

TIMARU DISTRICT COUNCIL

**MINUTES OF AN ORDINARY MEETING OF THE TIMARU DISTRICT COUNCIL
HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL BUILDING, KING
GEORGE PLACE, TIMARU ON TUESDAY 30 JUNE 2009 AT 2PM**

PRESENT Mayor Janie Annear (Chairman), Clrs Barker, Bennett, Bowan, Bradley, Coughlan, Jack, Kennedy, Lyon, Mulvey and Oliver

APOLOGIES Alison Talbot – Temuka Community Board (for in attendance)
Robyn Cain – Geraldine Community Board (for in attendance)

IN ATTENDANCE Assistant Chief Executive (PH Nixon), District Services Manager (AA Harper), Regulatory Services Manager (P Thompson), Chief Financial Officer (T Rogers) (until 3.40pm up to item 16), Secretary (JM Brownie)

OPENING PRAYER Ash Murdoch of Elim Christian Church Timaru, offered a prayer for the work of the Council

1 PUBLIC FORUM

Aquatic Leisure Centre

Lloyd Hook addressed the Council on his concerns regarding the proposed Aquatic Leisure Centre.

2 CONFIRMATION OF MINUTES – COUNCIL MEETING 19 MAY 2009

Proposed Clr Barker
Seconded Clr Jack

“That the minutes of the Council meeting held on 19 May 2009, with the exclusion of the public excluded items, be confirmed as a true and correct record.”

MOTION CARRIED

3 CONFIRMATION OF MINUTES – LTCCP MEETING 9/10 JUNE 2009

Proposed Clr Bennett
Seconded Clr Bowan

“That the minutes of the Council meeting held on 9/10 June 2009, with the exclusion of the public excluded item, be confirmed as a true and correct record.”

MOTION CARRIED

4 CONFIRMATION OF MINUTES – HEARINGS COMMITTEE 24 OCTOBER 2008

Proposed Clr Oliver
Seconded Clr Bradley

“That the minutes of meetings of the Hearings Committee held on 24 October 2008, excluding the public excluded items, be confirmed as a true and correct record.”

MOTION CARRIED

5 CONFIRMATION OF MINUTES - HEARINGS COMMITTEE 18 MARCH 2009

Proposed Clr Jack
Seconded Clr Mulvey

“That the minutes of meetings of the Hearings Committee held on 18 March 2009, excluding the public excluded items, be confirmed as a true and correct record.”

MOTION CARRIED

6 CONFIRMATION OF MINUTES – HEARINGS COMMITTEE 2 APRIL 2009

Proposed Clr Bennett
Seconded Clr Barker

“That the minutes of meetings of the Hearings Committee held on 2 April 2009, excluding the public excluded items, be confirmed as a true and correct record.”

MOTION CARRIED

7 SCHEDULE OF FUNCTIONS ATTENDED BY THE MAYOR AND DEPUTY MAYOR AND COUNCILLORS

Proposed Clr Bowan
Seconded Clr Coughlan

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

MOTION CARRIED

8 SCHEDULE OF FUNCTIONS ATTENDED BY THE CHIEF EXECUTIVE

Proposed Clr Coughlan
Seconded Clr Kennedy

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

MOTION CARRIED

9 AFFIXING OF THE COMMON SEAL

Proposed Clr Bennett
Seconded Clr Jack

“That the affixing of the common seal to the following documents be noted:

- 13 May 2009 Consent Notice – Subdivision of Lot 2 DP 49693, Lot 3 DP 49693, Lot 4 DP 49693, Lot 1 DP56771
- 21 May 2009 Warrant of Appointment – Paula Ridgway Parking Warden
- 22 May 2009 Grant Application for Funds Trust Aoraki
- 4 June 2009 Warrant of Appointment – David Armstrong Building & Environmental Services Manager
- 4 June 2009 Warrant of Appointment – Peter Kloosterman District Planner
- 4 June 2009 Warrant of Appointment – Michael Senior Planning Officer
- 5 June 2009 Resource Consent No 6196 574 Rosewill Valley Rd, Timaru.”

MOTION CARRIED

10 CONTRACTS LET BY THE CHIEF EXECUTIVE UNDER DELEGATED AUTHORITY

Proposed Clr Kennedy
Seconded Clr Bennett

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

Contract Number / Description	Number of Tenders	Price Range \$	Successful Tender and Price
Social housing units grounds maintenance – 5 year contract	Negotiated	\$205,961.10	Midland Contracting Ltd \$205,961.10
Contract 1886 Public Halls/theatres cleaning 2009-2012	2	\$41,361.70 to \$62,945.40	Spotless \$41,361.70

Contract 1887 Timaru District Council Office Cleaning 2009-2012	2	\$36,477.52 to \$50,571.63	OCS \$36,477.52
Contract 1888 Public toilets cleaning 2009-2012	3	\$117,665.19 to \$142,251.31	Spotless \$117,665.19

MOTION CARRIED

11 ADOPTION OF TDC LONG TERM COUNCIL COMMUNITY PLAN 2009-2019
(File C5/17/3)

The Council considered a report by the Strategic Planning Manager and Chief Financial Officer on the adoption of the Timaru District Council Long Term Council Community Plan 2009-2019. Also considered was the audit opinion from Audit New Zealand, tabled at the meeting. Commendation was extended to the Strategic Planning Manager and other staff involved in the document's preparation.

Proposed Clr Kennedy
Seconded Clr Bennett

- (a) "That the report be received.
- (b) That the Council receives the final Audit opinion.
- (c) That the Long Term Council Community Plan 2009 – 2019 is adopted in accordance with Section 93 of the Local Government Act 2002.
- (d) That the disposal of endowment land at 52 John Street, Temuka, as consulted on through the 2009 LTCCP process, is confirmed."

MOTION CARRIED

12 BALANCED BUDGET REQUIREMENT (File C5/17/3)

The Council considered a report by the Chief Financial Officer seeking permission for an unbalanced budget in the LTCCP 2009/19.

Proposed Clr Bradley
Seconded Clr Bowan

"That in accordance with Section 100 of the Local Government Act 2002, the Council resolves to permit an unbalanced budget in the Long Term Council Community Plan for the 10 years commencing 1 July 2009."

MOTION CARRIED

13 RESOLUTION TO SET RATES (File R1/2)

The Council considered the resolution to set and assess rates for the year commencing on 1 July 2009 and ending on 30 June 2010.

Proposed Clr Bowan
Seconded Clr Mulvey

TIMARU DISTRICT COUNCIL

RESOLUTION TO SET RATES

Timaru District Council has adopted its Long Term Council Community Plan for 2009-2019. It has made no changes to its proposed rating policy as a result of submissions received during the special consultative procedure 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 2009 and ending on 30 June 2010. 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.

- 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	\$0.00720
Timaru District - Commercial Central	\$0.00720
Timaru District - Commercial Other	\$0.00720
Timaru District - Community Services	\$0.00163
Timaru District - Industrial	\$0.00720
Timaru District - Primary	\$0.00052
Timaru District - Recreational	\$0.00163
Timaru District - Residential General	\$0.00163
Timaru District - Residential Multi Unit	\$0.00321

- 4 **General Charge**

That pursuant to Section 15(1)(a) of the Local Government (Rating) Act 2002 a uniform annual general charge of \$382 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 **District Works and Services Rate**

That pursuant to Section 16(3)(a) and (4)(b) of the Local Government (Rating) Act 2002 a targeted district works and services 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	\$0.00265
Timaru District - Commercial Central	\$0.00265

Timaru District - Commercial Other	\$0.00265
Timaru District - Community Services	\$0.00060
Timaru District - Industrial	\$0.00265
Timaru District - Primary	\$0.00019
Timaru District - Recreational	\$0.00060
Timaru District - Residential General	\$0.00060
Timaru District - Residential Multi Unit	\$0.00118

6 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	\$0.00122
Rural	\$0.00005
Temuka	\$0.00186
Timaru	\$0.00149

7 Rural Fire Protection Rate

That pursuant to Section 16(3)(b) and (4)(a) of the Local Government (Rating) Act 2002 a targeted rural fire protection rate set as a rate in the dollar on the land value of all rating units excluding the urban areas of Pleasant Point, Geraldine, Temuka and Timaru.

Rural Fire Protection	\$0.00006
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8 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 every rating unit within each of the Temuka, Geraldine and Pleasant Point Wards.

Geraldine	\$1.00
Pleasant Point	\$4.70
Temuka	\$3.40

9 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 on each 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	\$248.00
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10 Waste Management Charge (Refuse Collection)

That pursuant to Section 16 (4)(b) 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 \$280 per standard size “three bins” provided to each rating unit in the urban area;
- (b) of \$350 per large “three bins” provided to each rating unit in the urban area;
- (c) of \$279 per standard size “three bins” provided to each rating unit outside the urban area; and
- (d) of \$350 per large “three bins” provided to each rating unit outside the urban area.

11 Water Charges

That pursuant to Section 16(3)(b), (4)(a) and (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 \$168.00 on each rating unit or separately used or inhabited part of a residential rating unit receiving an ordinary water supply and \$84.00 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 rate of \$12.30 per hectare.

- (ii) **The Orari-Waihi Water Supply District**

- a) A rate of \$6.48 per hectare.
 - b) A charge of \$238.00 for each rating unit.

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

- a) A charge of \$145.00 for each unit of water supplied;
 - b) A charge of \$296.60 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.

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

- A charge of \$356.00 for each unit of water supplied.

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

- a) A rate of \$13.20 per hectare;
 - b) A charge of \$330.00 for each domestic supply;
 - c) A charge of \$132.00 for each woolshed and other farm buildings which are separately supplied.

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

- A rate of \$3.31 per hectare.

(vii) 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 charge of \$346.00 for each ordinary domestic supply within the Pareora Township and for halls within the scheme.
- b) A charge of \$593.50 per school within the Pareora Township.
- c) In addition a charge of \$334.00 for each hotel, motel, market garden, golf club, sawmill, racecourse, shop, commercial or industrial premises and all other supplies of an extraordinary nature, within the Pareora Township.
- d) In addition a charge of \$247.00 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.
- e) In addition to the charge assessed in (d) above, a charge of \$99.00 per unit of water or where water supplied in one half units a charge of \$49.50 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:

Geraldine	\$0.46
Pleasant Point	\$0.46
Seadown	\$0.66
Temuka	\$0.46
Timaru	\$0.46
Winchester	\$0.46

12 Community Centre Charges

That pursuant to Section 16(3)(b) and (4)(a) of the Local Government (Rating) Act 2002, the following Community Centre Charges in respect of each dwelling unit in each Community Centre Area which lies within the defined area in each case.

Claremont Community Centre	\$10.00
Fairview Community Centre	\$20.00
Kingsdown Community Centre	\$36.00
Otipua Community Centre	\$20.00

13 Instalment Dates

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

All Ratepayers

Instalment	Due Date
1	21 September 2009
2	21 December 2009
3	22 March 2010
4	21 June 2010

14 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 (2009/2010).

15 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 2009/2010 rates, including any current additional charges, are paid in full on or before 21 September 2009.

16 Additional Charges

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

(a) An Additional Charge

An additional charge 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.

(b) Further Additional Charges

A further additional charge under section 58(1)(b) and 58(1)(c) of 10% of the amount of the unpaid rates, including any additional charges previously imposed will be added on 21 September 2009 and 22 March 2010 to all previous years' rates and penalties remaining unpaid as at those dates.

17 Payment of Rates

That rates shall be payable at any of the following places:
Timaru District Council offices, 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.

14 LOAN RAISING PROGRAMME 2009/2010 (File L5/2)

The Council considered a report by the Chief Financial Officer on the 2009/10 loan raising programme.

Proposed Clr Jack
Seconded Clr Bradley

- (b) Chief Financial Officer

("Authorised Persons")

be authorised to act on the Council's behalf in:

- (c) negotiating and agreeing the terms and conditions of each borrowing and/or incidental arrangement entered into by the Council from time to time, in accordance with the "LTCCP", Annual Plan and the Liability Management policy;
 - (d) negotiating, agreeing and executing all documents and taking all actions as they consider necessary or desirable for the purpose of giving effect to any borrowing or incidental arrangement and any security which may be given in respect thereof.
6. Any Authorised Person may in writing appoint a substitute to exercise any of the authorities conferred upon the appoint or and may revoke any such appointment from time to time and the references to "Authorised Person" in these Resolutions shall include any such substitute, provided that:
- (a) the power of substitution conferred by this Resolution shall not be conferred upon any such substitute; and
 - (b) a substitute shall not be able to act hereunder jointly with the Authorised Person who appointed him, but may only act with another Authorised Person or a substitute appointed by another Authorised Person.
7. The authorisations set out in Resolutions 5 and 6 above:
- (a) shall remain in full force and effect until written notice of their revocation by Council resolution has been received by the Authorised Persons, provided that any person dealing with the Authorised Persons (or any two or more of them) shall be entitled to assume that the authorisations have not been revoked and remain in full force and effect and, in so assuming, shall be protected unless and until he or she has actual notice of such revocation; and
 - (b) shall be exercisable by the Authorised Persons without, and be valid and effective to bind, the Council notwithstanding the absence of, notice to or approval by the members of the Council, but (subject to the foregoing) shall not operate to the exclusion of the Councillors' powers in respect of matters referred to therein, to the effect that the Councillors may continue to exercise those powers themselves notwithstanding the Authorisations.

15 AQUATIC LEISURE CENTRE NOTICE OF MOTION

The Council noted that the notice of motion and accompanying report in regard to the proposed Aquatic Leisure Centre, which was included in the meeting agenda had since been withdrawn.

16 AQUATIC LEISURE CENTRE PROGRESS REPORT (File S5/10)

The Council considered a report by the District Services Manager on progress with the Aquatic Leisure Centre. The District Services Manager elaborated on his report and answered questions from the Councillors.

Proposed Clr Oliver
Seconded Clr Barker

“That the report be received and noted.”

MOTION CARRIED

**17 PRIMEPORT TIMARU LTD DRAFT STATEMENT OF CORPORATE INTENT
2010/2012 (File F1/26/8)**

The Council considered a report by TDHL’s Executive Officer seeking approval of the Council for a recommendation from Timaru District Holdings Ltd on PrimePort Timaru Ltd’s draft 2010/2012 Statement of Corporate Intent.

Proposed Clr Bowan
Seconded Clr Bennett

“That the Council approves the draft PrimePort Timaru Ltd 2010/2012 Statement of Corporate Intent.”

MOTION CARRIED

18 RECEIPT OF COUNCIL COMMITTEE MINUTES

Proposed Clr Bradley
Seconded Clr Mulvey

“That the minutes of the following meetings with the exclusion of the public excluded items, be received:

Community Development Committee	16 June 2009
Resource Planning and Regulation Committee	16 June 2009
District Services Committee	16 June 2009
Policy and Development Committee	16 June 2009.”

MOTION CARRIED

19 EXCLUSION OF THE PUBLIC

Proposed Clr Kennedy
Seconded Clr Oliver

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
Council & Property Matter**
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.

Directorships
Section 7(2)(a)

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

Tenders Subcommittee
Hearings Committee
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.

Library
Section 6(1)(a)

The disclosure of the information would be likely to prejudice the maintenance of the law.

MOTION CARRIED

20 READMITTANCE OF THE PUBLIC

Proposed Clr Coughlan
Seconded Clr Barker

“That the public be readmitted to the meeting.”

MOTION CARRIED

The meeting concluded at 2.50pm.

Chairman