



# MINUTES

## Ordinary Council Meeting Tuesday, 9 February 2021

Ref: 1404250

**Minutes of Timaru District Council  
Ordinary Council Meeting  
Held in the Council Chamber, District Council Building, King George Place, Timaru  
on Tuesday, 9 February 2021 at 3pm**

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

**In Attendance:** Chief Executive (Bede Carran), Group Manager Environmental Services (Tracy Tierney), Group Manager Commercial and Strategy (Donna Cross), Group Manager People and Digital and Acting Group Manager of Community Services (Symon Leggett), Group Manager Infrastructure (Andrew Dixon), Strategy and Corporate Planning Manager (Mark Low), Policy Analyst (Fabia Fox), Art Gallery Manager (Cara Fitzgerald), Exhibition Curator/Project Manager (Hamish Pettengell), Governance Advisor (Jo Doyle)

**Community Board Members**

Gaye Broker – Temuka Community Board  
Natasha Rankin – Geraldine Community Board

**1 Opening Prayer and Waiata**

Lucy Flatt of Craighead Diocesan Chaplain offered a prayer for the work of Council followed by the singing of the Timaru District Council Waiata.

**2 Apologies**

There were no apologies

**3 Public Forum**

Roger Payne addressed the Council on Easter Sunday Trading.

Central Government in 2017 requested that Local Government make the decision on whether to allow shops to trade on Easter Sunday.

The Timaru District Council at the time undertook Public Consultation and invited written and oral submissions. The results of the consultation was clear with more than half the submitters residing from Geraldine and were totally opposed to permitting trading on Easter Sunday.

Surrounding Council's (Ashburton, McKenzie, Waimate and Waitaki) all voted to leave shops closed on Easter Sunday and the Councils of major cities came to the same decision.

Nelson and Tasman Council's conducted a survey of their ratepayers to make their decision, the outcome was to keep the stores closed on Easter Sunday.

The legislation governing shop trading on Easter Sunday requires a council to review its local Easter Sunday shop trading policies no later than 5 years after its adoption, which in Council's case is November 2022.

Council has requested officers report back and the policy be reviewed in time for it to have effect for Easter 2022.

**4 Identification of Urgent Business****Resolution 2021/1**

Moved: Mayor Nigel Bowen

Seconded: Cr Stu Piddington

That item 13.3 – Caroline Bay Sound Shell Stadium Seating Replacement be moved from Public Excluded to the Public Section of the meeting. Pricing information will remain redacted for Commercial Sensitivity.

**Carried**

**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 15 December 2020****Resolution 2021/2**

Moved: Cr Paddy O'Reilly

Seconded: Cr Barbara Gilchrist

That the Minutes of the Council Meeting held on 15 December 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 Council Meeting held on 22 December 2020****Resolution 2021/3**

Moved: Mayor Nigel Bowen

Seconded: Cr Peter Burt

That the Minutes of the Council Meeting held on 22 December 2020 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 Tenders and Procurement Committee Meeting held on 21 December 2020**

#### **Resolution 2021/4**

Moved: Mayor Nigel Bowen

Seconded: Cr Sally Parker

That the Minutes of the Tenders and Procurement Committee Meeting held on 21 December 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 2021/5**

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 2021/6**

Moved: Mayor Nigel Bowen

Seconded: Cr Sally Parker

That the report be received and noted.

**Carried**

### **9 Reports**

#### **9.1 Affixing of the Common Seal**

#### **Resolution 2021/7**

Moved: Cr Steve Wills

Seconded: Cr Barbara Gilchrist

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

14 January 2021          Warrants of Appointment

**Carried**

**9.2 Contracts Let From Tenders and Procurement Committee**

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

**Resolution 2021/8**

Moved: Cr Peter Burt

Seconded: Cr Barbara Gilchrist

**That the following information on a contract let by the Tenders and Procurement Committee, be received.**

<b>Contract Description</b>	<b>Number of Tenders</b>	<b>Price Range</b>	<b>Successful Tenderer and Price</b>
<b>Contract 2448 –Te Ana Wai Trunkmain Upgrade (Water Treatment Plant to Cave)</b>	<b>4</b>	<b>\$7,321,956.53 to \$10,766,926.66</b>	<b>Rooney Earthmoving Limited \$7,321,956.53</b>
Tenders were evaluated using weighted attributed method.			

All prices exclude GST

**Carried**

**9.3 Rating Revaluation**

Quotable Value presented the outcomes of the 2020 Rating Valuation to Council. Gail Smits, Kris Rodgers and Brendon McCurley from Quotable Value attended the meeting to present.

The Council is required to revise its district valuation roll at intervals of not more than 3 years by revaluing every rating unit within its district to ensure that the roll represents values current as at the date of the revaluation. Quotable Value undertake this engagement on Council’s behalf. Quotable Value has now completed the valuation and the valuation has been audited by the Office of the Valuer General. Prior to the revaluations being used for rating purposes the Valuer General’s approval must be given. The Valuer General has now given this approval, and the revised values may now be used for rating purposes. The revised valuations are effective from 1 September 2020 but will not take effect on rates until 1 July 2021.

This valuation cycle the process has taken longer, and the entire programme nationally has been delayed by 5 weeks which was to allow for additional sales information post Covid-19.

The valuation provides a snapshot in time, and 5% growth is noted since the revaluation date of 1 September 2020.

in respect of the revised valuation there have been some decreases in values, notably in Dairy and Pastoral since last valued 3 years ago. This is attributable in part to environmental regulations and limits on farming. Entry level homes have seen the biggest increases in value.

Overall Timaru is still considered an affordable location with the capital value of just over \$400k for residential properties. The average in New Zealand is \$714k.

Property owners have a right to object to their revised valuation. There is an established process for objections and this process is also undertaken by Quotable Value. The closing date for objections is 19 March 2021.

### **Resolution 2021/9**

Moved: Cr Sally Parker

Seconded: Cr Barbara Gilchrist

That Council note and receive this report.

**Carried**

### **9.4 Draft Business Improvement District Policy**

Council was presented with the framework to establish a Business Improvement District (BID) policy by Group Manager Commercial and Strategy and Consultant Mark Abbot who assisted with drafting the policy.

It was noted that the purpose of today is not to approve a BID or targeted rate, but to approve the draft of the policy. Once approved, the policy will serve as an enabler, providing a mechanism for a BID proposer/group who is able to establish sufficient mandate to apply for a BID targeted rate.

The BID policy was drafted after initial consultation and engagement with the Central Business District, and a desire to initiate a partnership with Council.

For a BID, specific projects would be identified that align with Council's objectives such as Business Development, Beautification, Business Mentoring, marketing.

BID Policies that are in operation in Auckland, Wellington and Christchurch were considered as each have operated very successful BID programmes over the last 10 years. Auckland has a significant number of BIDs in place.

Council also needs to consider the initial establishment and on-going voting thresholds, examples are Wellington "typically" 25% agreement to propose a BID, then, 25% of the voter return and a majority of that return to be in agreement. Auckland is also "typically" 25% establishment interest then 25% voter return with 51% of return votes needing to be in favour, and Christchurch, also "typically" 25% initiation interest with 50% voter return and agreement from 66% of returned votes in favour.

Council agreed that once a BID was in place and the group requested to continue the BID in subsequent years that a 10% lid be placed on increases or decreases to the targeted rate compared to the previous year unless otherwise agreed.

Council agreed that the building owner/ratepayer would be the individual initially recorded on the voting register, however part of the consultation would enable the owner to delegate voting rights to the occupier which would last for the life of the BID.

Council agreed that Capital Value be used in any of the targeted rate assessments over Land Value.

Council discussed the voting threshold, there were concerns that 25% participation is too low, however once the threshold is selected, this doesn't lock Council in at that rate, each BID is

assessed and the policy provides flexibility to alter this rate per BID, therefore a indicative “typically 25% threshold is used to allow for this flexibility.

Council agreed that a consultation can be bundled with the Long Term Plan consultation with the policy being in place to enable applications for BID proposals to commence from year 2 of the Long Term Plan onwards.

### **Resolution 2021/10**

Moved: Cr Allan Booth

Seconded: Cr Barbara Gilchrist

That Council:

1. Receives the Report: Draft Business Improvement District (BID) Policy;
2. Confirms its request for Council Officers to develop a Business Improvement District (BID) Policy for Council’s consideration, following engagement with members of the Central Business District;
3. Instructs Council Officers to commence a consultation on the draft Business Improvement District (BID) Policy to be included with the Long Term Plan process in April/May, and incorporating any changes requested by Council.

**Carried**

### **9.5 Aigantighe Art Gallery 1978/1995 Extension Options Report**

Council was presented with future options for the Aigantighe Art Gallery extension by Group Manager People and Digital and Acting Group Manager of Community Services, Art Gallery Manager and Exhibitions Curator.

The options provided were discussed, however an additional possibility of adding space to the Heritage and Cultural Centre was proposed as an addition to the public consultation.

The overall costs have increased with more accurate data and now include consultation fees and GST. Option 6 is considered the preferred option as it will provide the extra space required for storage and keeps the same land footprint but be built over two levels. The second level will also enable a lift to be installed with a walkway across to the House to provide access.

Funding applications are being explored, and this project has been included in the current LTP budget.

Further conversations with the family around the deed restrictions are required as some alterations or further use of the site may be required.

### **Resolution 2021/11**

Moved: Cr Steve Wills

Seconded: Cr Barbara Gilchrist

That the Council choose option 6 as the preferred option for the redevelopment of the 1978/1995 extension of the Aigantighe Art Gallery to be included in the Long Term Plan consultation document.

**Carried**

**Resolution 2021/12**

Moved: Cr Sally Parker

Seconded: Cr Stu Piddington

That the Consultation Document for the Long Term Plan include a fourth option with the possibility of a new build as part of the new cultural centre and retaining the original house.

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

Against: Clr Allan Booth

**Carried 9/1**

**Carried**

**9.6 Aorangi Park Master Plan**

Council was presented with the draft Aorangi Park Master Plan for adoption by Group Manager People and Digital and Acting Group Manager of Community Services and Policy Analyst.

At a Council workshop in November, the lack of space at the Southern Trust Events Centre and Aorangi Park was discussed. Problems identified covered many sporting codes, indoor netball space and adjacent hockey turfs were requests from stakeholders.

The number of outdoor netball courts would reduce dramatically, however this reflects that the senior competition will be played inside. There is a future option for covering one or two outdoor premier courts.

The ability to still hold large scale functions was discussed, and a feasibility study will look into specific requirements of catering facilities and toilets for events.

This master plan will be presented to Council in the budget for stage 1 as the Aorangi Master Plan within the LTP framework.

**Resolution 2021/13**

Moved: Cr Paddy O'Reilly

Seconded: Cr Barbara Gilchrist

That Council adopts the Aorangi Park Master Plan.

**Carried**

**9.7 Caroline Bay Sound Shell Stadium Seating Replacement [Contract 2490]**

Council was presented with options for the Caroline Bay Sound Shell Stadium Seating ("the Bleachers") by Group Manager Commercial and Strategy.

It was noted that any commercial details, pricing or budget would not be discussed in the public section of the meeting.

Replacement of the bleachers was planned for year 4 of the current Long Term Plan, and there are currently measures in place with propping.



Innovation options such as lightweight concrete that could be completed quickly were explored, but were ruled out as unsuitable for this project.

A design and build procurement is the preferred option for this project, and a thorough procurement strategy would mean this project will need to be pushed out for a year. The ability to deliver the project with the current budget will need to be discussed further.

The storage underneath the bleachers will be excluded which means a displacement of the current tenant, communication to work through this is underway.

Future development will be considered such as shade sails, however disability access will be part of the brief.

It was noted there was a date error in paragraph 21 of the report, the commencement date should read April 2022.

### **Resolution 2021/14**

Moved: Mayor Nigel Bowen

Seconded: Cr Peter Burt

That Council:

1. Approves officers proceeding with the procurement, on a closed tender or direct appointment basis as appropriate, for the replacement of the Bleachers that:
  - a. provides similar seating capacity to the current design (1800 seats);
  - b. excludes the requirement for underneath storage;
  - c. provides the option of including a roof and/or shade structure in the future; and
  - d. addresses the items listed at paragraph 16 of the report.
2. Approves the deferral of demolition and construction until April 2022 for completion prior to December 2022, if through the current engagement with the market a completion date of 1 December 2021 is deemed not reasonably feasible – on the understanding the Bleachers and current propping can be re-assessed and their use extended for a further season.

**Carried**

### **Attachments**

1 Council - Supplementary Agenda - 09.02.21\_Redacted

### **10 Consideration of Urgent Business Items**

No further consideration needed of urgent business.

### **11 Consideration of Minor Nature Matters**

There were no matters of minor nature.

### **12 Public Forum Items Requiring Consideration**

Chief Executive Bede Carran updated Council on the Easter Sunday Trading Policy

The current policy must be reviewed by November 2022. This won't be able to be reviewed prior to Easter this year, but could be bought forward to take effect for Easter 2022.

Officers will start to look at the work needed and come back and advise formal options.

The Mayor agreed to keep in contact with Roger Payne with developments.

**13 Resolution to Exclude the Public**

**Resolution 2021/15**

Moved: Mayor Nigel Bowen

Seconded: Cr Sally Parker

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><b>13.1 - Public Excluded Minutes of the Council Meeting held on 15 December 2020</b></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>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><b>13.2 - Public Excluded Minutes of the Tenders and Procurement Committee Meeting held on 21 December 2020</b></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)(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>Commercial sensitivity</p> <p>To enable commercial or industrial negotiations</p>
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**Carried**

**14 Public Excluded Reports**

**13.1 Public Excluded Minutes of the Council Meeting held on 15 December 2020**

**13.2 Public Excluded Minutes of the Tenders and Procurement Committee Meeting held on 21 December 2020**

**15 Readmittance of the Public**

**Resolution 2021/16**

Moved: Cr Barbara Gilchrist

Seconded: Cr Paddy O'Reilly

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

**Carried**

**The meeting closed at 5.33pm.**

**Minutes confirmed 2 March 2021.**

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**Mayor Nigel Bowen**  
**Chairperson**