

TIMARU DISTRICT COUNCIL

MINUTES OF A MEETING OF THE TIMARU DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL BUILDING, KING GEORGE PLACE, TIMARU ON TUESDAY 27 JUNE 2017 AT 3PM

PRESENT Mayor Damon Odey, Cirs Peter Burt, Dave Jack, Richard Lyon, Paddy O'Reilly, Sally Parker, Kerry Stevens

APOLOGIES Cirs Andrea Leslie and Steve Wills
Noeline Clarke – Temuka Community Board
John McDonald – Pleasant Point Community Board

IN ATTENDANCE Wayne O'Donnell – Geraldine Community Board (for public part of meeting)
Chief Executive (Bede Carran), Group Manager Infrastructure (Ashley Harper), Group Manager Corporate Services (Tina Rogers), Group Manager Community Services (Sharon Taylor), Corporate Planning Manager (Mark Low)(for public part of meeting), Communications Manager (Stephen Doran), Council Secretary (Joanne Brownie)

OPENING PRAYER Father Brian Fennessy of the Catholic Parish of Timaru offered a prayer for the work of the Council.

MINUTES SILENCE IN HONOUR OF JOE CLARKE

The meeting held a minutes silence in honour of former Temuka Borough Council Mayor and Timaru District Councillor Joe Clarke who died recently.

1 PUBLIC FORUM Otipua Wetlands

Kevin Linscott addressed the Council on his proposal for Council to purchase the property adjacent to Otipua Wetlands, to enable completion and greater utilisation of the wetlands. He has spoken to the owner of the property, a landscape company and NZTA in regard to his suggestion. The meeting was advised that the proposal does not yet have the backing of the Otipua Wetlands Trust, as the Trust is yet to consider the proposal.

Walking Tracks in Geraldine

Graeme Wills spoke on behalf of the Geraldine Environmental Trust expressing concern at cyclists and dogs off leash along the Waihi walkway in Geraldine. The Trust believes the track is not wide enough to safely accommodate both walkers (many of whom are elderly), and cyclists and dogs off the leash, although the Trust believes mobility scooters are not so dangerous.

If the track was widened, trees would have to be cut down and the Trust is of the view that there are enough suitable alternative cycling tracks for bikers to be able to make the 1km Waihi track cyclist-free.

The Trust is seeking Council backing to ban cyclists and dogs off leash. If Council, ECan and the Department of Conservation are in agreement, Land Information may be prepared to work with the Trust to achieve what it wants.

2 CONFIRMATION OF MINUTES

Proposed Clr Lyon
Seconded Clr Stevens

“That the minutes of the Council meeting held on 9 May 2017, excluding the public excluded items, be confirmed as a true and correct record.”

MOTION CARRIED

3 SCHEDULE OF FUNCTIONS ATTENDED BY THE MAYOR, DEPUTY MAYOR AND COUNCILLORS

Proposed Clr Jack
Seconded Clr Parker

“That the schedule of duties and functions attended by the Mayor, Deputy Mayor and Councillors be received and noted.”

MOTION CARRIED

4 SCHEDULE OF FUNCTIONS ATTENDED BY THE CHIEF EXECUTIVE

Proposed Clr Stevens
Seconded Clr O'Reilly

“That the schedule of duties and functions attended by the Chief Executive be received and noted.”

MOTION CARRIED

5 AFFIXING OF THE COMMON SEAL

Proposed Clr Jack
Seconded Clr Parker

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

Date	Document
30 May 2017	Warrant of Appointment – Liquor Licensing Inspector - Angela May Lumsden

MOTION CARRIED

6 CONTRACTS LET BY THE CHIEF EXECUTIVE UNDER DELEGATED AUTHORITY

Proposed Clr Stevens
Seconded Clr Lyon

“That the following information on contracts let by the Chief Executive under delegated authority, be received.

Contract Description	Number of Tenders	Price Range	Successful Tenderer and Price
Contract 2246 – Martin Street and Doncaster Street Upgrade	5	\$505,226.75 to \$675,689.00	Fulton Hogan Limited \$505,226.75
Contract 2277 – Redruth Resource Recovery Park	2	\$361,595.80 to \$397,461.43	Paul Smith Earthmoving Limited \$361,595.80
Tenders were evaluated using the Lowest Price Conforming Tender Method			

All prices exclude GST.”

MOTION CARRIED

7 APPOINTMENT TO ROLES PREVIOUSLY HELD BY FORMER COUNCILLOR TRACY TIERNEY

The Council considered a report by the Mayor on appointments made to some of the positions previously held by former councillor Tracy Tierney.

Proposed Clr Parker
Seconded Clr O’Reilly

“That the Council notes that, pursuant to Section 41A, of the Local Government Act 2002, the Mayor has made the following appointments

Environmental Services Committee	Chairperson	Clr Stevens
Hearings Committee	Chairperson	Clr Stevens
Infrastructure Committee	Chairperson	Clr Jack
Industrial Relations Committee	Member	Chairperson of Environmental Services
Tenders Committee		Chairperson of Environmental Services
Fencing of Swimming Pools Exemption Subcommittee		Chairperson of Environmental Services.”

MOTION CARRIED

8 CODE OF CONDUCT OF ELECTED MEMBERS POLICY

The Council considered a report by the Group Manager Corporate Services presenting the Code of Conduct of Elected Members policy for approval. The three Community Boards have recommended the policy be approved as presented.

Proposed Clr Burt
Seconded Clr Parker

“That the Code of Conduct for Elected Members Policy be approved.”

MOTION CARRIED

9 TIMARU WARD BY ELECTION 2017 – ORDER OF CANDIDATE NAMES

Clr Burt declared an interest in this issue, as he had seconded a nomination for a candidate for the by-election. Clr Burt did not participate in the discussion nor vote on the issue.

The Council considered a report by the Electoral Officer requesting Council's decision on the order in which the candidates' names are to be shown on the voting documents for the 2017 Timaru Ward By-election.

Proposed Clr Lyon
Seconded Clr Stevens

"That Council resolves that random order (all voting documents have a different order) be used for the order in which the candidates' names are to be shown on the voting documents for the 2017 Timaru Ward By-election."

MOTION CARRIED

10 DELEGATIONS MANUAL

The Council considered a report by the Group Manager Corporate Services presenting the updated Delegations Manual.

Proposed Clr Jack
Seconded Clr Burt

That the Delegations Manual be adopted."

MOTION CARRIED

11 ANNUAL PLAN 2017/18

The Council considered a report by the Corporate Planning Manager presenting the feedback on the 2017/18 Annual Plan and seeking the adoption of the Plan. The Mayor conveyed his thanks to all the staff involved in the process leading to the production of the final document.

Proposed Clr Jack
Seconded Clr Stevens

- 1 "That the report be received and noted.
- 2 That the feedback on the Annual Plan 2017/18, as attached, be considered by Council.
- 3 That the feedback on the Annual Plan 2017/18 be received and noted and fed into the 2018/28 Long Term Plan development.
- 4 That in considering this matter Council gives regard to Sections 76, 77, 78, 80, 81 and 82 of the Local Government Act 2002. These sections cover all aspects of Council decision-making. In particular, Council has considered the views and preferences of persons likely to be affected by, or who have an interest in the matter.
- 5 That the Timaru District Council Annual Plan 2017/18, including the Fees and Charges 2017/18 is adopted in accordance with Section 95 of the Local Government Act 2002."

MOTION CARRIED

12 RESOLUTION TO SET RATES

The Council considered the resolution to set and assess rates for the year commencing on 1 July 2017 and ending 30 June 2018.

Proposed Clr Lyon
Seconded Clr Stevens

TIMARU DISTRICT COUNCIL

RESOLUTION TO SET RATES

Timaru District Council has adopted its Annual Plan for 2017-18. It has made no changes to its proposed rating policy and is now moving to set and assess the rates described in its rating policy.

1 That the Timaru District Council set the following rates under the Local Government (Rating) Act 2002, on rating units in the district for the financial year commencing 1 July 2017 and ending on 30 June 2018. Such rates shall become due and payable by instalments on the dates prescribed in clause 13 of this resolution.

2 All rates and charges are inclusive of the Goods and Services Tax (GST).

3 General Rate

That pursuant to Section 13(2)(b) and Section 14 of the Local Government (Rating) Act 2002 a general rate set as a rate in the dollar on the land value of all rating units within the Timaru District, assessed on a differential basis as described below:

Timaru District - Accommodation	\$0.01164
Timaru District - Commercial Central	\$0.01164
Timaru District - Commercial Other	\$0.01164
Timaru District - Community Services	\$0.00291
Timaru District - Industrial	\$0.01164
Timaru District - Primary	\$0.00116
Timaru District - Recreational	\$0.00291
Timaru District - Residential General	\$0.00291
Timaru District - Residential Multi Unit	\$0.00582

4 General Charge

That pursuant to Section 15(1)(a) of the Local Government (Rating) Act 2002 a uniform annual general charge of \$535.00 per rating unit be assessed on every rating unit within the Timaru District.

Provided that where any two or more separate rating units are owned by the same ratepayer; used jointly as a single unit and are contiguous or separated only by a road, railway, drain, water race, river or stream they shall be deemed to be one unit for the purpose of the setting and assessing of this uniform annual general charge.

5 Community Works and Services Rates

That pursuant to Section 16(3)(b) and (4)(a) of the Local Government (Rating) Act 2002 a targeted community works and services rate set as a rate in the dollar on the land value of all rating units within each of the community areas where the service is provided.

Geraldine	\$0.00170
Rural	\$0.00005
Temuka	\$0.00268
Timaru	\$0.00145

6 Aquatic Centre Rate

That pursuant to Section 16(3)(a) and (4)(b) of the Local Government (Rating) Act 2002 a targeted annual aquatic centre rate assessed as a fixed amount per separately used or inhabited part of a rating unit for residential (general or multi-use) rating units, per rating unit for other rating units (being the same amount as the amount assessed per separately used or inhabited part of a residential (general or multi-use) rating unit).

Residential – per separately used or inhabited part	\$109.00
Other – per rating unit	\$109.00

7 Community Board Charges

That pursuant to Section 16(3)(b) and (4)(a) of the Local Government (Rating) Act 2002 a targeted uniform annual Community Board charge on each separately used or inhabited part of a rating unit within each of the Temuka, Geraldine and Pleasant Point Wards.

Geraldine	\$2.00
Pleasant Point	\$5.00
Temuka	\$3.50

8 Sewer Charge

That pursuant to Section 16(3)(b) and (4)(a) of the Local Government (Rating) Act 2002 a targeted annual charge for sewerage disposal set per water closet or urinal connected either directly or through a private drain to a public sewerage drain subject to the proviso that every rating unit used exclusively or principally as a residence of not more than one household shall be deemed to have not more than one water closet or urinal.

Sewer Charge	\$369.00
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9 Waste Management Charge

That pursuant to Section 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002 a differential targeted rate on all rateable and non-rateable land to which the “three bin” waste collection service is actually provided

- (a) of \$279.00 per standard size “three bins” provided to each rating unit;
- (b) of \$379.00 per large “three bins” provided to each rating unit;
- (c) of \$72.00 per additional small (140 litres) recycling bin provided to each rating unit; and
- (d) of \$82.00 per additional large (240 litres) recycling bin provided to each rating unit; and
- (e) of \$112.00 per additional small (140 litres) compost bin provided to each rating unit; and

- (f) of \$133.00 per additional large (240 litres) compost bin provided to each rating unit; and
- (g) of \$138.00 per additional small (140 litres) rubbish bin provided to each rating unit; and
- (h) of \$199.00 per additional large (240 litres) rubbish bin provided to each rating unit.

10 Water Charges

That pursuant to Section 16(3)(b), (4)(b) and section 19 of the Local Government (Rating) Act 2002 targeted rates for the supply of water in the following areas as follows.

- (a) Geraldine, Pleasant Point, Peel Forest, Temuka, Timaru and Winchester urban supplies

A differential annual charge of \$297.00 per separately used or inhabited part on each rating unit or separately used or inhabited part of a residential rating unit receiving an ordinary water supply and \$148.50 per rating unit on all rating units situated within 100 metres from any part to the water works to which water can be but is not supplied within the urban areas.

- (b) Rural

- (i) **The Rangitata-Orari Water Supply District**

A targeted rate of \$17.30 per hectare within the rating unit.

- (ii) **The Te Moana Downs Water Supply District**

- a) A targeted rate of \$275.00 for each unit of water supplied;
- b) A targeted rate of \$542.20 for each tank except where there is more than one tank to any rating unit as a technical requirement of the scheme, in which case only one charge will apply.

- (iii) **The Orari Township Water Supply District**

A targeted rate of \$232.00 for each unit of water supplied.

- (iv) **The Seadown Water Supply District**

- a) A targeted rate of \$16.40 per hectare within the rating unit;
- b) A targeted rate of \$409.00 per separately used or inhabited part of a rating unit for each domestic supply;

- (v) **Beautiful Valley Water Supply District**

A targeted rate of \$3.69 per hectare within the rating unit.

- (vi) **Downlands Water Supply District**

On so much of the rating unit appearing on Valuation Rolls number 24640, 24660, 24670, 24680, 24690, 24700, 24710, 24820, 24840, 24850, 24860, and part 25033, as is situated within the Downlands Water Supply District.

- a) A targeted rate of \$566.00 for each separately used or inhabited part of a rating unit within the Pareora Township and for rating units used as halls within the scheme.
- b) A targeted rate of \$971.00 per rating unit for rating units used as schools within the Pareora Township.

- c) In addition a targeted rate of \$404.00 for each separate connection (excluding Pareora Township) to the water supply except where there is more than one connection to any rating unit as a technical requirement of the scheme, in which case only one charge will apply.
- d) In addition to the charge assessed in (c) above, a targeted rate of \$162.00 per unit of water or where water supplied in one half units a charge of \$81.00 per half unit.

(c) Water by Meter

A targeted rate for water supply, set under Section 19 of the Local Government (Rating) Act 2002 per cubic metre of water consumed to any rating unit situated in the following areas which has been fitted with a water meter:

Seadown	\$0.84
Urban	\$0.60

11 Community Centre Charges

That pursuant to Section 16(3)(b) and (4)(a) of the Local Government (Rating) Act 2002, the following uniform targeted rates in respect of each separately used or inhabited part of a rating unit situated in the following Community Centre Areas:

Claremont Community Centre	\$20.00
Fairview Community Centre	\$30.00
Kingsdown Community Centre	\$36.00
Otipua Community Centre	\$20.00

12 Instalment Dates

The above rates and charges are due and payable on the following dates:-

All Ratepayers

Instalment	Due Date
1	20 September 2017
2	20 December 2017
3	20 March 2018
4	20 June 2018

The due dates for metered water targeted rates are as follows:-

Month invoice raised	Due Date
July 2017	21 August 2017
August 2017	20 September 2017
September 2017	20 October 2017
October 2017	20 November 2017
November 2017	20 December 2017
December 2017	22 January 2018
January 2018	20 February 2018
February 2018	20 March 2018

March 2018
April 2018
May 2018
June 2018

20 April 2018
21 May 2018
20 June 2018
20 July 2018

unconfirmed

13 Method of Calculation of Each Instalment

All Ratepayers

Instalments 1-4: Each instalment will be equal to one quarter (1/4) of the total year's rates (2017/2018).

14 Discount

That pursuant to Section 55 of the Local Government (Rating) Act 2002, the following discount will apply:-

A discount of 2.50% will be allowed on the total rates set, if the 2017/2018 rates, including any current penalties, are paid in full on or before 20 September 2017.

15 Penalties

That pursuant to Section 57 of the Local Government (Rating) Act 2002 the District Council prescribes the following penalties to be added to unpaid rates:-

(a) A Penalty

A penalty under section 58(1)(a) of 10% of the amount of the unpaid instalment or portion of instalment will be added if not paid on or before the instalment due date, on the following dates:

Instalment	Penalty Date
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1	21 September 2017
2	21 December 2017
3	21 March 2018
4	21 June 2018

(b) Further Penalties

A further penalty under section 58(1)(b) and 58(1)(c) of 10% of the amount of any rates from previous financial years remaining unpaid on 3 July 2017 will be added on 21 September 2017. An additional penalty will be added to any unpaid rates from previous financial years that remain unpaid on 21 March 2018. This penalty will be added on 22 March 2018.

Penalties will not be applied to the metered water targeted rate

16 Payment of Rates

That rates shall be payable at any of the following places:

Timaru District Council offices, 2 King George Place, Timaru
Temuka Library, Information and Service Centre, 72-74 King Street,
Temuka
Geraldine Library and Service Centre, 76 Talbot Street, Geraldine

between the hours of 9.00am to 5.00pm, Monday to Friday.”

MOTION CARRIED

13 RECEIPT OF COMMUNITY BOARD AND COMMITTEE MINUTES

Proposed the Mayor
Seconded Clr Lyon

“That the minutes of the following meetings, excluding the public excluded sections, be received:

Temuka Community Board	22 May 2017
Pleasant Point Community Board	23 May 2017
Geraldine Community Board	24 May 2017
Environmental Services Committee	13 June 2017
Community Development Committee	13 June 2017
Infrastructure Committee	13 June 2017
Policy and Development Committee	13 June 2017.”

MOTION CARRIED

14 PUBLIC FORUM ITEMS FOR CONSIDERATION

Otipua Wetlands

The Council discussed the request from Mr Linscott for Council support to purchase the property adjacent to the Otipua Wetlands. Councillors agreed that no action be taken at this time, as the Otipua Wetlands Trust should consider the proposal in the first instance and if the Trust approves, the Trust should endeavour to secure some funding for the project before approaching Council for support.

Geraldine Walking Tracks

The Council considered the access issue raised by Mr Wills in the public forum. Councillors noted the great job the Geraldine Environmental Trust does in the town, with landscaping, track maintenance and litter control. There is conflict between those who support the banning of bikes and dogs off the leash on the Waihi track and those who support cyclists and dogs having access. There is also difficulty with LINZ, Department of Conservation, Council and ECan all being involved, as well as the number of regulations and legislation that hampers the ability to easily resolve the issue.

Council concluded that while acknowledging the valuable work of the Trust, Council is not in a position to directly provide a solution to the Trust's concerns.

15 EXCLUSION OF THE PUBLIC

Proposed Clr Jack
Seconded Clr Burt

“That the Council resolves to exclude the public on the grounds contained in Section 48(1) of the Local Government Official Information and Meetings Act:

Confirmation of Minutes

Rail Crossing

Section 7(2)(j)

The withholding of the information is necessary to enable the local authority holding the information to carry on, without prejudice or disadvantage, negotiations.

**Receipt of Minutes
Temuka Oxidation Ponds
Section 7(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.

**Ecosystems & Indigenous
Biodiversity Stakeholder
Group
Section 7(2)(a)**

The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons.

**Aoraki Environmental
Consultancy Ltd
Section 7(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.”

MOTION CARRIED

16 READMITTANCE OF THE PUBLIC

Proposed the Mayor
Seconded Clr Parker

“That the public be readmitted to the meeting.”

MOTION CARRIED

The meeting concluded at 4pm.

Chairperson