



COUNCIL MEETING

Commencing at 3pm

on

Tuesday 27 June 2017

**Council Chamber
District Council Building
King George Place
Timaru**

TIMARU DISTRICT COUNCIL

Notice is hereby given that a meeting of the Timaru District Council will be held in the Council Chamber, District Council Building, King George Place, Timaru on Tuesday 27 June 2017, at 3pm.

LOCAL AUTHORITIES (MEMBERS' INTERESTS) ACT 1968

Councillors are reminded that if you have a pecuniary interest in any item on the agenda, then you must declare this interest and refrain from discussing or voting on this item, and are advised to withdraw from the meeting table.

Bede Carran
CHIEF EXECUTIVE

TIMARU DISTRICT COUNCIL MEETING

27 JUNE 2017

AGENDA

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1		Opening Prayer – Fr Brian Fennessy, Catholic Parish of Pleasant Point
2		Apology – Cllr Leslie
3	1	Public Forum Ken Linscott - Otupua Wetlands Graeme Wills – Walking Tracks in Geraldine
4		Identification of Urgent Business
5		Identification of Matters of a Minor Nature
6		Declaration of Conflicts of Interest
7	5	Confirmation of Minutes – Council Meeting – 9 May 2017
8	11	Schedule of Functions Attended by the Mayor and Deputy Mayor and Councillors
9	13	Schedule of Functions Attended by the Chief Executive
10	15	Affixing of the Common Seal
11	16	Contracts Let by the Chief Executive Under Delegated Authority
12	To be tabled	Appointments to Roles Previously Held by Tracy Tierney
13	17	Code of Conduct of Elected Members Policy
14	34	Timaru Ward By-election 2017 - Order of Candidate Names
15	36	Delegations Manual
16	38	Annual Plan 2017/18
17	50	Resolution to Set Rates
18	56	Receipt of Community Board and Committee Minutes
19		Consideration of Urgent Business Items
20		Consideration of Minor Nature Matters
21		Public Forum Items Requiring Consideration
22	57	Exclusion of the Public
1	59	Receipt of Council Minutes
2	61	Receipt of Community Board and Committee Minutes
3	62	Readmittance of the Public

**TIMARU DISTRICT COUNCIL
FOR THE MEETING OF 27 JUNE 2017**

Report for Agenda Item No 3

Prepared by Ken Linscott

Public Forum – Otipua Wetlands

Attached is information Ken Linscott has prepared for his address to the public forum.

Recommendation

For consideration

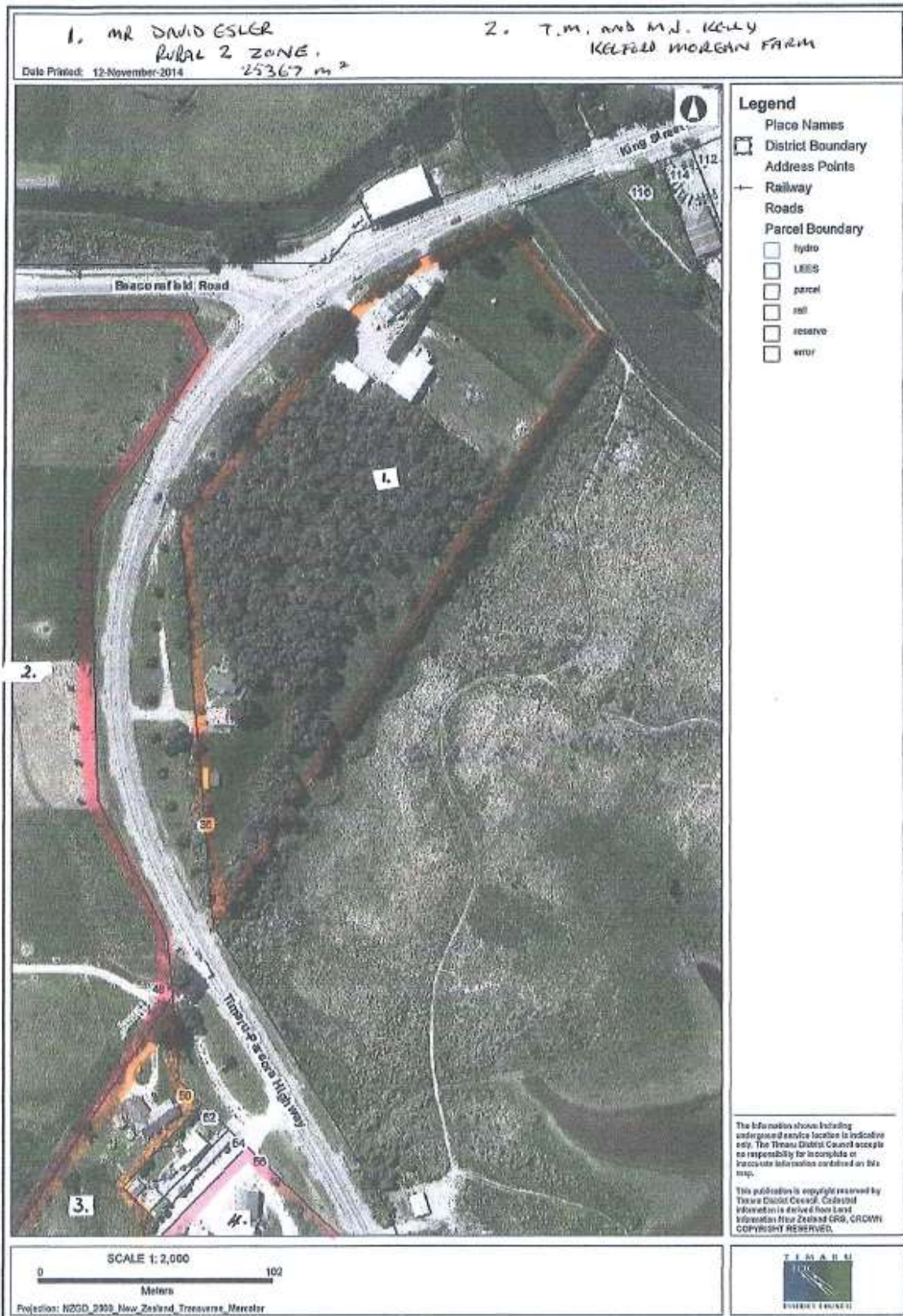
Timaru District Council

Public Forum Presentation 27th June 2017 by Ken Linscott

Proposal: "That Council purchase the property adjacent to Otipua Wetlands, owned by David Esler, to enable completion and fuller utilization of the wetlands property".
(See attached photo' print)

1. I am currently chair of the Otipua Wetlands Trust, **but today I speak as a private citizen.**
2. My motivation is to encourage the completion of the wetlands development as a valuable part of reserves on our Timaru southern boundary, Centennial Park to the coast.
3. Details in the 1994 Canterbury Regional Council "Issues and Options" report suggested providing safe access and parking for public and school bus traffic for recreation and educational activities. (*see p22 Measure 13 says: "because of multi use, multiple benefits of the wetlands option."*) This report deals in depth with the Saltwater Creek Catchment.
4. As well, the Lucas and Associates **Otipua Wetlands Development Proposal** was commissioned. It was adopted as the guiding principle of the Otipua Wetlands Management Statement by the ECAN Workgroup. This also guided the Wetlands Trust operation.
5. The Lucas proposal speaks of developing *entry from State Highway One for car and bus parking, signage lead in, toilet and picnic facilities, interpretation centres etc.*
6. The key aspect of the Lucas report is the opportunity for "**Interpretation**" of the ecological makeup and values of wetlands **through signage and trails.**
7. I believe **interpretation could begin on HW1** if driving into Timaru from the South, the view of native planting was significantly increased towards the bridge.
8. Conversations I have had with interested parties could possibly assist with the development of this property to the benefit of Timaru and the wider travelling public.
9. Community minded local cultural and educational groups locating here could utilize the property's existing buildings to demonstrate and promote innovative New Zealand art and craft. Local history of this part of Timaru could also attract tourism to the site. I believe.
10. The Otipua Wetlands Charitable Trust has agreed to discuss this proposal at their July meeting as they decide their future position. As a charitable trust they are useful in attracting volunteers or donations to develop facilities. I have only been involved with the wetlands trust since 2013 and **I have been impressed by the teamwork of so many organizations and individual volunteers who succeeded in its development.**
11. **I wish to personally complement Council for the work projects you have completed in past years as detailed in the CRC report Summary of Preferred Options.**
I would encourage you to accept this proposal I bring today.

EX GARY FORSTER 2014





**TIMARU DISTRICT COUNCIL
FOR THE MEETING OF 27 JUNE 2017**

Report for Agenda Item No 7

**Prepared by Bede Carran
 Chief Executive**

Confirmation of Minutes –Council Meeting 9 May 2017

Minutes of the May Council meeting.

Recommendation

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.

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 9 MAY 2017 AT 3PM

PRESENT Mayor Damon Odey, Cirs Peter Burt, Dave Jack, Andrea Leslie, Richard Lyon, Paddy O'Reilly, Sally Parker, Kerry Stevens, Tracy Tierney and Steve Wills

APOLOGY Neville Gould – Pleasant Point Community Board

IN ATTENDANCE Katie Jahnke (Community and Public Health)
Alex Govan (Cancer Society)
Marthy Cloake (Heart Foundation)
Stephanie McCullough – Temuka Community Board (for public part of meeting)
Jan Finlayson – Geraldine Community Board (for public part of meeting)

Chief Executive (Bede Carran), Acting Group Manager Infrastructure (Andrew Dixon), Group Manager Environmental Services (Chris English), 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), Parks and Recreation Manager (Bill Steans)(for public part of meeting), Finance Manager (Adrian Hodgett)(for public part of meeting), Development Manager (Frazer Munro) Council Secretary (Joanne Brownie)

OPENING PRAYER Alistair Pike of Church Street Gospel Chapel, offered a prayer for the work of the Council.

1 **PUBLIC FORUM**

Smokefree Community Spaces

Representatives from Community and Public Health, the Cancer Society and the Heart Foundation addressed the Council on the goal of a Smokefree New Zealand, encouraging Council to consider extending its current Smokefree policy beyond playgrounds and sports grounds.

The presentation explained where Timaru District Council sits in comparison to some other local authorities, and suggested Council could make other areas in the District such as Caroline Bay, outdoor dining, bus shelters etc, smokefree. The Cancer Society, Heart Foundation and Community and Public Health said they can assist Council in supporting the policies.

The presenters clarified that Smokefree policies are educative, rather than punitive and are non regulatory.

2 CONFIRMATION OF MINUTES

Proposed Clr Burt
Seconded Clr Wills

“That the minutes of the Council meeting held on 4 April 2017, excluding the public excluded times, 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 O'Reilly

“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 Leslie

“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 Wills
Seconded Clr Jack

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

Date	Document
3 April 2017	Warrant of Appointment – Parking Warden Robyn Marie Dowling.”

MOTION CARRIED

6 FINANCIAL AND WORK PROGRAMME FOR NINE MONTHS ENDED 31 MARCH 2017

The Council considered a report by the Finance Manager, Corporate Planning Manager and Corporate Planner presenting the financial results and progress towards achieving the key performance measures and work programme for the period ended 31 March 2017.

A number of questions were asked, clarification sought and comments made on some activities.

Proposed Clr Wills
Seconded Clr Parker

“That the report be received and noted.”

MOTION CARRIED

7 RECEIPT OF COMMUNITY BOARD AND COMMITTEE MINUTES

Proposed the Mayor
Seconded Clr Stevens

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

Temuka Community Board	10 April 2017
Geraldine Community Board	12 April 2017
Environmental Services Committee	2 May 2017
Community Development Committee	2 May 2017
Infrastructure Committee	2 May 2017
Policy and Development Committee	2 May 2017.”

MOTION CARRIED

8 PUBLIC FORUM ISSUE – SMOKEFREE AOTEAROA

The Council discussed the presentation at the public forum on Smokefree Aotearoa, when representatives of Community and Public Health, the Cancer Society and the Heart Foundation asked Council to extend its current Smokefree policy to include more public areas and also to include events either run or supported by Council.

Discussion took place on whether to further consult the community before agreeing to any expansion of the policy, whether to take a closer look at the Smokefree Aotearoa policy with a view to aligning Council policy to the Smokefree Aotearoa policy and whether there are any alternative opportunities to make a significant difference towards a smokefree district. There was some concern that from the information presented, Timaru District Council appears to be lagging behind some other local authorities in Canterbury.

It was agreed that Council is generally supportive of having a Smokefree community but investigation is needed on the impact of extending Council’s current Smokefree policy. For example making Caroline Bay or al fresco dining smokefree could have implications on other policies, lease agreements and regulations and this needs to be checked before considering the matter further.

a Proposed the Mayor
Seconded Clr O’Reilly

“That Council formally endorses the goal of a Smokefree Aotearoa by 2025.”

MOTION CARRIED

b Proposed Clr Wills
Seconded Clr Jack

“That Council incorporates provision for Smokefree in the Long Term Plan process.”

MOTION CARRIED

c Proposed Clr Tierney
Seconded Clr Jack

“That a report be prepared on the possibility and implications of extending Council’s current Smokefree Public Outdoor Areas policy to include all of Caroline Bay, bus stops/shelters, social housing and al fresco dining.”

MOTION CARRIED

d Proposed Clr Wills
Seconded Clr Parker

“That Council adds an additional criterion in the application form for funding, to require all Council run, funded or supported events to be smokefree.”

MOTION CARRIED 8/1

9 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:

Rail Crossing
Section 7(2)(j)

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

Confirmation of Minutes

Section 7(2)(f)(i)
The withholding of the information is necessary to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to members or officers or employees of any local authority

**Urban Development
Authorities Discussion
Document**
Section 7(2)(f)(i)

Public Art Advisory Group
Section 7(2)(b)(ii)

Section 7(2)(b)(ii)

**Grants Scheme Minutes
and Decisions**
Section 7(2)(a)& 7(2)(f)(i)

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.

Section 7(2)(a)
The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons.”

MOTION CARRIED

10 READMITTANCE OF THE PUBLIC

Proposed Clr Wills
Seconded Clr O'Reilly

“That the public be readmitted to the meeting.”

MOTION CARRIED

The meeting concluded at 4.10pm.

Chairperson

TIMARU DISTRICT COUNCIL
FOR THE MEETING OF 27 JUNE 2017

Report for Agenda Item No 8

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

Functions Attended by the Mayor

- | | |
|---------------|--|
| <i>1 May</i> | Attended Z Energy 'Good in the Hood' promotion |
| <i>2 May</i> | Attended Standing Committee meetings
Attended District Plan workshop |
| <i>3 May</i> | Spoke to Roncalli College students
Met with Ministry of Education representative
Attended 4G Roll out update in Christchurch |
| <i>8 May</i> | Met with MP Jo Goodhew
Attended public meeting on Theatre Royal |
| <i>9 May</i> | Attended Bylaw workshop
Conducted citizenship ceremony
Chaired Council meeting |
| <i>10 May</i> | Addressed Geraldine High School assembly |
| <i>11 May</i> | Chaired Safer Communities Committee meeting
Attended initial screening of new promotional video – Our Story |
| <i>15 May</i> | Met with Aoraki Development Board Chairman
Attended Chamber of Commerce Board meeting |
| <i>18 May</i> | Met with Hon Simon Bridges MP |
| <i>19 May</i> | Presented St Johns South Canterbury District Awards in Geraldine |
| <i>23 May</i> | Opened new Geraldine public toilets
Attended Long Term Plan workshop |
| <i>24 May</i> | Attended AD Hally Trust meeting
Attended Pareora community meeting |
| <i>25 May</i> | Radio interview
Attended Mayoral Forum function |
| <i>26 May</i> | Hosted Canterbury Mayoral Forum in Timaru
Attended Civil Defence Emergency Management Group meeting |
| <i>27 May</i> | Attended YMCA New Zealand National Convention |

<i>29 May</i>	Attended Conflict of Interest seminar
<i>30 May</i>	Attended Arowhenua Marae function
<i>31 May</i>	Radio interview
<i>1 June</i>	Chaired TDHL meeting
<i>2 June</i>	Attended meeting regarding Ara Polytechnic
<i>7 June</i>	Hosted Clean Air workshop with ECan Addressed Benvenue Probus Club
<i>9 June</i>	Attended farewell function for Timaru Herald Editor Opened exhibition at South Canterbury museum
<i>12 June</i>	Met with external consultant regarding civil defence issue
<i>13 June</i>	Attended Standing Committees
<i>15 June</i>	Attended Rural and Provincial Sector forum

In addition to these duties I met with 6 members of the public on issues of concern to them.

Functions Attended by the Deputy Mayor

<i>1 May</i>	Attended Orari-Temuka-Opihi-Pareora Water Zone Committee meeting
<i>3 June</i>	Spoke at the Timaru Municipal Brass Band 150 th anniversary celebration
<i>12 June</i>	Attended Orari-Temuka-Opihi-Pareora Water Zone Committee meeting

Functions Attended by Councillors on Behalf of the Mayor

<i>19 May</i>	Clr Wills presented an award at the SC Sports Awards
<i>14 June</i>	Clr Parker attended Elder Abuse Community Forum Clr O'Reilly attended Temuka Lions Club anniversary tree planting

Recommendation

That the report be received and noted.

TIMARU DISTRICT COUNCIL
FOR THE MEETING OF 27 JUNE 2017

Report for Agenda Item No 9

Schedule of Functions Attended by the Chief Executive

Functions Attended by the Chief Executive

<i>1 May</i>	Met with media representatives
<i>2 May</i>	Attended Standing Committee meetings Attended District Plan workshop
<i>4 May</i>	Met with PrimePort Timaru Ltd Chief Executive
<i>5 May</i>	Met with ECan Regional Manager for Timaru
<i>8 May</i>	Attended Chief Executives Forum Attended Civil Defence Emergency Management Group meeting Attended public meeting on the Theatre Royal
<i>9 May</i>	Attended Bylaw workshop Attended citizenship ceremony Attended Council meeting
<i>11 May</i>	Met with Aoraki Development Chief Executive Attended initial screening of promotional video – Our Story
<i>15 May</i>	Attended Chamber of Commerce Board meeting
<i>17 May</i>	Met with Alpine Energy Ltd Chief Executive Attended Business Leaders Health and Safety Forum
<i>23 May</i>	Attended opening of new Geraldine public toilets Attended Long Term Plan workshop Attended Pleasant Point Community Board meeting
<i>24 May</i>	Health and Safety Committee site visit Attended Business After 5 function
<i>25 May</i>	Attended Mayoral Forum function
<i>26 May</i>	Attended Mayoral Forum Attended Civil Defence Emergency Management Group meeting Attended Resource Legislation Amendment Act seminar
<i>30 May</i>	Attended Arowhenua Marae function

<i>1 June</i>	Attended TDHL Board meeting
<i>2 June</i>	Attended meeting regarding Ara Polytechnic
<i>6 June</i>	Attended Audit NZ seminar
<i>7 June</i>	Attended Clean Air workshop with ECan Met with PrimePort Timaru Ltd Chief Executive
<i>9 June</i>	Attended function to farewell Timaru Herald Editor Attended South Canterbury museum exhibition opening
<i>12 June</i>	Met with external consultant regarding civil defence issue
<i>13 June</i>	Attended Standing Committee meetings Attended Long Term Plan workshop
<i>15-16 June</i>	Attended Rural and Provincial Sector forum

Recommendation

That the report be received and noted.

**TIMARU DISTRICT COUNCIL
FOR THE MEETING OF 27 JUNE 2017**

Report for Agenda Item No 10

Affixing of the Common Seal

Recommendation

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

TIMARU DISTRICT COUNCIL
FOR THE MEETING OF 27 JUNE 2017

Report for Agenda 11

Prepared by **Bede Carran**
 Chief Executive

Contracts Let by the Chief Executive Under Delegated Authority

Recommendation

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

TIMARU DISTRICT COUNCIL
FOR THE MEETING OF 27 JUNE 2017

Report for Agenda Item No 13

Prepared by **Tina Rogers**
 Group Manager Corporate Services

Code of Conduct of Elected Members Policy

Purpose of Report

- 1 The purpose of this report is to present the Code of Conduct of Elected Members policy for approval. (The policy is attached).

Background

- 2 The Code of Conduct is required by the Local Government Act 2002. Schedule 7, Clause 15 states:
- “(1) A local authority must adopt a code of conduct for members of the local authority as soon as practicable after the commencement of this Act.*
- (2) The code of conduct must set out—*
- (a) understandings and expectations adopted by the local authority about the manner in which members may conduct themselves while acting in their capacity as members, including—*
- (i) behaviour toward one another, staff, and the public; and*
- (ii) disclosure of information, including (but not limited to) the provision of any document, to elected members that—*
- (A) is received by, or is in the possession of, an elected member in his or her capacity as an elected member; and*
- (B) relates to the ability of the local authority to give effect to any provision of this Act; and*
- (b) a general explanation of—*
- (i) the Local Government Official Information and Meetings Act 1987; and*
- (ii) any other enactment or rule of law applicable to members.*
- (3) A local authority may amend or replace its code of conduct, but may not revoke it without replacement.*
- (4) A member of a local authority must comply with the code of conduct of that local authority.*
- (5) A local authority must, when adopting a code of conduct, consider whether it must require a member or newly elected member to declare whether or not the member or newly elected member is an undischarged bankrupt.*
- (6) After the adoption of the first code of conduct, an amendment of the code of conduct or the adoption of a new code of conduct requires, in every case, a vote in support of the amendment of not less than 75% of the members present.*

(7) To avoid doubt, a breach of the code of conduct does not constitute an offence under this Act.

- 3 This policy was last adopted in February 2016. Subsequently a review of Conflicts of Interests for Elected Members and staff has been completed, and Local Government New Zealand (LGNZ) has provided guidance on Codes of Conduct. This has informed the changes that are proposed in this review. Changes to the Code of Conduct are tracked.
- 4 Changes to the Code of Conduct require support from 75% of Councillors.

Options

- 5 The options are:
- To approve the Code of Conduct as presented
 - To make amendments to the Code of Conduct.

Identification of relevant legislation, Council policy and plans

- 6 Local Government Act 2002

Assessment of Significance and Engagement

- 7 This matter is not deemed significant under the Council's Significance and Engagement Policy.

Consultation

- 8 The three Community Boards have been consulted and have recommended that the Code of Conduct be approved as presented.

Other Considerations

- 9 There are no other considerations relevant to this matter.

Funding Implications

- 10 There are no funding implications associated with the Code of Conduct.

Conclusion

- 11 The Code of Conduct has been revised based on an external review and LGNZ guidelines.

Recommendation

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

Code of Conduct for Elected Members Policy

Approved by:	Council
Date Approved:	23 February 2016
Keywords:	<i>Conduct, Behaviour, Elected Members</i>

1.0 Purpose

This code of conduct provides guidance on the standards of behaviour that are expected from the Mayor and elected members of Timaru District Council. The code applies to elected members in their dealings with:

- each other
- Council staff
- the general public
- the media.

The objective of the code is to enhance:

- the effectiveness of the council as the autonomous local authority with statutory responsibilities for the good local governance of the Timaru District
- the credibility and accountability of the council within its community
- mutual trust, respect and tolerance between the elected members as a group and between the elected members and management.

This code of conduct seeks to achieve its objectives by recording:

- an agreed statement of roles and responsibilities
- agreed general principles of conduct
- specific codes of conduct applying to particular circumstances or matters.

2.0 Background

Legislative Requirements

The Local Government Act 2002 (the Act) includes a requirement that each local authority adopt a code of conduct. Schedule 7, clause 15 of the Act is repeated as follows:

15 Code of conduct

- (1) A local authority must adopt a code of conduct for members of the local authority as soon as practicable after the commencement of this Act.

- (2) The code of conduct must set out –
 - a) understandings and expectations adopted by the local authority about the manner in which members may conduct themselves while acting in their capacity as members including –
 - i) behaviour toward one another, staff, and the public; and
 - (a) is received by, or in the possession of, an elected member in his or her capacity as an elected member; and
 - (b) relates to the ability of the local authority to give effect to any provision of this Act; and
 - b) a general explanation of –
 - i) the Local Government Official Information and Meetings Act 1987; and
 - ii) any other enactment or rule of law applicable to members.
- (3) A local authority may amend or replace its code of conduct, but may not revoke it without replacement.
- (4) A member of a local authority must comply with the code of conduct of that local authority.
- (5) A local authority must, when adopting a code of conduct, consider whether it must require a member or newly elected member to declare whether or not the member or newly elected member is an undischarged bankrupt.
- (6) After the adoption of the first code of conduct, an amendment of the code of conduct or the adoption of a new code of conduct requires, in every case, a vote in support of the amendment of not less than 75% of the members present.
- (7) To avoid doubt, a breach of the code of conduct does not constitute an offence under this Act.

Review

Once adopted, a code of conduct continues in force until amended by the council. The code can be amended at any time but cannot be revoked unless the council replaces it with another code. Once adopted, amendments to the code of conduct require a resolution supported by 75 per cent or more of the members of the council present.

Elected members are primarily accountable to the electors of the district through the democratic process. However members must note that the Auditor-General may hold them to account for unlawful actions or expenditure or for breaches of the Local Authorities (Members' Interests) Act 1968.

Legislative Summary

This is a summary of the legislative requirements that have some bearing on the duties and conduct of elected members.

Local Authority (Members' Interests) Act 1968

This Act regulates situations where a members' personal interests impinge, or could be seen as impinging on their duties as an elected member.

The Act provides that an elected member is disqualified from office if that member is concerned or interested in contracts under which payments made by or on behalf of the local authority exceed \$25,000 (including GST) in any financial year.

Additionally, elected members are prohibited from participating in any council discussion or voting on any matter in which they have a pecuniary interest, other than an interest in common with the general public. The same rules also apply where the member's spouse contracts with the authority or has a pecuniary interest.

Members may also contact the Office of the Auditor General for guidance as to whether that member has a pecuniary interest, and if so, may seek an exemption to allow that member to participate or vote on a particular issue in which they may have a pecuniary interest. The latter must be done before the discussion or vote. Approval must be from the Office of the Auditor General for contractual payments to members, their spouses or their companies that exceed the \$25,000 annual limit.

Failure to observe these requirements could also leave the elected member open to prosecution under the Local Authority (Members' Interests) Act 1968. In the event of a conviction, elected members can be ousted from office.

Local Government Official Information and Meetings Act 1987

The Local Government Official Information and Meetings Act 1987 sets out a list of meetings procedures and requirements. Of particular importance for the roles and conduct of elected members is the fact that the chair has the responsibility to maintain order at meetings, but all elected members should accept a personal responsibility to maintain acceptable standards of address and debate. No elected member should:

- create a disturbance or a distraction while another councillor is speaking
- be disrespectful when they refer to each other or other people
- use offensive language about the council, other councillors, any employee of the council or any member of the public.

Secret Commissions Act 1910

Under this Act it is unlawful for an elected member, or officers, to advise anyone to enter into a contract with a third person and receive a gift or reward from that third person as a result, or to present false receipts to council.

If convicted of any offence under this Act a person can be imprisoned for up to 2 years, or fines up to \$1000, or both. A conviction therefore would trigger the ouster provisions of the Local Government Act 2002 and result in the removal of the member from office.

Crimes Act 1961

Under this Act it is unlawful for an elected member, or officers to:

- accept or solicit for themselves, or anyone else, any gift or reward for acting or not acting in relation to the business of council
- use information gained in the course of their duties for their, or another persons, monetary gain or advantage.

These offences are punishable by a term of imprisonment. Elected members convicted of these offences will also be automatically ousted from office.

Financial Markets Conduct Act 2014

The Financial Markets Conduct Act 2013 (FMC Act) essentially places elected members in the same position as company directors whenever council offers financial products to the public. Elected members may be personally liable if investment documents contain untrue statements and may be liable for criminal prosecution if the requirements of the FMC Act are not met.

3.0 Key Definitions

Elected Member – all those members elected to the Timaru District Council and Community Boards.

4.0 Policy

4.1 General Principles

The code of conduct is based on the following general principles of good governance:

- **Accountability**
Members should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should cooperate fully and honestly with the scrutiny appropriate to their particular office.
- **Duty to uphold the law**
Members should uphold the law, and on all occasions, act in accordance with the trust the public places in them.
- **Honesty and integrity**
Members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.
- **Leadership**
Members should promote and support these principles by example, and should always endeavour to act in the best interests of the community.
- **Objectivity**
Members should make decisions on merit including making appointments, awarding contracts, or recommending individuals for rewards or benefits. **Elected members** should also note that, once elected, their primary duty is to the interests of the entire district, not the ward that elected them.

- **Openness**
Members should be as open as possible about their actions and those of the council, and should be prepared to justify their actions.
- **Personal judgment**
Members can and will take account of the views of others, but should reach their own conclusions on the issues before them, and act in accordance with those conclusions.
- **Public interest**
Members should serve only the interests of the district as a whole and should never improperly confer an advantage or disadvantage on any one person.
- **Respect for others**
Members should promote equality by not discriminating unlawfully against any person and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation, or disability. They should respect the impartiality and integrity of council staff.
- **Stewardship**
Members must ensure that the council uses resources prudently and for lawful purposes, and that the council maintains sufficient resources to meet its statutory obligations.

4.2 Roles and Responsibilities

This part of the code describes the roles and responsibilities of elected members, the additional roles of the Mayor, Deputy Mayor and Chairpersons, and the role of the Chief Executive.

Elected Members

Elected members, acting as the council, are responsible for:

- the development and adoption of council policies, plans and budgets
- monitoring the performance of the council against its stated objectives and policies
- prudent stewardship of council resources
- employment of the Chief Executive
- ensuring the council fulfils its responsibilities to be a "good employer" and meets the requirements of the Health and Safety at Work Act 2015
- representing the interests of the residents and ratepayers of the Timaru District Council. On election, the members' first responsibility is to the district as a whole.

Unless otherwise provided in the Local Government Act 2002 or in Standing Orders, the council can only act by majority decisions at meetings. Each member has one vote, provided however that the Mayor shall also have a casting vote if such vote is specifically authorised by Council's legally adopted and approved Standing Orders. Any individual member, including the Mayor, has no authority to act on behalf of the council unless the council has expressly delegated such authority.

Mayor

The Mayor is elected by the district as a whole and as one of the elected members shares the same responsibilities as other members of council. Under section 41A of the Local Government Act, the Mayor also has powers regarding leading the development of Council plans, policies and budgets, appointing a Deputy Mayor, establishing committees and appoint chairperson's to each committee.

The Mayor also has the following roles:

- A presiding member at council meetings. The Mayor is responsible for ensuring the orderly conduct of business during meetings, as determined in standing orders;
- An advocate on behalf of the community. This role may involve promoting the community and representing its interests. Such advocacy will be most effective where it is carried out with the knowledge and support of the council;
- A ceremonial head of council;
- A Justice of the Peace, while the Mayor holds office; and
- To provide leadership and feedback to other elected members on teamwork and chairmanship of committees

The Mayor must follow the same rules as other elected members about making public statements and committing the council to a particular course of action, unless acting in accordance with the rules for media contact on behalf of the council under a delegation of authority from the council.

Deputy Mayor

The Deputy Mayor must either be appointed by the Mayor or be elected by the members of council, at the first meeting of the council. The Deputy Mayor exercises the same roles as other elected members, and if the Mayor is absent or incapacitated, the Deputy Mayor must perform all of the responsibilities and duties, and may exercise the powers, of the Mayor, as summarised above. The Deputy Mayor may be removed from office by resolution of council.

Committee Chairpersons

The council may create one or more committees of council. A committee chairperson presides over all meetings of the committee, ensuring that the committee acts within the powers delegated by council, and as set out in the council's Delegations Manual.

Committee chairpersons may be called on to act as official spokesperson on a particular issue. They may be removed from office by resolution of council.

Chief Executive

The Chief Executive is appointed by the council in accordance with Section 42 of the Local Government Act 2002. The Chief Executive is responsible for implementing and managing the council's policies and objectives within the budgetary constraints established by the council. In terms of Section 42 of the Act, the responsibilities of the Chief Executive are:

- implementing the decisions of the council
- providing advice to the council and community boards

- ensuring that all responsibilities, duties and powers delegated to the Chief Executive or to any person employed by the Chief Executive, or imposed or conferred by any Act, regulation or bylaw are properly performed or exercised
- managing the activities of the local authority effectively and efficiently
- maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority
- providing leadership for the staff of the local authority
- employing staff on behalf of the local authority, including negotiation of the terms of employment for the staff of the local authority.

4.3 Relationships and Behaviours

This part of the code sets out the council's agreed standards of behaviour. Some of the matters described in this part of the code reflect other legislation such as the Local Authorities (Members' Interests) Act 1968. The majority of the code is material that the council has decided to include of its own initiative.

Relationships with Other Elected Members

Successful teamwork is a critical element in the success of any democratically elected organisation. No team will be effective unless mutual respect exists between members. With this in mind elected members will conduct their dealings with each other in ways that:

- ~~maintain public confidence in the office to which they have been elected~~
- ~~are open and honest~~
- ~~focus on issues rather than personalities~~
- ~~avoid aggressive, offensive or abusive conduct.~~
 - maintains public confidence;
 - is open and honest;
 - is courteous;
 - is focused on issues rather than personalities;
 - avoids abuse of meeting procedures, such as a pattern of unnecessary notices of motion and/or repetitious points of order; and
 - avoids aggressive, offensive or abusive conduct, including the use of disrespectful or malicious language.

Relationships with Staff

The effective performance of council also requires a high level of cooperation and mutual respect between elected members and staff. To ensure that level of cooperation and trust is maintained, elected members will:

- recognise that the Chief Executive is the employer, on behalf of council, of all council employees, and as such only the Chief Executive may hire, dismiss or instruct or censure an employee
- make themselves aware of the obligations that the council and the Chief Executive have as employers and observe those requirements at all times
- treat all employees with courtesy and respect, including the avoidance of aggressive, offensive or abusive conduct towards employees
- observe any guidelines that the Chief Executive puts in place regarding contact with employees
- not do anything which compromises, or could be seen as compromising, the impartiality of an employee
- avoid publicly criticising any employee in any way, but especially in ways that reflect on the competence and integrity of the employee
- raise concerns about employees only with the Chief Executive, and concerns about the Chief Executive only with the Mayor.

Elected members should be aware that failure to observe this portion of the code of conduct may compromise the council's obligations to act as a good employer and may expose the council to civil litigation and Office of the Auditor General audit sanctions or affect the risk assessment of council's management and governance control processes undertaken as part of the council's audit.

Relationships with the Community

Effective council decision-making depends on productive relationships between elected members and the community at large.

Members should ensure that individual citizens are accorded respect in their dealings with the council, have their concerns listened to, and deliberated on in accordance with the requirements of the Act.

Members should act in a manner that encourages and values community involvement in local democracy.

Given that the performance of the council requires the trust and respect of individual citizens, members will:

- interact with members of the public in a fair, respectful, equitable and honest manner;
- be available to listen and respond openly and honestly to community concerns;
- consider all points of view or interests when participating in debate and making decisions;
- treat members of the public in a courteous manner; and
- act in a way that upholds the reputation of the local authority.

Contact with the Media

The media plays an important part in local democracy. In order to fulfil this role the media needs access to accurate, timely information about the affairs of council. From time to time, individual members will be approached to comment on a particular issue either on behalf of council, or as an elected member in their own right. This part of the code deals with the rights and duties of councillors when speaking to the media on behalf of council, or in their own right.

The following rules apply for media contact **on behalf of council**:

- the Mayor is the first point of contact for the official view on any issue. Where the Mayor is absent, any matters will be referred to the Deputy Mayor or relevant committee chairperson
- the Mayor may refer any matter to the relevant committee chairperson or to the Chief Executive for their comment
- no other member may comment on behalf of council without having first obtained the approval of the Mayor.

Elected members are free to express a **personal view** in the media, at any time, provided the following rules are observed:

- media comments must not state or imply that they represent the views of council
- where an elected member is making a statement that is contrary to a council decision or council policy, the member must not state or imply that his or her statements represent a majority view. Media comments must observe the other requirements of the code of conduct, e.g. not disclose confidential information, or compromise the impartiality or integrity of staff
- media comments must not be misleading and should be accurate within the bounds of reasonableness.-

Confidential Information

In the course of their duties members will receive information that may need to be treated as confidential. This will generally be information that is either commercially sensitive or is personal to a particular individual or organisation.

Elected members must not use or disclose confidential information for any purpose other than the purpose for which the information was supplied to the elected member.

Members will disclose to other members and, where appropriate the chief executive, any information received in their capacity as an elected member that concerns the council's ability to give effect to its responsibilities.

Members who are offered information on the condition that it remains confidential will inform the provider of the information that it is their duty to disclose the information and will decline the offer if that duty is likely to be compromised.

Elected members should be aware that failure to observe these provisions will impede the performance of council by inhibiting information flows and undermining public confidence in the council. Failure to observe these provisions may also expose council to prosecution under the Privacy Act 1993 and/or civil litigation.

Conflicts of Interest

A conflict of interest arises when the personal interest of an Elected Member of the Council conflicts with their responsibilities as an Elected Member. Put simply, a conflict occurs where a member serves or attempts to serve two or more interests that are not compatible.

Personal interests may be pecuniary or non-pecuniary:

- **Pecuniary:**

A pecuniary interest refers to an actual or potential financial gain or loss for the person, their family, friends or close associates.

- **Non-Pecuniary:**

A non-pecuniary interest refers to an interest that is not financial or monetary but arises from such things as personal relationships, beliefs or involvement in social, cultural, religious or sporting activities.

A conflict of interest may be actual, perceived or potential:

- **Actual:**

An actual conflict of interest occurs when there is a conflict between a person's official duties and responsibilities in serving the public interest, and their personal interest.

- **Perceived:**

A perceived conflict of interest occurs when a reasonable person, knowing the facts, would consider that a conflict of interest may exist, whether or not this is the case. A perceived conflict is just as important as an actual conflict.

- **Potential:**

A potential conflict of interest occurs where a person has a personal interest that could conflict with their official duties in the future.

A conflict of interest extends to family members and close associates:

- **Family member:**

Spouse/partner, parents, siblings and children

- **Close associates**

Questions of judgement and degree arise when considering friends and other associates. Simply being acquainted with someone, or having worked with them, or having had official dealings with them, will not usually create any problem. However, a longstanding, close, or very recent association or dealing might. The key test is to consider how a reasonably informed third party would view the situation.

Elected members must be careful that they maintain a clear separation between their personal interests and their duties as an elected member. This is to ensure that people who fill positions of authority carry on their duties free from bias whether real or perceived. Members therefore need to familiarise themselves with the provisions of the Local Authorities (Members' Interests) Act 1968 which is about financial interests, and other legal requirements concerning non-financial conflicts of interest.

The Act provides that an elected member is disqualified from office, or from election to office, if that member is concerned or interested in contracts under which payments made by or on behalf of the local authority exceed \$25,000 (including GST) in any financial year.

Additionally, elected members are prohibited from participating in any council discussion or vote on any matter in which they have a pecuniary interest, other than an interest in common with the general public. The same rules also apply where the member's spouse-family member, or a close associate contracts with the authority or has a pecuniary interest. Members must declare their interests at council meetings where matters in which they have a pecuniary interest arise.

Members shall annually make a general declaration of interest as soon as practicable after becoming aware of any such interests. These declarations are recorded in a register of interests maintained by council. The declaration must notify the council of the nature and extent of any interest, including:

- any employment, trade or profession carried on by the member or the member's spouse for profit or gain
- any company, trust, partnership etc for which the member or their spouse is a director, partner, trustee or beneficiary
- the address of any land in which the member has a beneficial interest and which is in the Timaru District
- the address of any land where the landlord is the Timaru District Council and:
 - the member or their spouse is a tenant, or
 - the land is tenanted by a firm in which the member or spouse is a partner, or a company of which the member or spouse is a director, or a trust of which the member or spouse is a trustee or beneficiary
- any other matters which the public might reasonably regard as likely to influence the member's actions during the course of their duties as a member.

If the member is in any doubt as to whether or not a particular course of action (including a decision to take no action) raises a conflict of interest, then the member should seek guidance from the Chief Executive *immediately*.

Speaking broadly, there are five main actions that can be taken:

Remove: Remove the Elected Member from all involvement with the conflict;

Restrict: Restrict an Elected Member's involvement to certain tasks or responsibilities; and

Relinquish: Relinquish the private interest that is creating the conflict
Review: Review of task completed by third party
Retain: Retain the conflict (i.e. simply being aware the conflict exists but not action required) by recording in the interests register

Some situations will need to be the subject of discretionary judgements as and when they arise. Conflicts of interest sometimes cannot be avoided, and can arise without anyone at fault. But they need to be managed carefully. When a conflict arises Elected Members should contact the Chief executive immediately to discuss further action.

When exercising judgement the Council needs to consider the significance of the conflict (likelihood and consequence of the conflict occurring) and the range of mitigating options available.

Members may also contact the Office of the Auditor General for guidance as to whether that member has a pecuniary interest. If there is a pecuniary interest, the member may seek an exemption to allow that member to participate or vote on a particular issue in which they may have a pecuniary interest. The latter must be done before the discussion or vote. Approval must be sought from the Office of the Auditor General for contractual payments to members, their spouses or their companies that exceed the \$25,000 annual limit.

Failure to observe the requirements of the Local Authorities (Members' Interests) Act 1968 could potentially invalidate the particular decision made, or the action taken, by council.

Failure to observe these requirements could also leave the elected member open to prosecution under the Local Authorities (Members' Interests) Act 1968. In the event of a conviction, elected members can be ousted from office.

Non-pecuniary conflicts of interest

In addition to the issue of pecuniary interests, rules and common law govern conflicts of interest more generally. These rules apply to non-pecuniary conflicts of interest, including common law rules about bias. In order to determine if bias exists or not members need to ask:

"Is there a real danger of bias on the part of the member of the decision-making body, in the sense that he or she might unfairly regard with favour (or disfavour) the case of a party to the issue under consideration?"

The question is not limited to actual bias, but relates to the appearance or possibility of bias reflecting the principle that justice should not only be done, but should be seen to be done. Whether or not members believe they are not biased is irrelevant.

Members should focus be on the nature of the conflicting interest or relationship and the risk it could pose for the decision-making process. The most common risks of non-pecuniary bias are where:

- members' statements or conduct indicate that they have predetermined the decision before hearing all relevant information (that is, members have a "closed mind"); and
- members have a close relationship or involvement with an individual or organisation affected by the decision.

In determining whether or not they might be perceived as biased, members must also take into account the context and circumstance of the issue or question under consideration. For example, if a member has stood on a platform and been voted into office on the promise of implementing that platform then voters would have every expectation that the member would give effect to that promise, however he/she must still be seen to be open to considering new information (this may not apply to decisions made in quasi-judicial settings, such as an RMA hearing).

Standing Orders

Elected members must adhere to the standing orders adopted by council under the Local Government Act 2002.

Ethics

Timaru District Council seeks to promote the highest standards of ethical conduct amongst its elected members. Accordingly, elected members will:

- claim only for legitimate expenses as laid down by any determination of the Remuneration Authority then in force, and any lawful policy of council developed in accordance with that determination
- not influence, or attempt to influence, any council employee to take actions that may benefit the member, or the member's family or business interests
- not use council resources for personal business
- not solicit, demand, or request any gift, reward or benefit by virtue of their position
- notify the Chief Executive if gifts are accepted
- where a gift to the value of \$50.00 or more is offered to a member, immediately disclose this to the Chief Executive for inclusion in the publicly available register of interests.

Disqualification of Members from Office

Elected members are automatically disqualified from office if they are convicted of a criminal offence punishable by two or more years imprisonment, or if they cease to be or lose their status as an elector or of certain breaches of the Local Authorities (Members' Interests) Act 1968.

Undischarged Bankrupt

The Council requires a member, or newly elected member who is an undischarged bankrupt to declare that fact to the Chief Executive.

4.4 Compliance with Elected Members Code of Conduct

Compliance

Elected members must note that they are bound to comply with the provisions of this code of conduct, as stated in the Local Government Act 2002, Schedule 7, Section 15(4).

Members are also bound by the Local Government Act 2002, the Local Authorities (Members' Interests) Act 1968, the Local Government Official Information and Meetings Act 1987, the Secret Commissions Act 1910, the Crimes Act 1961 and the Financial Markets Conduct Act 2013.

The Chief Executive will ensure that an explanation of these Acts is made at the first meeting after each triennial election and that copies of these Acts are freely available to elected members.

Responses to Breaches of the Code

All alleged breaches of the code will be reported to the Mayor or Chief Executive. Any allegation of a breach of a code of conduct must be in writing, make a specific allegation of a breach of the code of conduct, and provide corroborating evidence.

The Mayor or Chief Executive will investigate the alleged breach and prepare a report for the consideration of council. Before beginning any investigation, the Mayor and Chief Executive will notify the elected member(s) in writing of the complaint and explaining when and how they will get the opportunity to put their version of events.

The council will consider the report in open meeting of council, except where the alleged breach relates to the misuse of confidential information or could impinge on the privacy of a member of staff or of the general public.

The exact nature of the action the council may take depends on the nature of the breach and whether there are statutory provisions dealing with the breach.

Where there are statutory provisions:

- breaches relating to members' interests render members liable for prosecution by the Auditor General under the Local Authority (Member's Interests) Act 1968
- breaches which result in the council suffering financial loss or damage may be reported on by the Auditor-General under the Local Government Act 2002, which may result in the member having to make good the loss or damage
- breaches as a results of the elected member committing a criminal offence may leave the elected member liable for criminal prosecution.

In these cases the council may refer an issue to the relevant body.

Any member of the public may make a complaint, or an authorised body itself may take action of its own initiative.

Where there are no statutory provisions, the council may take the following action:

- censure
- removal of the elected member from council committees and/or other representative type bodies
- dismissal of the elected member from a position as Deputy Mayor or Chairperson of a committee.

5.0 Delegations, References and Revision History					
<i>5.1 Delegations - Identify here any delegations related to the policy for it to be operative or required as a result of the policy</i>					
<i>5.2 Related Documents - Include here reference to any documents related to the policy (e.g. operating guidelines, procedures)</i>					
<i>5.3 Revision History - Summary of the development and review of the policy</i>					
5.1 Delegations					
Delegation					Delegations Register Reference
None					
5.2 References					
Title					Document Reference
5.3 Revision History					
Revision #	Policy Owner	Date Approved	Approval by	Date of next review	Document Reference
1	Group Manager Corporate Services		Council	November 2019	#829872

TIMARU DISTRICT COUNCIL
FOR THE MEETING OF 27 JUNE 2017

Report for Agenda Item No 14

Prepared by **Mark Low**
 Electoral Officer

Timaru Ward By-election 2017 - Order of Candidate Names

Purpose of Report

- 1 The purpose of this report is to seek a decision on the order in which the candidates' names are to be shown on the voting documents for the 2017 Timaru Ward By-election.

Background

- 2 Clause 31 of the Local Electoral Regulations 2001 allows the Council to resolve whether the names of candidates are to be arranged on voting documents in:
- alphabetical order of surname; or
 - pseudo-random order; or
 - random order.
- 3 Where a resolution is not made approving one of these options, the Local Electoral Regulations require that candidates' names are in alphabetical order of surname.

Options

- 4 Council has three options to decide from:

Option 1 – Alphabetical Order of Surname

- 5 This is simply listing candidates' names alphabetically by surname.

Option 2 – Pseudo-Random Order (i.e. one randomised order for all voting documents)

- 6 Candidates' surnames are randomly selected and the order selected is the order appearing in all voting documents relevant to that issue. The names are randomly selected by a method such as drawing out of a container.
- 7 If a local authority has determined that pseudo-random order is to be used, the Electoral Officer must state, in the public notice required to be given, the date, time and place at which the order of the candidates' names will be arranged. Any person is then entitled to attend while the arrangement is in progress.

Option 3 – Random Order (i.e. all voting documents have a different order)

- 8 This is where all candidate surnames are randomly selected by using computer software and the order of surnames is different on each voting document.

- 9 For the last two triennial elections, Option 3 – Random Order was adopted (all voting documents have a different order).

Identification of relevant legislation, Council policy and plans

Local Electoral Act 2001

Local Electoral Regulations 2001

Assessment of Significance and Engagement

- 10 This matter is not considered significant under the Council's Significance and Engagement Policy.

Consultation

- 11 Consultation is not required on this matter. The decision is a resolution of Council.

Other Considerations

- 12 There are no other considerations.

Funding Implications

- 13 The cost of any decision made by the Council will not have a significant effect on conducting the By-election.

Conclusion

- 14 For every election, Council has the option to choose the order in which candidate's names are to be shown on the voting document. Where no resolution is made, alphabetical order of surnames will be used.

Recommendation

That the Council considers this report and resolves accordingly.

TIMARU DISTRICT COUNCIL
FOR THE MEETING OF 27 JUNE 2017

Report for Agenda Item No 15

Prepared by **Tina Rogers**
 Group Manager Corporate Services

Delegations Manual

Purpose of Report

1. This report is to present the updated Delegations Manual (separately circulated) that has been revised to include updates since last approved in May 2016. (Note: the red and blue changes merely indicate they were made by a different person, the colours do not indicate a differentiation in type of change)

Background

2. There are many delegations that exist to enable the Council to operate effectively. These range from delegations to Council Committees and Subcommittees through to staff for financial, legislative, bylaws and other operating aspects of Council.
3. These previous delegations have been updated to reflect current committee structures, current positions and current legislative requirements. A legal review has been completed and their recommended changes have been incorporated. All changes are marked up in the manual.
4. Two delegations to the Mayor have been incorporated into the manual. These are to provide voting rights for the Mayor where the council has a voting right and to allow the Mayor to appoint Councillors on an interim basis, to organisations in the event that a Councillor ceases to hold office. The voting is to cover items such as Local Government New Zealand remits and appointments to organisations where the Council has a minor interest.
5. As described in the manual, all delegations will be reviewed after each triennial election.

Options

6. The options available are either to approve the manual as presented or make changes as considered appropriate.

Identification of relevant legislation, Council policy and plans

7. Legislation as noted in the manual.

Assessment of Significance

8. This matter is not deemed significant under the Council's Significance and Engagement Policy.

Consultation

9. Discussion has occurred internally with managers responsible for the legislative areas. A legal review has been completed.

Other Considerations

10. There are no other considerations relevant to this matter.

Funding Implications

11. There are no funding implications associated with the delegations manual.

Conclusion

12. Delegations are a vital component to the operation of the Council. Ongoing reviews are required to ensure that it is complete and considered best practice.

Recommendation

That the Delegations Manual be adopted.

TIMARU DISTRICT COUNCIL
FOR THE MEETING OF 27 JUNE 2017

Report for Agenda Item No 16

Prepared by **Mark Low**
 Corporate Planning Manager

Annual Plan 2017/18

Purpose of Report

- 1 The purpose of this report is to:
 - Present the feedback received on the 2017/18 Annual Plan.
 - Consider the adoption of the 2017/18 Annual Plan.

Background

- 2 Council is required to prepare an Annual Plan, the purpose of which is to:
 - Contain the proposed annual budget and funding impact statement for 2017/18
 - Identify any variations from the financial statements and funding impact statement contained in the LTP 2015-25
 - Provide integrated decision-making and coordination of the resources of the local authority
 - Contribute to the accountability of the local authority to the community.
- 3 The plan should outline any significant or material differences from the LTP, and contain the information prescribed in part 2 of Schedule 10 of the LGA.
- 4 Council is not required to consult on the Annual Plan if there are no significant or material differences from the LTP, but it may choose to do so.
- 5 At the 4 April 2017 meeting Council confirmed that the 2017/18 Annual Plan would not be consulted on, but that information about the plan would be distributed across the district.
- 6 An Information Publication summarising what is planned for 2017/18 and noting the minor variations from the LTP was delivered via The Courier Newspaper on Thursday 13 April to all Timaru District residents.
- 7 This publication noted that Council was not seeking submissions on the Annual Plan, but that any feedback received would be considered as part of the 2018/28 Long Term Plan development. Feedback was required by 15 May 2017.

Annual Plan Feedback

- 8 Eight items of feedback were received. Copies of the feedback, topics and officer comments relating to it are attached to this report.

Options

- 9 Section 95 of the Local Government Act 2002 requires the Council to prepare and adopt an Annual Plan for each financial year. The Plan must be adopted before the commencement of the year to which it relates.

Identification of relevant legislation, Council policy and plans

Local Government Act 2002

Timaru District Council Long Term Plan 2015-25

Assessment of Significance and Engagement

- 10 This matter is not deemed significant under the Council's Significance and Engagement Policy.

Consultation

- 11 With regard to the Annual Plan, the Special Consultative Procedure has not been used for the reasons outlined above. However, an Information Publication was delivered to all Timaru District residents.

Other Considerations

- 12 There are no other relevant considerations.

Funding Implications

- 13 There are no funding implications associated with this report.

Conclusion

- 14 The 2017/18 Annual Plan is based on Year 3 of the 2015-25 Long Term Plan. There are no significant or material differences from the Long Term Plan. In accordance with the Local Government Act, Council determined that consultation was not required. Eight items of feedback were received.

Recommendations

- 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.**

2017/18 Annual Plan Feedback and Officer Comments

Submitter: Ella Thomas

Feedback I was very disappointed to hear that the TDC was not going to go forward with its plan to upgrade the Theatre Royal this year. The Theatre Royal has been at the heart of the theatre community in Timaru for decades and it is a very important part of our town's history. Timaru is a town of sport fanatics, the high schools focus on sports, businesses support sporting events and players, for those who do not fit into this mould it is a very difficult community to grow up in. If you are not good at sports or not interested in sports there are very few opportunities for people to be involved in any community events. Music and the arts is a safe haven for those people. I have known many children who have found a purpose again - getting involved in the arts and the theatre royal really is at the centre of that - it gives those kids the opportunity to excel at something when they might have floundered and lost their way otherwise. Yes they can do things at school or at the playhouse but the feeling of performing on a big stage and seeing the large audiences and the lights and effects that are just not feasible in a smaller venue is unparalleled. Also allowing the community to experience more professional productions of dance, music and theatre to come and for these kids to watch them perform is what is going to give them the drive and the passion to work hard at something and push themselves to be better - whether that is going to be something they can use as a career or not - determination, hard work, and persistence are skills that are incredibly important for life in general and that is what they can learn. As a student growing up in Timaru I never felt that performing arts was a feasible career choice and that is why I have worked hard over the last several years to ensure that if my students want to do this as a career that they have all the support and skills needed to do this. While i understand this is a huge cost I believe that the benefits to the community as a whole far outweigh the cost and the benefits to an often forgotten part of the community are endless. I hope that next year you will think more about what you could be providing to the community.

Topic: Theatre Royal – Corporate Services

Officer Comments:

Topic	Officer Comment
Theatre Royal	Council considered major upgrading to the Theatre Royal during 2017/18 but decided it was better to take time to consider a wider view of the district's community facilities and consult fully with the community through the 2018-28 Long Term Plan process. The points raised in the 2017/18 Annual Plan feedback will be considered as part of this process.

Submitter: Susan Gilchrist

Feedback Hi, I would like to comment on the plans for the Theatre Royal. It is great to see that there are plans for refurbishing the building. On the subject of the auditorium seating - I understand the seats will be replaced and the flooring rebuilt. Are there plans to improve the view from the seating? Currently the sightlines from the seating are not great, getting worse the further back you go. It is especially bad in the back section. Suggestions for improvement would be to raise the back section and increase the rake of the entire auditorium floor as well as staggering the seating to improve sightlines.

Topic: Theatre Royal – Corporate Services

Officer Comments:

Topic	Officer Comment
Theatre Royal	The Theatre Royal upgrade will be considered as part of a wider review of the districts community facilities during the development of the 2018-28 Long Term Plan. Replacement seating is being planned, and due to new seats being wider, this will result in a seating reconfiguration. Sight lines will be considered as part of this. At this stage it is unlikely that auditorium slope will be changed due to the need to link with the foyer area.

Submitter: Ken Linscott

Feedback **Theatre Royal**

Yes, I believe Council should explore widely, taking advice from the best relevant theatre and other "events" we would like to be presented in South Canterbury / Timaru. With regard to the Theatre Royal development I note there older buildings on each side of the main building which could possibly be procured so that a larger footprint of land is available to develop a "significant" facility for the future.

Timaru Southend HW1

The eastern side of HW1 adjacent to the wetlands property could be developed and extended to improve the first viewed image of this educational/recreational resource. Provision of onsite parking for cars and busses would attract more people. Slowing down HW1 would increase safety. If Council purchased the adjacent rural 2 property owned by David Esler, value and impetus could be added to upgrading of the city central south business region. Council owning that land could alleviate the possibility of unsuitable business development there also provide for future flexibility for HW1 improvement or the bridge replacement / widening should traffic volume increase warrant. With proper planning appropriate new signage could make clear interesting "south end" historical past developments. Safe access to off road parking would benefit both school and tourist groups as would be the provision of toilet facilities. Existing sheds on the property could be adapted to suit a range of facilities. Some could be leased, others added. Funding may be available from the Governments "Cycleway" funding grants to fully develop the track on the south side of Saltwater Creek to their standard, fenced, to join Jack's Point track.

Topic:

- Theatre Royal – Corporate Services
- Timaru South End Wetlands - Parks and Recreation

Officer Comments:

Topic	Officer Comment
Theatre Royal	The Theatre Royal upgrade will be considered as part of a wider review of the districts community facilities during the development of the 2018-28 Long Term Plan. In terms of potential utilisation of neighbouring buildings, there are two buildings on the northern side of the Theatre on Stafford Street already in Council ownership. Properties at the rear of the theatre, facing onto Barnard Street, are also owned by the Council. These sites will be taken into consideration with the designs.
Parks and Recreation – Timaru South End Wetlands	The Otipua Wetland Trust are yet to decide whether to formally support this proposal. While Council could negotiate to purchase the land there would also be funds required to develop the property. The total cost would be several hundred thousand dollars and on current usage the development suggested doesn't appear to be needed. It is more of a forward thinking suggestion that would need to be prioritised against other proposals for the funding. The New Zealand Transport Agency sets speed limits on State Highways and funding for the cycleway upgrade could not be guaranteed.

Submitter: Peter Weir

Feedback I am a TDC ratepayer with land in the Te Moana Gorge area. I believe that roading provisions in the Annual Plan need to be re-prioritised to ensure that for rural residents living within 50m of any unpaved road, that a 50m strip of road be sealed either side of any dwelling when light vehicle movements exceed an average of 20 per day, or when heavy truck movements exceed an average of 10 per day over any period of 8 weeks or more, or in order that the National air quality standard - exposure to small particulates (PM10 - dust) is not breached. This issue has been highlighted in Rodney district www.stuff.co.nz/environment/91652833/unsealed-roads-cause-health-issues-in-rural-rodney. I'm aware that the LGNZ RCA forum Low Volume Roading engineers group is alert to the issue.

Topic: Criteria for Sealing Rural Roads – Roading and Footpaths

Officer Comments:

Topic	Officer Comment
Criteria for Sealing Rural Roads	Dust generated from unsealed roads is dependent on the number and type of vehicles (heavy vehicles generate more dust), and the speed of vehicles. The Timaru District Council Seal Extension policy recognises the dust generation and includes factors such as traffic volume and proximity of houses as part of the seal prioritisation methodology. The Northland study referenced in the media article studied roads with traffic volumes of over 500 vehicles per day and the dust

	<p>health effects were not conclusively determined. None of Timaru District's unsealed roads carry more than 150 vehicles per day. It is considered that short sections of sealed road along an unsealed road reduce road safety with the variable road surface, and increase road maintenance costs by restricting grading operations and having a high instance of potholing at the sealed/unsealed road interfaces. This practice is not recommended.</p> <p>In addition Council currently requires that seal extensions are supported only in exceptional circumstances and generally only 50% Council funded. Funding for this support is included in the LTP.</p>
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Submitter: Timaru Senior Citizens Association – Louise Terry

Feedback The Board of the Timaru Senior Citizens Association recently had a Meeting and we would like to bring the following to your attention for consideration at your Council Meeting.

- Members of the public, both young and older are still having problems with the slippery tiles all around the CBD.
- We would also like to ask if the time for pedestrians at the crossing at Strathallan Corner could be lengthened. Some of our elderly people are quite slow movers and they get concerned that the timer is not long enough for them to get safely across.
- Also, are all beeping warnings at the same level?
- The road outside the Harlequins Building in Church Street, has traffic that moves quite fast – could we ask for a lower road speed along here in these blocks from Grey Road and back. As you know the Harlequins Building is used by our members on a Friday, and some people are quite slow moving and it is dangerous for them to get across the road.

Thank you for considering our proposals.

Topic: Pedestrian Requirements – Roading and Footpaths

Officer Comments:

Topic	Officer Comment
Pedestrian Requirements	<ul style="list-style-type: none"> • CBD - The Timaru CBD footpath tiles have been improved to reduce slipperiness and meet appropriate standards. The cleaning regime of the tiles has recently been increased in order to improve the skid resistance. • Pedestrian crossing at Strathallan corner – This is an exclusive pedestrian phase and the time is in accordance with national standards. The time allowed should be adequate for all users, however the situation will be monitored to determine if any improvements are needed. • Church Street – This is a significant access road between the suburbs and the CBD and is also a major bus route. This road is an arterial in a road hierarchy (over 6,000 vehicles per day) and the primary function is the efficient movement of

	<p>vehicles. Speed reduction is not currently legally possible or supported.</p> <ul style="list-style-type: none"> • Harlequins Building - The use of off street parking associated with the premises is recommended or alternatively consideration could be given to using another venue in order to reduce the risk of crossing the road.
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Submitter: Environment Canterbury – Bill Bayfield

Feedback **Mayoral Forum**

We acknowledge and appreciate the Council's continuing collaboration with Environment Canterbury and other Canterbury councils in regional forums, the Canterbury Water Management Strategy and the development and implementation of the Canterbury Regional Economic Development Strategy. We note in particular Mayor Damon Odey's leadership as Deputy-Chair of the Mayoral Forum and lead Mayor for digital connectivity, and the difference this is making for our region. Your own contribution within the Chief Executives Forum is also greatly appreciated.

Canterbury Water Management Strategy

Environment Canterbury thanks the Timaru District Council for its on-going governance and leadership role and support in the Canterbury Water Management Strategy (CWMS), in particular its support for the Orari Temuka Opihi Pareora (OTOP) Zone Committee. The support and involvement of TDC staff in collaborative projects such as the Healthy Catchments Project, the Washdyke taskforce and the Saltwater Creek Working Party is much appreciated. It is desired that these productive relationships continue.

For the Healthy Catchment Project, the OTOP Zone Committee are working collaboratively to develop recommendations to deliver the Canterbury Water Management Strategy in the OTOP Zone. The technical work for this project and the community feedback has highlighted many issues and opportunities relating to water quality and quantity, biodiversity, recreation, amenity and culturally significant sites.

Timaru District Council's support in working collaboratively to develop and implement solutions to address these issues is appreciated. It is anticipated that a package of Healthy Catchment recommendations will be developed by the end of 2017. For the next round of planning Environment Canterbury encourages Council to consider how you can best support the implementation of these recommendations.

Concours electroplating site

Environment Canterbury would like to acknowledge the work of Council in collaborating with us on the clean-up of the former Concours Electroplating site. The Environment Canterbury team really appreciated Council's contribution to management of site security and safety, which will continue as the project moves into the demolition phase.

Tangata Whenua engagement

We note that there is no comment on your relationship with Ngai Tahu and your local Papatipu Runanga. We understand you are working with the

Runanga and it would be useful and positive for both the Runanga and the community to be aware of this. We hope that this will be addressed in the LTP next year.

Topic – Governance matters

Officer Comments:

Topic	Officer Comment
Mayoral Forum	Timaru District Council values the Canterbury council's regional forum and remains fully committed to this at a Mayoral, Chief Executive and officer level.
Canterbury Water Management Strategy	Timaru District Council sees real value in the CWMS and is committed to supporting the ongoing implementation of the various projects as far as it is able.
Concours Electroplating site	The collaborative work on this matter has also been appreciated by Council.
Tangata Whenua Engagement	Timaru District Council – at an elected member and officer level, has a positive working relationship with both Ngai Tahu and our local Rununga at Arowhenua. The importance of this is acknowledged in our Long Term Plan and reported in our Annual Reports. It is not considered a matter for an exceptions based Annual Plan.

Submitter: Heritage New Zealand – Jane O’Dea

- Feedback
1. Thank you for the opportunity to make a submission on the draft Timaru District draft Annual Plan 2017/18 (the Plan).
 2. **Heritage New Zealand Pouhere Taonga (Heritage New Zealand) is an autonomous Crown Entity with statutory responsibility under the Heritage New Zealand Pouhere Taonga Act 2014 for the identification, protection, preservation, and conservation of New Zealand's historic and cultural heritage. Heritage New Zealand is New Zealand's lead heritage agency.**
 3. **Heritage New Zealand wishes to highlight to the Timaru District Council (the Council) the importance of continued support for the existing Timaru Built Heritage Fund.**
 4. **Heritage New Zealand understands the financial constraints the Council faces, but would encourage the Council to consider further incentives for owners of historic heritage places to conserve, enhance and promote their heritage values. Conserving historic heritage benefits not only the owner, but has social and economic benefits for the wider community.**
 5. **Well cared for historic heritage can be fundamental to creating an engaging and vibrant region that helps draw people in. This in turn, fosters local identity and helps to build the local economy.**
 6. **Incentive funding provides an important avenue for property**

owners to undertake conservation works. In some situations, it may be the difference between a historically significant resource falling into disrepair, or it being preserved for present and future generations to engage with and learn from. As new requirements for earthquake strengthening, particularly of unreinforced masonry buildings, take effect, support for heritage building owners is even more crucial.

7. As well as the Built Heritage Protection Fund, there are a range of other incentives Council could utilise to promote the protection and conservation of historic heritage. Possible incentives include the remission of resource consent application fees for work undertaken on scheduled heritage buildings, and the provision of specialist advice to building owners. There are also regulatory incentives relating to exemptions from select district plan provisions. Such regulatory mechanisms could be considered as part of the Timaru District Plan review. Examples include reduced parking requirements for heritage buildings converted to new uses, or reduced restrictions for common uses of heritage buildings, like bed and breakfasts, in certain zones.
8. Heritage New Zealand advocates for councils to implement a range of different incentives. This helps to protect historic heritage and shows a council's commitment to the preservation of New Zealand's history
9. To assist Council in investigating heritage incentives, attached is the *Incentives for Historic Heritage Toolkit*, prepared by Heritage New Zealand.
10. Heritage New Zealand is available to answer any queries Council may have regarding this submission. We can offer further advice to Council and other owners of heritage buildings regarding heritage conservation, and would like the opportunity to be involved in the development of the next Long Term Plan.
11. Heritage New Zealand does not wish to be heard in support of this submission but would be happy to attend a hearing and answer any questions if this would be useful to the Council.

Topic: Built Heritage Incentive Funding – District Planning

Officer Comments:

Topic	Officer Comment
Built Heritage Incentive Funding	The Built Heritage Fund is provided for in the 2017/18 Annual Plan, and the Built Heritage Fund Protection policy guides how the Fund is managed. There is no intention to remove this Fund. The Built Heritage issue will again be considered as part of the 2018-28 Long Term Plan.

Submitter: South Canterbury Automobile Association - Roger Carter

Feedback The Automobile Association appreciates being given the opportunity to comment on the Timaru District Council 2017 | 2018 Annual Plan. The South Canterbury Automobile Association District Council represents the views of our local members and takes the local knowledge of the district into account when commenting on proposed roading infrastructure.

The Automobile Association wishes to see more funding allocated to roading projects to support the districts growth strategies. The annual plan needs to be developed to advocate to Government and the Transport Agency for funding protection and enhancement of the Timaru District Council roading network.

We note this is year three of the long term plan 2015 | 2025.

We note the central business district refresh has not yet been completed.

We understand this is partly to do with awaiting completion of the district town centre strategy. We consider this important to be completed in the next financial year. We also comment we would not like to see any carparks lost within this area.

We note there is over \$4.7 million to be spent on maintaining the districts road which is more than originally budgeted due to higher traffic volumes and heavier vehicles causing a number of our road services to wear out quicker than expected. We see this as an ongoing problem. We are pleased to see that Arowhenua Road is to be partly renewed as this has been brought to our attention.

We acknowledge work is being completed at the intersection of Grey Road and Elizabeth Street at the present time and there are to be changes at the intersection of State Highway One and Elizabeth Street. There have been problems which we are all well aware of since the Landing Services complex was being built. An additional problem from this development and more employees working in the district is that we have noted carparking in the surrounding streets close to central Timaru. These are employees of businesses in the area. We are making note of this but really do not know what can be done to address this matter.

We note that Wai-iti Road at the top end has become quite undulating and with the increased traffic in this area from the recent subdivisions we believe this portion of the road needs to be addressed in the near future. More particularly this is in the area between Morgans Road and Gleniti Road.

We are aware of country roads being used by heavy vehicles providing access to the farm gate. These roads were not designed for large vehicles and we note there is more deterioration on these roads which need constant attention from yourselves.

We consider the relatively recent road connecting Meadows Road through to Treneglos Street a big improvement for traffic flow within the Washdyke area and commend you on this work.

We have constant niggles with Bank Street with the parking which your staff are well aware of.

We are also pleased to see that the intersection of Church | Stafford Street is to be changed as discussed with your staff.

We are pleased we have Andrew Dickson from the council come to us on an annual basis and discuss several factors which we consider very informative and we along with himself believe it is a very good exercise to discuss some local matters.

Thank you for taking time to consider our submission and we look forward to working with you in the future.

Topics:

- **Roading and Footpaths**
 - **CBD**
 - **Maintenance of Roads**
 - **Intersections**

Officer Comments:

Topic	Officer Comment
CBD	The refresh of the Timaru District CBD area's is planned for 2017/18 with the rural townships being completed first. Consultation will be getting underway soon and needs including parking will be considered as part of this process.
Maintenance of Roads	We are preparing a comprehensive evidence based bid for increased financial assistance from NZTA for the districts road maintenance and renewals programme that supports the economic growth and increasing heavy vehicles on the network. The Timaru District Activity Management Plan for Roothing will also focus on this area of growth. The support for the renewal of Arowhenua Road is noted. The roughness of Waiti Road west of Morgans Road is due to a Utility trench and not increasing traffic. Although the ride is rougher than desirable, the pavement and sealed surface has a remaining life of approximately 5 years. When the road is due for resurfacing, a smooth AC surface will be used thereby eliminating the undulations.
Intersections	Support for the new roundabout at Elizabeth St and Grey Road is noted. The car parking in this area is being reviewed and it is planned to increase short term on street time restricted parking. The intersection layout changes for the Church Stafford intersection will be completed soon.

**TIMARU DISTRICT COUNCIL
FOR THE MEETING OF 27 JUNE 2017**

Report for Agenda Item No 17

**Prepared by Tina Rogers
Group Manager Corporate Services**

Resolution to Set Rates

Recommendation

That the attached resolution to set and assess rates for the year commencing on 1 July 2017 and ending on 30 June 2018, be adopted.

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

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
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.

TIMARU DISTRICT COUNCIL
FOR THE MEETING OF 27 JUNE 2017

Report for Agenda Item No 18

Prepared by **Bede Carran**
 Chief Executive

Receipt of Community Board and Committee Minutes

Receipt of Community Board and Committee Minutes

Recommendation

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

TIMARU DISTRICT COUNCIL
FOR THE MEETING OF 27 JUNE 2017

Report for Agenda Item No 22

Prepared by **Bede Carran**
 Chief Executive

Exclusion of the Public

Recommendation

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.