



**COUNCIL MEETING**

**Commencing at 3pm**

**on**

**Tuesday 15 September 2015**

**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 15 September 2015, at 3pm.**

The meeting will be preceded by a citizenship ceremony at 2pm.

### **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.

Peter Nixon  
**CHIEF EXECUTIVE**

## TIMARU DISTRICT COUNCIL MEETING

15 SEPTEMBER 2015

### AGENDA

<b>Item No</b>	<b>Page No</b>	
1		Opening Prayer – Kathleen MacDonald, Restoration Ministries
2		Apologies
3		Public Forum
4		Identification of Urgent Business
5		Identification of Matters of a Minor Nature
6	1	Confirmation of Minutes – Council Meeting – 11 August 2015
7	8	Schedule of Functions Attended by the Mayor and Deputy Mayor and Councillors
8	9	Schedule of Functions Attended by the Chief Executive
9	10	Affixing of the Common Seal
10	12	Amendment to South Canterbury Rural Fire District Charter
11	27	Loan Raising Programme 2015/16
12	31	Timaru District Holdings Ltd Annual Report for the Year Ended 30 June 2015 and Appointment of Proxy
13	32	Recommendation from Standing Committee - Rededication of Jellicoe Street and Kitchener Square
14	33	Receipt of Community Board and Committee Minutes
15		Consideration of Urgent Business Items
16		Consideration of Minor Nature Matters
17		Public Forum Items Requiring Consideration
18	34	Exclusion of the Public
1	35	Confirmation of Minutes – Council Meeting – 11 August 2015
2	38	Confirmation of Minutes – Tenders Subcommittee Meeting – 17 August 2015
3	41	Mid-South Canterbury Roading Collaboration
4	46	Readmittance of the Public

**TIMARU DISTRICT COUNCIL**  
**FOR THE MEETING OF 15 SEPTEMBER 2015**

**Report for Agenda Item No 6**

**Prepared by     Peter Nixon**  
**Chief Executive**

**Confirmation of Minutes – Council Meeting 11 August 2015**

---

Minutes of the August Council meeting.

**Recommendation**

**That the minutes of the Council meeting held on 11 August 2015, 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 11 AUGUST 2015 AT 1PM

**PRESENT** Mayor Damon Odey (Chairperson), Cllrs Anthony Brien (until 4.05pm), Peter Burt, Steve Earnshaw, Richard Lyon, Pat Mulvey, Kerry Stevens, Tracy Tierney and Steve Wills

**APOLOGIES** Cllr David Jack  
Noeline Clarke – Temuka Community Board  
Raewyn Hessel – Pleasant Point Community Board

**IN ATTENDANCE** Chris Fisher – Geraldine Community Board (for public part of meeting)

Chief Executive (Peter Nixon), Group Manager District Services (Ashley Harper), Group Manager Corporate Services (Tina Rogers), Group Manager Community Services (Sharon Taylor), Group Manager Regulatory Services (Chris English), Environmental Services Manager (Paul Cooper)(for item 9), District Planning Manager (Mark Geddes)(for items 7 and 10), Senior Planner (Karina Morrow) (for item 8), Council Secretary (Joanne Brownie)

**OPENING PRAYER** Chris Konings of the Timaru Presbyterian Parish, offered a prayer for the work of the Council.

#### **1 PUBLIC FORUM Trans Pacific Partnership (TPPA)**

Gerrie Ligtenberg and Janya Lobb spoke of concern at the Trans Pacific Partnership Agreement (TPPA), and referred Councillors to previously presented information on the TPPA. They are particularly concerned at the secrecy surrounding the document and the signing of an agreement that has not been made public. They presented a petition signed by 100 people, calling on the Timaru District Council to adopt a 12 point resolution as representing the public interest guidelines to national government in its negotiations on the TPP and requesting Council present copies of the petition to central government.

Another day of national action will be held at 11am on Saturday 15 August.

#### **2 CONFIRMATION OF MINUTES – COUNCIL MEETING – 23 JUNE 2015**

Proposed Cllr Stevens  
Seconded Cllr Wills

“That the minutes of the Council meeting held on 23 June 2015, excluding the public excluded items, be confirmed as a true and correct record.

MOTION CARRIED

**3 CONFIRMATION OF MINUTES – EXTRAORDINARY MEETING –  
28 JULY 2015**

Proposed Cllr Earnshaw  
Seconded Cllr Mulvey

“That the minutes of the Extraordinary Council meeting held on 28 July 2015 be confirmed as a true and correct record.”

MOTION CARRIED

**4 SCHEDULE OF FUNCTIONS ATTENDED BY THE MAYOR, DEPUTY MAYOR  
AND COUNCILLORS**

Proposed Cllr Wills  
Seconded Cllr Stevens

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

MOTION CARRIED

**5 SCHEDULE OF FUNCTIONS ATTENDED BY THE CHIEF EXECUTIVE**

Proposed Cllr Brien  
Seconded the Mayor

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

MOTION CARRIED

**SC Rural Fire District**

The Chief Executive advised that Ashburton is now interested in joining the rural fire district which currently involves Timaru, Waimate and Mackenzie. may become mid-sc. The proposal is still subject to further negotiation and the SC Rural Fire District agreeing to Ashburton joining, but if it is all agreed it is likely that the District will become the Mid South Canterbury Rural Fire District.

**Mid South Canterbury Roading Collaboration**

The Chief Executive gave a brief update on the Mid South Canterbury Roading collaboration among the 4 local authorities of Timaru, Mackenzie, Waimate and Ashburton. Progress is being made, tenders have been called and results will be awaited.

**6 AFFIXING OF THE COMMON SEAL**

Proposed Cllr Tierney  
Seconded Cllr Stevens

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

Date	Document
26 June 2015	Warrant of Appointment – Aleisha Jane Batchelor – Environmental Health Officer, Local Authority Inspector Food Act, Litter Warden, Resource Management Enforcement Officer, Dangerous and Insanitary Buildings Officer, Bylaws Officer, Sale and Supply of Alcohol Inspector
26 June 2015	Warrant of Appointment – Ian Alastair Shaw - Senior Environmental Health Officer and Resource Management Act Enforcement Officer, Local Authority Inspector Food Act, Litter Warden, Resource Management Enforcement Officer, Dangerous and Insanitary Buildings Officer, Bylaws Officer, Sale and Supply of Alcohol Inspector
14 July 2015	Warrant of Appointment – Annette Elizabeth Davidson - Environmental Health Officer, Local Authority Inspector Food Act, Litter Warden, Resource Management Enforcement Officer, Dangerous and Insanitary Buildings Officer, Bylaws Officer, Sale and Supply of Alcohol Inspector.”

MOTION CARRIED

**7 RESOURCE MANAGEMENT DELEGATIONS**

The Council considered a report by the District Planning Manager requesting a revision of the Resource Management Act instrument of delegations. Change date and spell out senior staff

Proposed Cllr Mulvey  
Seconded Cllr Burt

- “1 That this report be received.
- 2 That the Council resolves to adopt the Resource Management delegations instrument. (attached to these minutes)
- 3 That the fund criteria and guidelines for the Built Heritage Protection Fund and the Significant Natural Areas Fund are amended to state that the funds are allocated by staff (Chief Executive, Group Manager Regulatory Services, District Planning Manager).
- 4. That the District Planning Manager reports to the Resource Planning and Regulatory Committee annually in respect of the allocation of the Built Heritage Protection Fund and the Significant Natural Areas Fund.”

MOTION CARRIED

**8 TIMARU DISTRICT PRIVATE PLAN CHANGE NO.20 (MCKNIGHT BROOKFIELD ROAD)**

The Council considered a report by the Senior Planner seeking approval of the Timaru District Private Plan Change no.20 at Brookfield Road.

Proposed Clr Wills  
Seconded Clr Brien

1. "That this report is received.
2. That Timaru District Council Plan Change No.20 be approved and that Council's seal is affixed to a copy of the resolution."

MOTION CARRIED

**9 RECONSIDERATION OF AMENDED ELEMENTS OF JOINT PROVISIONAL LOCAL ALCOHOL POLICY**

The Council considered a report by the Environmental Services Manager on amended elements of the Joint Provisional Local Alcohol Policy following appeals and the recommendation by the Alcohol Regulatory and Licensing Authority (ARLA).

Clr Mulvey congratulated the Timaru Alcohol Action group for its cooperative attitude and willingness to compromise despite not achieving everything it wanted in the policy. The group thought it more important that the policy be approved for the wider benefit than the group getting everything it wished for, and Clr Mulvey commended the group for this attitude.

Proposed Clr Stevens  
Seconded Clr Burt

- 1 "That the Council adopts the amended elements of the Mackenzie, Timaru and Waimate District Council Provisional Joint Local Alcohol Policy, namely the wording to Clause 3.2.2, and the definition of a business zone and commercial zone.
- 2 That the SC Joint Local Alcohol Policy Committee meets to confirm the approach taken in a Communication Plan for the implementation of the Joint Local Alcohol Policy."

MOTION CARRIED

**10 ROAD NAME PROPOSAL**

The Council considered a report by the District Planning Manager on a road naming proposal for a subdivision at Old North Road.

Proposed Clr Wills  
Seconded Clr Burt

- 1 "That the report be received.
- 2 That the Council resolves to approval the name Mueller Drive.
- 3 That the subdivider shall pay Council for the required road name sign and its installation."

MOTION CARRIED



## 11 RECEIPT OF COMMUNITY BOARD AND COMMITTEE MINUTES

Proposed the Mayor  
Seconded Clr Earnshaw

“That the minutes of the following meetings be received:

Geraldine Community Board	8 July 2015
Community Development Committee	28 July 2015
Resource Planning and Regulation Committee	28 July 2015
Policy and Development Committee	28 July 2015.”

MOTION CARRIED

## 12 EXCLUSION OF THE PUBLIC

Proposed Clr Brien  
Seconded Clr Wills

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

### **Tenders**

Section 7(2)(b)(ii)	The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.
---------------------	---

### **Directorships**

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

### **Hearings Committee Minutes**

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

## 13 READMITTANCE OF THE PUBLIC

Proposed the Mayor  
Seconded Clr Stevens

“That the public be readmitted to the meeting.”

MOTION CARRIED

Chris Fisher returned to the meeting.

**14 PUBLIC FORUM ISSUE REQUIRING CONSIDERATION  
Trans Pacific Partnership Agreement (TPPA)**

Council considered the tabled paper and the petition which had been presented by Gerrie Ligtenberg and Janya Lobb at the public forum. It was suggested that Council should investigate what position other councils have taken in regard to the agreement.

Debate took place on whether Council should get involved, or whether it should have faith in the integrity and skills of the negotiators. It was generally agreed that if there are issues directly relating to local government, Council could hold an opinion but in all other aspects, response to the agreement should be done on an individual basis, not as an official council response.

During the meeting councillors sourced Local Government NZ's letter to the Minister of Trade in regard to the matter, and the subsequent reply. The Minister explained that the New Zealand negotiators would not sign a draft Agreement if it was in conflict with New Zealand's interests. His letter states many aspects of the Agreement will not apply directly to local government. This may change in the future, however LGNZ was assured that before any changes are made there will be full consultation with the local government sector. The Minister has offered to speak with members once negotiations have been concluded and LGNZ will take him up on that offer.

Proposed Cllr Stevens  
Seconded Cllr Lyon

"That the Council agrees to support Local Government NZ's advocacy on the Trans Pacific Partnership Agreement, noting LGNZ is maintaining a watching brief on the agreement and councils will be consulted if there are any changes to the agreement that may affect local government."

MOTION CARRIED

The meeting concluded at 4.10pm

---

Chairperson

**TIMARU DISTRICT COUNCIL**  
**FOR THE MEETING OF 15 SEPTEMBER 2015**

**Report for Agenda Item No 7**

**Prepared by Peter Nixon**  
**Chief Executive**

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

---

**Functions Attended by the Mayor**

*3 August*            Malcolm Cameron – Malcolm Charitable Trust Foundation

*5 August*            Interviewed by local radio station “Mayoral Musings” segment  
Road Transport Timaru Branch AGM

*6 August*            STP Working / Governance Group  
TDHL meeting

*11 August*           Audit and Risk Subcommittee interviews  
Council meeting

*13 August*           Interview with Canterbury Today

*17 August*           Spoke at Geraldine Ladies Probus Club meeting, Geraldine  
Economic Development Working Group meeting  
Tenders Subcommittee meeting

*23 August*           Hill 60 Commemorative Service

*25 August*           Met with Editor, Timaru Herald

*26 August*           Dinner with Primeport Board members

*27 August*           Primeport AGM  
CIAL Directions - Visitor Strategy discussion, Christchurch  
Mid-South Canterbury Rooding Collaboration Leadership Group,  
Christchurch  
Working dinner for Mayors and Chief Executives, Christchurch

***Functions Attended by Councillors on Behalf of the Mayor***

*28 August 2015*    Business Excellence Awards Gala Event - Cllr Steve Wills

**Recommendation**

**That the report be received and noted.**

**TIMARU DISTRICT COUNCIL**  
**FOR THE MEETING OF 15 SEPTEMBER 2015**

**Report for Agenda Item No 8**

**Prepared by Peter Nixon**  
**Chief Executive**

**Schedule of Functions Attended by the Chief Executive**

---

**Functions Attended by the Chief Executive**

<i>3 August</i>	Attended Chief Executive's Forum and CEG meeting
<i>5 August</i>	Met with ECan representatives regarding the Orari-Opihi-Pareora Water Zone Committee
<i>6 August</i>	Met with Alpine Energy Ltd directors
<i>7 August</i>	Attended LG Benchmarking webinar
<i>11 August</i>	Attended Audit and Risk Subcommittee meeting Attended Council meeting
<i>12 August</i>	Attended Mid South Canterbury Rooding collaboration Leadership Group meeting
<i>17 August</i>	Attended Economic Development Working Group meeting Attended Tenders Subcommittee meeting
<i>20 August</i>	Attended Aoraki Foundation function
<i>26 August</i>	Met with PrimePort Timaru Ltd directors
<i>27 August</i>	Attended PrimePort Timaru Ltd Annual General Meeting Attended Mid South Canterbury Rooding Governance meeting Attended Mayors and Chief Executives meeting
<i>28 August</i>	Attended Canterbury Mayoral Forum and Civil Defence Emergency Management Group meeting

**Recommendation**

**That the report be received and noted.**

**TIMARU DISTRICT COUNCIL**  
**FOR THE MEETING OF 15 SEPTEMBER 2015**

**Report for Agenda Item No 9**

**Prepared by - Peter Nixon**  
**Chief Executive**

**Affixing of the Common Seal**

---

**Recommendation**

**That the affixing of the Common Seal to the following documents be noted:**

<b>Date</b>	<b>Document</b>
<b>5 August 2015</b>	<b>Warrant of Appointment – Janet McRobie – Dog Control Officer, Ranger and Deputy Pound Keeper</b>
<b>24 August 2015</b>	<b>Warrant of Appointment – Senior Planner – Karina Anne Morrow – Enforcement Officer Resource Management Act</b>
<b>24 August 2015</b>	<b>Warrant of Appointment – Planning Officer – Rachel Elizabeth Grace Wilson – Enforcement Officer Resource Management Act</b>
<b>24 August 2015</b>	<b>Warrant of Appointment – Senior Planner – Kylie Marie Galbraith – Enforcement Officer Resource Management Act</b>
<b>24 August 2015</b>	<b>Warrant of Appointment – Marc Pedofsky – Enforcement Officer – Noise Control, Skateboard Bylaws, Litter Warden</b>
<b>24 August 2015</b>	<b>Warrant of Appointment – Lawrence Lombardi – Enforcement Officer – Noise Control, Skateboard Bylaws, Litter Warden</b>
<b>24 August 2015</b>	<b>Warrant of Appointment – Derek Arthur Staats – Enforcement Officer – Noise Control, Skateboard Bylaws, Litter Warden</b>
<b>24 August 2015</b>	<b>Warrant of Appointment – Alex Young – Enforcement Officer – Noise Control, Skateboard Bylaws, Litter Warden</b>

- 24 August 2015**                    **Warrant of Appointment – Colin Cameron – Enforcement Officer – Noise Control, Skateboard Bylaws, Litter Warden**
- 24 August 2015**                    **Warrant of Appointment – Hayden Leonard – Enforcement Officer – Noise Control, Skateboard Bylaws, Litter Warden**
- 24 August 2015**                    **Warrant of Appointment – Twickenham Maafus – Enforcement Officer – Noise Control, Skateboard Bylaws, Litter Warden**

**TIMARU DISTRICT COUNCIL**  
**FOR THE MEETING OF 15 SEPTEMBER 2015**

**Report for Agenda Item No 10**

**Prepared by - Chris English**  
**Group Manager Regulatory Services**

**Amendment to South Canterbury Rural Fire District Charter**

---

**Purpose of Report**

To consider a request (letter attached) by South Canterbury Rural Fire District (SCRFD) Committee for Council to agree to a change in the Charter which would increase independent members of the Committee from one to two.

**Background**

The National Rural Fire Authority (NRFA) has been actively encouraging rural fire districts to merge to create larger more efficient enlarged rural fire districts (ERFD) in New Zealand.

Although South Canterbury is already an ERFD, the NRFA's preferred model is for Canterbury to have only two ERFD's. This would require Ashburton District to join either the North Canterbury ERFD or South Canterbury's ERFD.

After considerable deliberation Ashburton District Council has made a formal request to join South Canterbury ERFD. Transitional agreements are being discussed and worked through at the present time.

The inclusion of Ashburton will result in their having a representative on the SCRFD Committee. This will change the representation dynamic of the Committee which at present is three Territorial Authorities represented on the committee and four non Territorial Authorities represented and will result in Territorial Authorities having an equal number of members as non Territorial Authorities.

The Committee wishes the status quo of Territorial Authority and non-Territorial Authority member representation to remain unchanged with the inclusion of Ashburton District Council into the SCRFD.

For this to occur a second independent Committee member is required to be appointed.

**Options**

N/A

**Identification of Relevant Legislation, Council Policy and Plans**

N/A

### **Assessment of Significance**

This issue is not deemed significant in relation to Council's overall activities or within the terms of our Significance Policy.

### **Consultation**

The SCRFD Committee is seeking the agreement of all members to change the Charter, which would result in independent member numbers increasing from one to two.

### **Funding Implications**

The addition of a second independent Committee member will have a minor impact on the budget as the Chair and independent Members do receive an honorarium.

### **Conclusion**

The SCRFD Committee, after due consideration, has concluded that its preferred governance model, with the inclusion of Ashburton District Council, is to retain the status quo of membership representation.

Currently it is three Territorial Authority members and four other members (Fire Service, DOC, independent member and Blakely Pacific which represents forest owners). For the status quo to remain when Ashburton District Council joins, a second independent member is required. This would result in four Territorial Authority members and five non territorial Authority members.

### **Recommendation**

**That Council approve the request from the SCRFD Committee to change the Charter to allow an increase in the number of independent members from one to two.**



31 August 2015

Mr Peter Nixon  
Timaru District Council  
P O Box 522  
TIMARU 7940

COPY

Dear Peter

**Re: Change of South Canterbury Rural Fire District (SCRFD) Charter**

I am writing to advise that at the meeting of the South Canterbury Rural Fire Authority held on Thursday 27 August 2015 the Committee agreed to recommend to the member organizations that the South Canterbury Rural Fire District Charter be changed.

The reason for the change is to reflect the forthcoming inclusion of Ashburton District Council as a member of the Enlarged SCRFA and the desire of the Committee to ensure that this addition to the Committee does not change the status quo of the governance structure of the Committee.

The proposed change is to Membership Clause 4.1(g). The current Charter reads:

**“One person appointed by the Committee as an independent member** with recognized governance experience, and having the same rights as other members of the Committee. The term of appointment will be in accordance with the Forest and Rural Fires Regulation 2005”

The change to Clause 4.1 (g) that is recommended by the South Canterbury Rural Fire District Committee is:

**“Two people appointed by the Committee as independent members** with recognized governance experience, and having the same rights as other members of the Committee. The term of appointments will be in accordance with the Forest and Rural Fires Regulations 2005”

The South Canterbury Rural Fire District Committee requests that Timaru District Council approve the proposed change to the Charter. Please reply in writing by the 15 September 2015.

Yours sincerely

Chris English  
**Secretary**  
**South Canterbury Rural Fire District Committee**



**DRAFT**

# **SOUTH CANTERBURY RURAL FIRE DISTRICT CHARTER**

~~2 August 2012~~

# CHARTER OF SOUTH CANTERBURY RURAL FIRE DISTRICT COMMITTEE

## 1. INTRODUCTION :

The Timaru District Council, the Mackenzie District Council and the Waimate District Council, each being a Fire Authority in its own right pursuant to the provisions of the Forest and Rural Fires Act 1977 agree to combine and establish together with the New Zealand Fire Service and the Department of Conservation and other Forest owners a Rural Fire Committee to be known as the “South Canterbury Rural Fire Committee” to administer the rural fire district known as the “South Canterbury Rural Fire District”.

## 2. INTERPRETATION:

“**the Act**” means the Forest and Rural Fires Act 1977 together with any amendments thereto, any Regulations there under and any Acts passed in substitution therefore.

“**Administration account**” means those income and expense items not identifiable to a single Local Authority and to be shared amongst members by an agreed allocation process.

“the Chairperson” means the Chairperson duly appointed in accordance with this Charter as well as any alternate Chairperson appointed in the absence of the Chairperson.

“**The Committee**” means the South Canterbury Rural Fire Committee.

“**The District**” means the South Canterbury Rural Fire District, an area which is more particularly described and shown on the current approved and gazetted map of the fire district.

“**Fire Authority**” shall have the meaning given in the Forest and Rural Fires Act 1977.

“**Forest Owners Group**” means the body that represents all forest owners contributing to the District’s funding by annual invoiced levy.

“**Local Authorities**” means the Timaru District Council (TDC), the Mackenzie District Council (MDC), the Waimate District Council (WDC).

“**Member**” and “**Members**” means those entities represented on the Committee.

“**Member Agent**” means an individual on the Committee representing a Member.

“**NRFA**” means the National Rural Fire Authority.

**“Operating account”** means all income and expenses identifiable to a single Local Authority member that are not to be shared among all the members collectively.

**“PRFO”** means the Principal Rural Fire Officer appointed by the South Canterbury Rural Fire Committee pursuant to Section 13 of the Forest and Rural Fires Act 1977.

**“Zone”** Those areas of land which have from time to time been identified by each Member as being land which is either owned by them or which they, for the purposes of this committee, have the administrative responsibility for. These zones shall be recorded in the District Fire Plan.

### **3. PURPOSE:**

3.1 The Committee shall assume and carry out the responsibilities, duties, and have the powers of a Rural Fire Committee and of a Fire Authority in the District and in accordance with the provisions of the Act and for the good of the local community in general.

### **4. MEMBERSHIP:**

4.1 The Committee shall consist of the following:

- (a) One person appointed by the Timaru District Council, in writing under the signature of the Chief Executive
- (b) One person appointed by the Mackenzie District Council, in writing under the signature of the Chief Executive
- (c) One person appointed by the Waimate District Council, in writing under the signature of the Chief Executive
- (d) One person appointed by the Department of Conservation, in writing under the signature of its Director-General
- (e) One person appointed by the New Zealand Forest Owners Association as a representative of forest owners in the District, in writing under the signature of its President
- (f) One person appointed by the New Zealand Fire Service, in writing under the signature of the Chief Executive
- (g) Two people ~~One person~~ appointed by the committee as ~~an~~ independent members with recognised governance experience, and having the same rights as other members of the Committee. The term of appointment will be in accordance with the Forest and Rural Fires Regulations 2005.

4.2 In the event of the Committee wishing to increase the number of its membership then that may only be done if the proposal receives the unanimous support of all the then current members of the Committee

and shall be upon such terms and conditions as so agreed upon and in accordance with the Act.

- 4.3 The Committee will elect a Chairperson from its membership at the Annual General Meeting of the Committee. The Committee may resolve to appoint such Chairperson for a term not exceeding three years. In the anticipated absence of such a Chairperson the Committee may appoint an alternate Chairperson to act in the capacity of Chairperson during the absence of the Chairperson.

## **5. POWERS:**

- 5.1 Pursuant to the provisions of Section 8(2) of the Act the Committee is a body corporate.
- 5.2 The Committee shall have all of the powers given to a Rural Fire Committee and a Fire Authority by statute including those set out in the Act.

## **6. MEETINGS:**

- 6.1 The Annual General Meeting of the Committee shall be held during August of each year.
- 6.2 General Meetings may also be convened at any time by the Chairperson and shall be convened by the Chairperson (subject to the requirements of notice set out in the Charter) upon his/her receiving the written request of any Member to do so.
- 6.3 At all meetings of the Committee more than 50% of Members shall form a quorum and no business shall be transacted at any meeting unless a quorum is present.
- 6.4 Notice of all Meetings, (other than those called to consider matters set out in clause 12 and 13 herein) including the Annual General Meeting, shall be conveyed or given to the Members in writing at least five working days before the date of that meeting either by forwarding such notice to the address given by that Member for notices or by facsimile to the address contained in this Charter for service of notices.
- 6.5 At each meeting all Members will have one vote. In the event of an equality of voting on any question the Chairman shall have a casting vote.
- 6.6 If any Member or Member Agent is unable to attend any meeting the Member may appoint any individual to attend a meeting of the Committee on the Member's behalf. An individual appointed as above must be treated for all purposes as a member of the Committee while attending any meeting of the Committee.

## **7. FINANCES:**

- 7.1 The Committee shall arrange for Annual Accounts to be prepared, including financial statements, showing all income and expenditure of

the Committee since the preceding statement, as well as a general statement of assets and liabilities of the Committee and such account shall be subject to audit by an auditor appointed by the Committee.

- 7.2 Draft Annual Accounts shall be presented at the August Annual General Meeting for review and approval.
- 7.3 The Committee is neither established nor operated for the profit of any Member and no money or property is to be distributed to any of its Members. Any distribution of property or money must be to another non profit organisation approved by the Committee.
- 7.4 The financial year of the Committee shall end each 30<sup>th</sup> day of June.
- 7.5 All monies received by the Committee shall be paid into such Bank Account as the Committee may from time to time direct. The account to be called the "South Canterbury Rural Fire District Committee Account". No monies shall be paid out of such account except by way of cheque or bank draft signed or authorised by any two signatories approved by the Committee in writing. The list of signatories shall be reviewed annually or sooner if required.
- 7.6 The Committee shall issue in writing the Financial Delegation limits for its officers.

## **8. FUNDING:**

- 8.1.1 The annual administrative budgeted costs of the Committee shall be provided by the Local Authorities as to 25% each and by the Forest Owners Group as to the remaining 25%.
- 8.1.2 The contributions as between the individual entities within Forest Owners Group shall be determined by apportioning on a pro rata basis each owner's area of forest as against the whole District's forest area assessed by the Committee annually.
- 8.1.3 The annual operating budgeted costs of the South Canterbury Rural Fire Committee shall be levied on the relevant Local Authority in whose district the costs are forecast.
- 8.1.4 The Committee shall arrange for a draft annual budget to be tabled in December of each year showing forecasts for the next full financial year. This budget after amendment and approval by the Committee shall be the basis of levies invoiced to Members. Invoices shall be paid by Member by the 20<sup>th</sup> of the month following invoice.
- 8.2 The Committee shall seek such other funding as may be available from time to time including funds under the National Rural Fire Authority Grant Assistance Scheme.

- 8.3 In the event of income from budgeted administrative costs levied exceeding the actual administrative costs for the accounting year then the excess shall be shared equally by the Local Authorities as a discount on their previous levies. The Forest Owners Group shall not share in the discount.

In the event of income from budgeted administrative costs levied being less than the actual administrative costs then the shortfall shall be shared equally by the Local Authorities as a surcharge on their initial levies for that year. The Forest Owners Group shall not contribute to the shortfall.

- 8.4 Each Local Authority shall have an operating account for the reporting of activities within its area. The Committee shall invoice each Local Authority net annual budgeted expenses after the Committee has approved the annual budget. Each local authority shall be due a credit note if net annual expenses are lower than budgeted. No cash refund shall be made. Each Local Authority shall be additionally invoiced if net annual expenses exceed those budgeted and already invoiced. Such invoices shall be payable by the 20<sup>th</sup> of the month following issue.

- 8.5 Where the Committee is requested to purchase assets on behalf of Local Authorities, invoices for expected project costs shall be raised before work commences. After assembly of the asset, and after receipt of any NRFA subsidy, an additional invoice or credit note shall be issued so that the appropriate Local Authority is charged the net completed cost of the asset. Such invoices shall be payable by the 20<sup>th</sup> of the month following issue.

## **9. GENERAL:**

- 9.1 The Committee shall appoint, on such terms and conditions it may from time to time decide, a Principal Rural Fire Officer in terms of the Act and may contract for services to provide for such an officer.

- 9.2 The Committee shall appoint a Secretary to keep all the necessary records and books of account and to carry out such duties and to have such powers and other duties as the Committee shall from time to time determine.

- 9.3 The Committee may employ such other person or persons as from time to time it may decide.

- 9.4 An annual report shall be prepared by the Committee and presented to the Annual General Meeting. This report shall contain the draft financial statements of the Committee for subsequent independent audit, a report on the out-puts achieved for the period reported on including those required to comply with the NRFA grant assistance scheme. This

annual report shall be provided to the Local Authorities within eight weeks of the balance date.

- 9.5 The Committee shall arrange for an Annual Business Plan and Statement of Intent to be prepared.
- 9.6 In accordance with the provisions of the Act a Fire Plan shall be prepared and approved by the Committee and also forwarded to the National Rural Fire Authority.
- 9.7 All other reports prepared by the Committee to satisfy any funding criteria during the year shall be as determined from time to time by the Committee.
- 9.8 The Members will carry out all fire control measures in accordance with the Fire Plan agreed to and meet their own cost of training, equipping and maintaining resources within their allocated areas.
- 9.9 The costs of fire suppression shall lie with the Member in whose zone of responsibility the fire originated:
  - (a) Claims for the recovery of costs associated with the control, restriction, suppression or extinction of fire within any area may be made pursuant to the provisions of the Act by the Committee.
  - (b) Eligible claims against the Rural Fire Fighting Fund pursuant to Section 46B of the Fire Service Act 1975 shall be lodged with the National Rural Fire Authority by the Committee. The costs of any deductions from such claims as applied by the National Rural Fire Authority shall be directed to the applicable funding organisation of the Rural Fire District Committee.

## **10. FOREST OWNERS GROUP:**

- 10.1 The Forest Owners Group will consist of all forest investors within the District that contribute by way of levy.
- 10.2 Forest Owners Group members will contribute to the Administration Account of the District via a levy based on the hectares assessed by the Committee.
- 10.3 Forest Owners Group members will be represented by a person appointed by the New Zealand Forest Owners Association or the National Rural Fire Authority Officer. Refer to section 4.1(e) herein.
- 10.4 Forest Owners Group members will be supplied minutes of Committee meetings on request.



**11. ALTERATION OF RULES:**

- 11.1 This Charter may be amended by the Committee recommending a change to each Member and a majority of the Members agreeing to that change in writing.

**12. DISSOLUTION:**

- 12.1 The Committee may be dissolved if a Resolution to that effect is passed by a majority present at a General Meeting of the Committee and in accordance with the Act. For any such Resolution to be presented to a General Meeting it shall be necessary for at least 21 day's written notice of the meeting and of the proposed Resolution to have been given to all Members.
- 12.2 Should the Committee be dissolved and after the satisfaction of all of the Committee's liabilities, any property then remaining, real or personal, will be distributed to another non-profit organisation or body approved of by the Committee. In meeting its liabilities it is noted that the Committee may use and hold records and assets belonging to one of the Local Authorities which in fact retains ownership of those record or assets and those records and/or assets shall be returned to that Local Authority prior to distribution of assets.

**14. ADDRESS FOR NOTICES:**

- 14.1 The address for service of notices for the Committee member agent appointed by the Timaru District Council is:  
PO Box 522  
Timaru 7940  
Fax (03) 687 7209
- 14.2 The address for service of notices for the Committee member agent appointed by the Mackenzie District Council is:  
PO Box 52  
Fairlie 7949  
Fax (03) 685 8533
- 14.3 The address for service of notices for the Committee member agent appointed by the Waimate District Council is:  
PO Box 122  
Waimate 7960  
Fax (03) 689 8075
- 14.4 The address for service of notices for the Committee member agent appointed by the New Zealand Fire Service is:  
PO Box 683  
Timaru 7940  
Fax (03) 684 1209
- 14.5 The address for service of notices for the Committee member agent appointed by the Department of Conservation is:  
Private Bag 4715  
Christchurch 8140  
Fax (03) 371 3700
- 14.6 The address for service of notices for the Committee member agent appointed by the New Zealand Forest Owners Association is:  
Blakely Pacific Limited  
PO Box 139  
Timaru 7940  
Fax (03) 688 2176
- 14.7 The address for service of notices for the Independent Director is  
79 Hunter Hills Drive  
Gleniti  
Timaru 7940

THE COMMON SEAL of the )  
**TIMARU DISTRICT COUNCIL** )  
was hereunto affixed in the )  
presence of: )

.....

.....  
Name

.....  
Title

.....  
Date

.....

.....  
Name

.....  
Title

.....  
Date

THE COMMON SEAL of the )  
**MACKENZIE DISTRICT COUNCIL** )  
was hereunto affixed in the )  
presence of: )

.....

.....  
Name

.....  
Title

.....  
Date

.....

.....  
Name

.....  
Title

.....  
Date

THE COMMON SEAL of the )  
WAIMATE DISTRICT COUNCIL )  
was hereunto affixed in the )  
presence of: )

.....

.....  
Name

.....  
Title

.....  
Date

.....

.....  
Name

.....  
Title

.....  
Date

SIGNED for and on behalf of the )  
NEW ZEALAND FIRE SERVICE )

.....

.....  
Name

.....  
Title

.....  
Date

SIGNED for and on behalf of the )  
**DIRECTOR GENERAL OF CONSERVATION** )  
by the Conservator of the )  
Canterbury Conservancy )

.....

.....  
Name

.....  
Title

.....  
Date

SIGNED for and on behalf of the )  
**NEW ZEALAND FOREST OWNERS** )  
**ASSOCIATION** )

.....

.....  
Name

.....  
Title

.....  
Date

SIGNED by the **INDEPENDENT DIRECTOR** )

.....

.....  
Name

.....  
Title

.....  
Date

**TIMARU DISTRICT COUNCIL**  
**FOR THE MEETING OF 15 SEPTEMBER 2015**

**Report for Agenda Item No 11**

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

**Loan Raising Programme 2015/16 (File L5/2)**

---

Based on the 2015/16 Annual Plan, the Council will during the course of 2015/16 raise by way of loan finance up to \$33,476,950 in new loans, including a loan for Downlands Water Supply. Of this, \$23,110,750 will be used to repay loans that are expiring. The net increase in borrowing will be \$10,366,200. Of this, \$8,391,150 relates to borrowing that was originally forecast to occur in 2014/15 but was not required due to strong cashflow at that time. At the conclusion of 2015/16, it is expected that loans outstanding will be \$99.4 million, as forecast in the 2015-25 Long Term Plan.

**New Loans**

During 2015/16 the Council is planning to raise new loans for the following purposes:

Subsidised Roding	\$ 3,325,900
Sewer upgrades	11,508,750
Urban water upgrades	926,200
Downlands Water Supply	2,625,000
Te Moana Water Supply	597,700
Solid Waste site development	4,137,800
Swimming pools (replacement loan)	3,842,300
Council Building (replacement loan)	2,743,100
Parking (replacement loan)	2,878,300
Museum	70,000
Airport (replacement loan)	479,200
Parks development	342,700
	<u><b>\$33,476,950</b></u>

The funds will be raised through the following loan:

Development loan No. 1 2015	\$30,851,950
Development Loan No. 2 2015 (DWS)	\$2,625,000

These loans will be raised via a combination of bank debt facilities, bond issuance or via the Local Government Funding Agency.

## Loan repayments

The activities where loans are expiring which will be repaid are:

Subsidised Roothing	\$ 2,245,100
Sewer	5,581,400
Te Moana Water	320,000
Urban Water	509,000
Solid Waste Operations	2,423,750
Aquatic Centre	4,810,800
Council building	3,291,700
Parks	140,000
Airport	575,000
Parking	3,214,000
	<b><u>\$23,110,750</u></b>

## Recommendations

- 1 That this report be received and noted.
- 2 That the Council adopts the attached resolution in regard to the following loan:

Development Loan No. 1 2015	\$30,851,950
Development Loan No. 2 2015 (DWS)	\$2,625,000

**TIMARU DISTRICT COUNCIL**  
("the Council")

**LOAN RESOLUTIONS**

**WHEREAS:**

- A. As required by the Local Government Act 2002 ("the Act"), the Council has adopted the funding and financial policies set out in section 102(2) of the Act, which are outlined in the Council's Long Plan ("LTP").
- B. The Council borrows as it considers appropriate and exercises its flexible and diversified borrowing powers pursuant to the Local Government Act 2002 and the Local Government Borrowing Act 2011. The Council recognises that it can essentially act as a normal corporate entity in its borrowing activities. The Council approves, by resolution, the borrowing requirement for each financial year during the LTP or Annual Planning process.
- C. It is necessary for the Council to delegate to certain Council officers, the authority to agree to precise terms and conditions of any borrowing or incidental arrangement, and any security to be given by the council.

**RESOLUTIONS**

It was therefore resolved by the Council that:

1. The Council borrows as provided in the LTP, Annual Plan and subsequent Council decisions as to any limits set out in the Liability Management policy under section 102(2)(b) of the Act.
2. Such borrowing shall be secured by the issue of Stock under the terms of the Council's Debenture Trust Deed dated 15 May 1998 (as amended 10 September 2002, 29 March 2004, 13 September 2012 and 14 February 2013) and, in the case of borrowing from the Local Government Funding Agency ("LGFA"), shall also be secured by a cross guarantee entered into by the Council on 18 February 2013 (which is entered into by all councils borrowing from the LGFA).
3. The Council has considered the risks and benefits to the Council of undertaking such borrowing and incidental arrangements, and giving such security, as provided for in the LTP and the Annual Plan.
4. The Council is satisfied that the general terms and conditions of such borrowing, incidental arrangements and security are in accordance with the Annual Plan and LTP and, in particular, the limits and guidelines set out in the Liability Management Policy and other funding and financial policies of the Council.
5. The following officers of the Council (including any replacement or successor officer):
  - Group Manager Corporate Services; and
  - Finance Manager,  
("Authorised Persons")  
be authorised to act on the Council's behalf in:



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

**THE COMMON SEAL of THE** )  
**TIMARU DISTRICT COUNCIL** )  
 was hereunto affixed by and in the )  
 presence of: )

\_\_\_\_\_

Mayor

\_\_\_\_\_

Chief Executive Officer

**TIMARU DISTRICT COUNCIL**  
**FOR THE MEETING OF 15 SEPTEMBER 2015**

**Report for Agenda Item No 12**

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

**Timaru District Holdings Ltd Annual Report for the Year Ended 30 June 2015 and Appointment of Proxy**

---

**Purpose of Report**

To present the TDHL Annual Report for the year ended 30 June 2015 (circulated separately) and to appoint a proxy to attend the TDHL Annual General Meeting.

**Background**

The Timaru District Holdings Ltd Annual General Meeting will be held on 1 October 2015.

The Council is required to appoint a proxy to attend and vote at the meeting. An alternative proxy should also be appointed in case of illness etc.

**Identification of Relevant Legislation, Council Policy and Plans**

Timaru District Holdings Ltd Constitution

**Assessment of Significance**

This matter is not deemed significant under the Council's Significance Policy

**Other Considerations**

There are no other considerations relevant to this matter.

**Recommendations**

- 1 That the TDHL Annual Report for the year ended 30 June 2015 be received and noted, and**
- 2 That a proxy (and alternative proxy) be appointed to represent the Council at TDHL's Annual General Meeting on 1 October 2015.**

**TIMARU DISTRICT COUNCIL**  
**FOR THE MEETING OF 15 SEPTEMBER 2015**

**Report for Agenda Item No 13**

**Prepared by     Andrew Dixon**  
**Land Transport Manager**

**Recommendation from Standing Committee - Rededication of Jellicoe Street and Kitchener Square**

---

Consideration of recommendations from the Resource Planning and Regulation Committee meeting of 1 September 2015 in regard to linking Jellicoe Street and Kitchener Square with World War 1 history, and a delegation of responsibility to the Committee for naming/renaming streets.

An extract from the Committee minutes follows –

*The Committee considered a report by the Land Transport Manager on a request from the SC Returned and Services Association Inc to rededicate Jellicoe Street and Kitchener Square road names as part of the World War 1 centenary commemoration. There was some reluctance at the suggestion Council might support ‘rewriting history’. An alternative position was agreed on, that the original reason for naming both the streets continue to be recognised, but the streets also be linked to the wartime efforts of Admiral Jellicoe and Lord Kitchener.*

**Recommendations**

- 1     That Jellicoe Street and Kitchener Square street names be rededicated to include the World War 1 efforts of Admiral Sir John Jellicoe as Admiral of the Fleet 1914-16 and Lord Horatio Herbert Kitchener as British Secretary of War 1914-16.**
  
- 2     That the Resource Planning and Regulation Committee be delegated authority to name/rename streets from now on.**

**TIMARU DISTRICT COUNCIL**  
**FOR THE MEETING OF 15 SEPTEMBER 2015**

**Report for Agenda Item No 14**

**Prepared by     Peter Nixon**  
**Chief Executive**

**Receipt of Community Board and Committee Minutes**

---

Minutes of Community Board and Committee Meetings

**Recommendation**

**That the minutes of the following meetings be received:**

<b>Temuka Community Board</b>	<b>17 August 2015</b>
<b>Pleasant Point Community Board</b>	<b>18 August 2015</b>
<b>Geraldine Community Board</b>	<b>19 August 2015</b>
<b>Community Development Committee</b>	<b>1 September 2015</b>
<b>Resource Planning and Regulation Committee</b>	<b>1 September 2015</b>
<b>District Services Committee</b>	<b>1 September 2015</b>
<b>Policy and Development Committee</b>	<b>1 September 2015</b>

**TIMARU DISTRICT COUNCIL**  
**FOR THE MEETING OF 15 SEPTEMBER 2015**

**Report for Agenda Item No 18**

**Prepared by**            **Peter Nixon**  
                                 **Chief Executive**

**Exclusion of the Public**

---

**Recommendation**

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

**Tenders**

Section 7(2)(b)(ii)

The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.

**Directorships**

Section 7(2)(a)

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

**Mid-South Canterbury  
Roading Collaboration**

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 (including commercial and industrial negotiations)