership	The Mayor, Chairperson Community Services Committee, one other Councillor, the Safer Communities Project Manager, a Youth Services Worker from YMCA South and Mid Canterbury with authority to select and appoint two youth representatives. Membership will be appointed by Council or the Community Services Committee.		
Quorum	4 members		
Functions	Decision-making on allocation of Youth Initiatives Funding and appointment of two youth representatives to the Subcommittee.		
Meeting Frequency	Twice yearly		
Delegations	The Community Services Committee delegates the following general powers, duties and responsibilities:		
	1. That subject to the following limitations the Youth Initiatives Subcommittee shall have power to act in all matters concerning the functions granted by Council provided they do not conflict with the stated policy of the Council.		
	2. Delegated authority to allocate funds under the Youth Initiatives Funding scheme and appoint two youth representatives.		
	3. That in respect of matters requiring financial input:		
	(a) The subcommittee has the power to approve funding where provision has been made in the annual Budget.		
	4. That minutes of subcommittee meetings contain details of subcommittee decisions made under delegated authority.		

Carried

#### 8.3 Appointments

The Council considered a report by the Mayor on appointments to the subcommittees, groups and organisations.

#### **Committee Resolution 2020/8**

Moved: Cr Sally Parker Seconded: Cr Barbara Gilchrist

That the Council approves the recommended appointments to subcommittee, groups and other organisations as set out in this report.

Theatre Royal Reference Group				
Membership	Mayor (Nigel Bowen), Deputy Mayor (Clr Steve Wills), Chairperson Community Services Committee (Clr Richard Lyon) and one Councillor representing the rural area (Clr Paddy O'Reilly)			
Commercial and Strategy Con	nmittee – Subcommittees/Panels/Groups			
Rates Remissions Subcommittee				
Membership	Mayor (Nigel Bowen), Chairperson Commercial and Strategy (Clr Peter Burt)			
Chairperson	Mayor			
Deputy Chairperson	Chairperson Commercial and Strategy			
Community Services Committ	ee - Subcommittees/Panels/Groups			
Community Awards Selection	Panel			
Membership	Four Councillors – Clr Allan Booth, Clr Peter Burt, Clrs Paddy O'Reilly, and Clr Sally Parker, with authority to select and appoint four community representatives			
Chairperson	Decision of Panel			
Deputy Chairperson	Decision of Panel			
<b>Donations and Loans Subcom</b>	mittee			
Membership	Chairperson of the Community Services Committee (Clr Richard Lyon), the Mayor (Nigel Bowen), two Councillors – Clr Barbara Gilchrist and Clr Steve Wills plus one Councillor representing the rural sector – Clr Gavin Oliver			
Chairperson	Decision of Subcommittee			
Deputy Chairperson	Decision of Subcommittee			
Hall of Fame Selection Subcor	mmittee			
Membership	The Mayor (Nigel Bowen), Deputy Mayor (Clr Steve Wills), Chairperson Community Services Committee (Clr Richard Lyon), President of the South Canterbury Historical Society (Ray Bennett)			
Chairperson	Decision of Subcommittee			
Deputy Chairperson	Decision of Subcommittee			

Museum Collection Subcommittee		
Membership	Community Services Committee Chairperson (Clr Richard Lyon) and Clr Sally Parker plus two South Canterbury Historical Society representatives	
Chairperson	Decision of Subcommittee	
Deputy Chairperson	Decision of Subcommittee	
Russell Hervey Library Fund Subcommittee		
Membership	Chairperson of Community Services Committee (Clr Richard Lyon), Libraries Manager (Adele Hewlett) and Group Manager Community Services (Sharon Taylor)	
Chairperson	Decision of Subcommittee	
Deputy Chairperson	Decision of Subcommittee	
Youth Initiatives Subcommittee		
Membership	The Mayor (Nigel Bowen), Chairperson Community Services Committee (Clr Richard Lyon), one other Councillor – Clr Barbara Gilchrist, the Safer Communities Project Manager (Viv Wood), a Youth Services Worker from YMCA South and Mid Canterbury (Cath Slee/Christina Griffin) with the subcommittee having delegated authority to select and appoint two youth representatives.	
Chairperson	Decision of Subcommittee	
Deputy Chairperson	Decision of Subcommittee	

Bluestone House Trust (deregistered)			
Membership	Appointment not required at this time.		
Fraser Park Trust (disestablished)			
Membership	Appointment not required.		
Lions/Caroline Bay Train Trust			
Membership	1 Member appointed by Council - Ray Bennett		
Timaru District Heritage Fund Trust Board (registered)			
Membership	1 Member appointed by Council – Chairperson Commercial and Strategy (Cr Peter Burt)		
Strengthening Families			
Membership	1 Member appointed by Council – Nigel Bowen		

Carried

#### 8.4 Aorangi Stadium Trust - Appointment of Members

The Council considered a report by the Mayor to make appointments of Trustees to the Aorangi Stadium Trust for the 2019 to 2022 Council Term.

#### **Committee Resolution 2020/9**

Moved: Cr Richard Lyon Seconded: Cr Paddy O'Reilly

- That Clrs Stu Piddington and Allan Booth be appointed as Trustees to the Aorangi Stadium Trust (replacing David Jack and Andrea Leslie).
- b That Council approves Peter Burt and Sally Parker continuing as Trustees of Aorangi Stadium Trust.

Carried

#### 8.5 Timaru District Holdings Limited Review: Work Programme

The Council considered the work programme to implement the recommendations contained in the MartinJenkins' Review of Timaru District Holdings Limited (TDHL).

This report provides an update on the work that has been completed such as the State of Expectations (SoE). There are a number of recommendations, and work streams in the attachment, and the corresponding timeline and sequence will be presented at the next Council meeting.

#### **Committee Resolution 2020/10**

Moved: Cr Peter Burt Seconded: Cr Sally Parker

That Council approves the attached work programme for implementing the recommendations of the MartinJenkins' Review of Timaru District Holdings Limited

**Carried** 

#### 8.6 Delivery of Tourism and Visitor Promotion Services

The Council considered a report by the Chief Executive presenting options for the delivery of Council's tourism and visitor promotions services.

Discussion was held around why this report was being tabled now after Council decided in July 2019 to move the delivery of this service back into Council with KPI's and service levels being met. The delivery of this service was consulted with major stakeholders at the time and has been in place for less than 12 months.

The Mayor responded that he believes Tourism is a subset of Economic Development (ED) and that this like other ED is best delivered by Council's economic development agency. The Mayor also stated that Council was more of an economic enabler particularly around infrastructure and that this is where it should focus.

Further discussion ensued in respect to the current spend on Tourism and why this information is not included in the report, however it was explained that this report was not designed as a review of the current performance but to provide options for alternatives for the delivery of this service,

largely within the same fiscal envelope, although there may be a request for more funds in the future.

Concern was expressed that should the current in-house service delivery model be removed from Council, there is a risk of lack of governance oversite and reporting over what is happening including the spend involved and the potential for the budget to be exceeded.

It was acknowledged these are valid points, however the annual Statement of Intent that is required from Council's CCO's ensures there is governance oversight and transparency required to manage performance targets and budget spends. It was also noted that with the strategy established and set now was an appropriate time to have the service delivery moved to the economic development agency.

Carried 8/2

#### Committee Resolution 2020/11

Moved: Mayor Nigel Bowen Seconded: Cr Barbara Gilchrist

That Council will move the deliver of Tourism and Visitor Promotion Services to Aoraki Development.

In Favour: Clrs Nigel Bowen, Allan Booth, Peter Burt, Barbara Gilchrist, Gavin Oliver, Paddy

O'Reilly, Stu Piddington and Steve Wills

Against: Clrs Richard Lyon and Sally Parker

Carried 8/2

**Carried** 

#### 9 Consideration of Urgent Business Items

There were no matters of urgent business to consider.

#### 10 Consideration of Minor Nature Matters

There were no matters of minor nature to consider.

#### 10 Public Forum Items Requiring Consideration

There were no public forum items.

#### 11 Resolution to Exclude the Public

#### **Committee Resolution 2020/12**

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 10 December 2019	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

Carried

- 12 Public Excluded Reports
- 12.1 Public Excluded Minutes of the Council Meeting held on 10 December 2019
- 13 Readmittance of the Public

#### **Committee Resolution 2020/13**

Moved: Mayor Nigel Bowen

Seconded: Cr Peter Burt

That Council moves out of Closed Council into Open Council.

Carried

The meeting closed at 3.45pm.

**Minutes Confirmed 23 March 2020** 

Mayor Nigel Bowen Chairperson