

# MACKENZIE DISTRICT COUNCIL

## MINUTES OF A MEETING OF THE MACKENZIE DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBERS, FAIRLIE, ON TUESDAY 12 SEPTEMBER 2006 AT 9.05 AM

### **PRESENT:**

John O'Neill	Mayor
Dave Pullen	Pukaki Ward
Simon McDermott	Pukaki Ward
Evan Williams	Opuha Ward
John Gallagher	Opuha Ward
Graeme Page	Opuha Ward

### **IN ATTENDANCE:**

Glen Innes (Chief Executive Officer)  
 Jason Beck (Manager – Finance and Administration) for parts of the meeting  
 Bernie Haar (Asset Manager) for parts of the meeting  
 Garth Nixon (Community Facilities Manager) for parts of the meeting  
 John McGartland (Solid Waste Manager) for parts of the meeting.  
 Rosemary Moran (Committee Clerk)

### **I OPENING:**

The Mayor welcomed everyone to the meeting.

### **II APOLOGY:**

Resolved that an apology be received from Cr Stringer.

**G Page /D Pullen**

### **IV MAYORAL AND MANAGEMENT REPORTS:**

#### **1. MAYORAL REPORT:**

This report from the Mayor referred to Council, Committee and Community Board meetings attended and other Activities. The Mayor noted a correction to the report, ie that he had not attended the Solid Waste Meeting in Timaru on 11 September 2006.

Resolved that the report be received.

**S McDermott /E Williams**

#### **2. CHIEF EXECUTIVE OFFICER:**

This report from the Chief Executive Officer referred to Council, Committee and Community Board meetings attended, Other Meetings and Activities, Planning and Regulatory Matters – Staffing, Plan Changes, Janet Papich Consent and Pipe Appeal, General Items including Meeting of Provincial Sectors – 17 August 2006, Regional

Council Representation Review, Civil Defence, Local Government Roadshow, Canterbury Mayoral Forum and Society of Local Government Managers Conference Nelson 3 – 5 September 2006.

Resolved that the report be received.

**E Williams/G Page**

Resolved that a working party of Cr Page and Cr Williams investigate the response of interested parties locally to the proposed review of rural fire and rescue services and develop a position for report back to Council

**D Pullen/J Gallagher**

Resolved that the Council endorses the joint territorial authority submission on the representation review conducted by the Canterbury Regional Council.

**G Page/S McDermott**

Resolved that Council confirm its attendance at the Local Government Act 2002 Roadshow in Christchurch 21 September 2006 and makes a formal submission to that hearing on its experiences with the new local government legislation.

**S McDermott/D Pullen**

3. FINANCE AND ADMINISTRATION:

This report from the Manager – Finance and Administration referred to the Rates, Annual Report Preparation, Snow Event and Staff Matters.

Resolved that the report be received.

**S McDermott/J Gallagher**

Cr Page referred to the availability of cheap generators made in China and the Asset Manager advised that information on the generators had already been acquired and would be included in a report to the Council.

4. ASSET MANAGEMENT:

This report from the Asset Manager referred to LIMS processed for 2005/06, Twizel Resource Recovery Park Resource Consent, Mackenzie Park Subdivision, Waste Minimisation (Solids) Bill, Roading, Essential Services and Solid Waste.

Resolved that the report be received.

**E Williams/D Pullen**

It was agreed that the option of using low bollard type lighting be raised with developers when they sought engineering approval from the Council for subdivisions.

It was suggested that the District plan rules with regard to lighting be reviewed to clarify the level of protection required for the night sky in the Mackenzie Basin. The Asset Manager said the engineering standards currently being worked through could also be employed to provide an improved level of protection for the night sky.

The Solid Waste Manager advised that sales of compost in recent weeks had been very strong and he was on the opinion that there would be no trouble selling the current year's yield.

## **XII ADJOURNMENT:**

The meeting was adjourned for morning tea at 10.35 am and reconvened at 10.55 am.

## **IV MAYORAL AND MANAGEMENT REPORTS (Continued):**

### **4. COMMUNITY FACILITIES:**

This report from the Community Facilities Manager referred to Twizel Upgrade, Pensioner Housing, Tekapo Township, Swimming Pools and Halls.

Resolved that the report be received.

**D Pullen/E Williams**

The Community Facilities Manager also advised that Ngai Tahu had not approved the siting of the proposed cemetery at Lake Tekapo in the Ram Paddock. He said that while the option to discuss the issue with Ngai Tahu remained open, he considered it would be prudent to pursue investigations into alternative sites.

The Mayor suggested that Ngai Tahu be requested to meet with the Council at Lake Tekapo to assist with the selection of an alternative site for the proposed cemetery.

## **V FINANCIAL REPORTS:**

### **1. FINANCIAL REPORT – JULY 2006:**

This report from the Manager - Finance and Administration was accompanied by the financial report for the Council for July 2006.

Resolved that the report be received.

**D Pullen/E Williams**

The Manager - Finance and Administration advised that he intended to circulate financial reports on a monthly basis and he invited the Councillors to contact him with any queries and/or to raise issues from the reports at the appropriate meeting.

The Manager – Finance and Administration said he intended to provide a report for the next Finance Committee meeting on the content and format of the financial reports. He invited Councillors to contact him regarding what should be included in financial reports as he was keen to ensure that they reflected what Councillors wanted to know.

## VI OTHER REPORTS:

### 1. COMMON SEAL:

This report from the Committee Clerk was accompanied by a list of documents signed under the Common Seal from 28 July to 7 September 2006.

#### Resolved:

1. That the report be received.
2. That the affixing of the Common Seal to documents numbers 530 to 533 be endorsed.  
**G Page/E Williams**

### 2. AMENDMENT TO RESOLUTION SETTING DOG FEES FOR 2006/07:

This report from the Chief Executive Officer drew attention to an error that occurred in the setting of the 2006/07 dog fees and sought appropriate remedial action.

Resolved that the report be received.

**G Page/E Williams**

#### Motion:

1. That the Council note that an administrative error was made in the original setting of fees for 2006/07
2. That after considering alternative methods of correcting this matter, Council confirm the 2006/07 registration fees for working dogs at \$40.00 for the first dog and \$9.00 for every subsequent dog.
3. That any surplus arising from this level of fees be retained in the animal control account and be used to offset registration fees in future years.

**S McDermott/D Pullen**

#### Amendment

1. That the Council note that an administrative error was made in the original setting of fees for 2006/07.
2. That after considering alternative methods of correcting this matter, Council confirm the 2006/07 registration fees for working dogs at \$40.00 for the first dog and \$9.00 for every subsequent dog.
3. That the overpayments of registration fees be retained in trust and used to offset the registration fees for rural dogs in the 2006/07 year.

**G Page/E Williams**

*(It was clarified that the intent of the amendment was that the Councillors wanted the overpayment to be returned to those who overpaid.)*

The amendment was put and carried and became the substantive motion which when put to the vote was carried.

3. PUKAKI TOILETS:

This report from the Manager - Finance and Administration set out the issues surrounding the public toilets at the Mount Cook Lookout at Lake Pukaki.

Resolved that the report be received.

**S McDermott/D Pullen**

The Community Facilities Manager was requested to obtain quotes for the installation of charging mechanisms for the toilets.

Cr Pullen undertook to obtain quotes for the upgrading of the facility.

Resolved that Crs Pullen and Gallagher in conjunction with Community Facilities Manager form a working group to progress the matter and report back to the next Operations Committee meeting on 10 October 2006 with costings.

**G Page/S McDermott**

Cr Pullen noted that bottled water was now able to be sold at the Lake Pukaki Visitor Centre. He undertook to obtain costings for supplies of bottled water and a water cooler.

4. TOWNSHIP MAINTENANCE AND INFRASTRUCTURAL SERVICES CONTRACTS:

This report from the Community Facilities Manager sought to formalise proposals agreed at workshop which considered whether or not to put the township maintenance and infrastructural services contracts out to public tender.

Resolved that the report be received.

**S McDermott E Williams**

Further consideration of the report was deferred until after the lunch adjournment.

**III BEREAVEMENTS:**

The Mayor referred to the recent deaths of Fraser Emerson, Margaret Rodgers, Ken Geere-Watson, Mrs Black, James Innes, Joseph Galambos and Mary Anne O'Farrell.

A motion of sympathy was passed and the Chief Executive Officer was directed to pass this on to those concerned.

**XII ADJOURNMENT:**

The meeting was adjourned for lunch at 12.47 pm and reconvened at 1.40 pm.

**VI OTHER REPORTS:****4. TOWNSHIP MAINTENANCE AND INFRASTRUCTURAL SERVICES CONTRACTS (continued):**

Resolved:

1. That the existing maintenance and infrastructural services contract documents be reviewed and submitted to the Operations Committee for approval.
2. That the documents be structured in such a way to enable services to be provided through:
  - a) separate township maintenance and infrastructural services contracts for the three townships, and/or
  - b) District-wide contracts for township maintenance and infrastructural services.

**J Gallagher/G Page**

Cr McDermott referred to the location of Whitestone's depots and suggested it could be an opportune time to raise the issue of the siting of the depots with Whitestone Ltd in conjunction with negotiations regarding the township maintenance and infrastructural services contracts.

Resolved that the existing township maintenance contract be rolled over on a month to month basis until new documents are finalised.

**S McDermott/E Williams**

**VII PUBLIC EXCLUDED:**

Resolved that the public be excluded from the following part of the proceedings of this meeting namely:

1. Tenders for Kerbside Collection of Solid Waste

<b><u>General subject of each matter to be considered</u></b>	<b><u>Reason for passing this resolution in relation to each matter</u></b>	<b><u>Ground(s) under Section 48(1) for the passing of this resolution</u></b>
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Tenders for Kerbside Collection of Solid Waste

To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied it

48(1)(a)(i)  
That good reason exists for not discussing the matter with the public present and is not outweighed by the public interest

This resolution is made in reliance on Section 48(1)(a)(i) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows:

*“Tenders for Kerbside Collection of Solid Waste” - To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied it. Section 7(2)(b)(ii).*

**J Gallagher /G Page**

The Council continued in Open Meeting and confirmed the following resolutions made with the Public Excluded.

**TENDERS FOR KERBSIDE COLLECTION OF SOLID WASTE:**

Resolved the contract for the Twizel Solid Waste collection be awarded to S and B Cleaners for the sum of \$22,620 plus GST.

**S McDermott/D Pullen**

Resolved that the tenders received for the kerbside collection of Solid Waste in Tekapo and Fairlie be declined and that Ashley Parris, Peter Brien, Garry Preston, Coldwater and Whitestone be invited to re tender.

**D Pullen/J Gallagher**

The Mayor convened a meeting of the Hearing Panel.

**VI OTHER REPORTS:**

5. RESOURCE CONSENT APPLICATION RM060043 – ESTABLISH FOUR OFF SITE ADVERTISING SIGNS – STATE HIGHWAY 8 TWIZEL, POPPIES CAFÉ LTD AND COUNTRY STYLE TWIZEL LTD:

This report from the Senior Planner provided a background to the issues involved in the application for resource consent.

Cr Gallagher declared his interest in the issue as the manufacturer of the signs involved and he took no further part in the hearing.

The Mayor welcomed the visitors and introduced the Hearing Panel and staff.

Kieran Walsh advised that he was the manager of one of the companies involved in the application and was representing the other directors and shareholders who were overseas.

Bruce White said he was submitting in support of the application and that he was the Chairman of the Twizel Community Board. He said he had informally consulted the other members of the Community Board who had supported the application.

Lynne Walsh introduced herself as the wife of Kieran Walsh and as a director of Poppies Café, Twizel.

John McKenzie introduced himself as a resident of the District and a submitter opposed to the application.

Ruth Cameron and Tony Spowatt introduced themselves as representatives of Transit New Zealand who opposed the application.

The Mayor explained the process for the hearing. He invited the applicant to present his evidence.

Kieran Walsh explained the application was for resource consent for four signs. He said that until recently the applicants had been unaware that two of the signs had been located on Council land. They had since been relocated to the same site as the buildings relating to the operations involved. He considered that they were no longer off-site signs.

Mr Walsh said that all the signs were now on land owned by Mackenzie Experience Ltd and the owner, Frank Hocken, wanted them to remain. He conceded that might not be possible but expressed his hope that the matter could be resolved satisfactorily for the applicants.

Mr Walsh said there was no visual access to his business for anyone travelling south on State Highway 8. The land between the State Highway and the business was rough and overgrown. He said great effort had been put into landscaping the business site but it was not visible from the road; that was the reason for the signs. He suggested that his problem was with the Council.

He also suggested that because the signs were all now located Mr Hocken's land there was no danger that consent for them would create a precedent because Mr Hocken would not allow anyone else to put signs on his land.

Mr Walsh referred to the two signs at the intersection of State Highway 8 and Ostler Road and said that it was immaterial if they had to be removed because they were now too far back from the road to be effective.

He expressed his dissatisfaction with the generic Transit signage on the State Highway and the signs in the Twizel township which he considered were unreadable, confusing and in urgent need of review. He said if people did turn off the State Highway it was difficult for them to find the facilities advertised on the generic signs.

Mr Walsh said his business was used constantly by people looking for public toilets and for a place to dispose of rubbish; it was his goodwill that allowed that. He referred to *Driver Reviver* stations and said he would be happy to work with the appropriate agency to have his business used for that purpose.

Mr Walsh said that the applicants had no wish to see a proliferation of signs in Twizel, but wanted to be able to provide some sort of indication to the site of the business to be able to conduct it properly. He suggested that if tourism was to grow there had to be some signs and he wanted just two at the southern end of the site. He noted other signs on State Highways in the area, eg at Mt Michael where there were four signs advertising the Farm Barn, and the signs advertising High Country Salmon and the Wrinkly Ram in Omarama.

He said the applicants' intention was to try and resolve the issue for the good of Twizel, the Mackenzie District and themselves.

In response to a question from the Mayor, Mr Walsh said the generic signs on the State Highway were totally inadequate because they directed people to the main part of town.

Cr Page asked Mr Walsh if he intended to remove the ineffective signs at the Ostler Road corner. Mr Walsh said that because they were on private property and on the same site as the buildings of the businesses, he would like to retain the sign identified in the application as B1 and remove the sign identified as B2.

Cr Pullen suggested that because the two signs, A2 and B2, were now on site, resource consent was no longer required for them.

The Senior Planner said that it was her interpretation of the rules that on site signs had to be sited near the activity. The A2 and B2 signs were sited some distance from the activity.

Cr McDermott noted that there was no signage north of the State Highway 8/Ostler Road intersection.

Mr Walsh said he would like to see some of the growth cleared and the area mown. He noted that it was part of the Twizel walking track.

Cr Pullen agreed that the planted area had not been maintained as it was a low priority for Community Board spending.

Cr McDermott suggested that the Transit NZ signage was ineffective because it was too generic. He noted that until recently there had been little commercial development to the south and that signs had not been adapted to address recent growth in that area. Currently the signs pointed people only in the direction of Market Place.

The Mayor asked if there were adjustment to the signs on the State Highway towards the applicant's area, would that be acceptable or practical.

Mr Walsh said it would be. He said a canvass of his customers indicated that 43% came in from the State Highway; they probably would continue driving if they could not see the business. He said during the winter the business was more visible and people were coming in to spend money in Twizel. He suggested the generic symbols signs were not effective, and that signs saying *Twizel*, *Town of Trees* would be more effective than the knife and fork symbol.

Bruce White said he was a supporter of the application. As the Chairman of the Twizel Community Board he had mentioned the issue to fellow members who had indicated they were also in support of the application. He suggested that the Hearing Panel needed to take into consideration who the movers and shakers were – the applicants or the objectors. He referred to the *Twizel* stone sign which was located on Frank Hocken's land near the southern entrance and asked if that sign had been objected to.

Cr Pullen explained that a public process had been undertaken with respect to the *Twizel* signs which had been erected on what had at the time been Crown land.

Mr White suggested that if Mr Hocken's signs had to be removed, the *Twizel* sign might also have to be taken down as it was illegally on his land. He said Mr Walsh had

established a business in the town which was going well and had still more potential. He considered the *Driver Reviver* idea was a tremendous way to get people to stop. He said the Twizel Community Board was in favour of the signs and Twizel business operators would be in favour of anything that brought business to Twizel.

Mr White suggested that the Resource Management Act 1991 was at a ridiculous stage when it allowed for objections to be made by people from outside the area. He considered that only genuine objectors from the area involved in the activity should be heard.

Tony Spowatt presented evidence on behalf of Transit NZ which is attached to this record as Appendix A.

Ruth Cameron presented evidence on behalf of Transit NZ which is attached to this record as Appendix B.

In response to a question Mr Spowatt explained that Transit NZ could provide green directional signs which identified places, blue signs which identified services and brown tourism signs which related to tourism activities – if the brown signs named specific businesses those operators were required to pay for such signs. He clarified that he had offered to work with the Council regarding issues relating to Transit's generic signs on the State Highway near Twizel. He noted that generic signs on the State Highway always need to be supported with appropriate signs on council roads in townships. He reiterated that Transit was currently considering upgrading the southern access to Twizel with a right-turn bay.

Mr Spowatt noted that the legal speed on State Highway 8 was 100 kph and the operating speed was closer to 110 kph.

Mr Spowatt and Ms Cameron went on explain safety issues with regard to signs on state highways including visibility, proliferation, legibility and permitted distances between signs. They noted that their evidence related to the application as notified.

In response to a question from Mr Walsh regarding the disproportionate number of signs on the northern approach to Twizel, Mr Spowatt said that the northern entrance had historically been promoted as the main entrance to Twizel. He noted that if it was considered appropriate to increase the significance of the southern entrance it would be appropriate to review the situation.

Mr Walsh asked if his signs were sited appropriately on private property, would they be acceptable.

Mr Spowatt said they would not as the design of the signs was not appropriate. He suggested that if the signs had appropriate lettering and were in the right location they could be approved.

Cr Page asked Mr Walsh if the offer of directional signage at the southern entrance to Twizel would be of any help.

Mr Walsh considered that if his business was visible to traffic coming from the north, he did not see any real reason for signs because people could see the café and umbrellas; visibility was not an issue for south bound traffic.

John McKenzie gave his evidence which is attached to this record as Appendix C.

He noted that he had prepared his statement on the basis of the application as notified and he was somewhat surprised that the activity had now been altered.

It was clarified that the southern-most signs referred to in the application were in fact on private property.

Cr Page asked why Mr McKenzie considered the Council had an interest in the application.

Mr McKenzie said that among other things, the Council had made a submission and as a consequence was sitting as judge and jury in the same case and it was clear that the Twizel Community Board was also represented in the submission process.

Cr McDermott questioned whether the Twizel Community Board was represented at the hearing. Mr McKenzie said he had understood that from Mr White's submission.

Mr White said he had spoken to the Board members as individuals rather than at a meeting and they had all supported the application. He said he was supporting the application and that his role was chairman of the Community Board.

Cr McDermott referred to Mr McKenzie's evidence regarding the negotiated partnership with Transit NZ and the establishment of the Mount Cook/Pukaki Lookout and Advertising Kiosk and asked if the situation still conformed to the intent of the partnership agreement.

Mr McKenzie responded that it did – probably more so. There was more directional signage for motorists. He suggested that Transit generic signage was aimed at visitors rather than local people. It was advertising appropriate for highways advising travellers that they were approaching a township and of the services which were available there.

Mr McKenzie noted that private benefit signs, for instance those on State Highway 79 advertising the Farm Barn, predated the rules in the District Plan and as such had existing use rights. He suggested that approving further signs could open the flood gates to more applications.

The Senior Planner summarised the key issues of the application. She confirmed the recommendations in the Planner's report. She said that with respect to the applicant's proposal to move some of the signs, it would be necessary to submit a new application because the activity was now subject to new rules in the District Plan. She also noted that issues of legibility would need to be considered.

The Senior Planner confirmed the view that if consent as given for the activity there would be problems with the cumulative effect. She noted that Transit NZ had undertaken to review its State Highway signs and the opportunity remained for the applicant to work

with the Twizel Community Board regarding appropriate signs within the Twizel township.

The status of signs that had existing use rights was questioned. The Senior Planner explained that all signs in the District had been photographed and the catalogue provided a benchmark against which new signs in the District were compared. That was how the signs in question, along with a number of other signs, had been identified as non-complying. Signs required ongoing monitoring. She noted that another potentially non-complying sign had been identified in Transit's evidence.

In his right of reply, Mr Walsh said he had found Mr McKenzie's evidence regarding the Pukaki Lookout advertising interesting. He said advertisers, including him, had to pay for that advertising and people who couldn't afford it were at a disadvantage.

He said he had attended the hearing with a pragmatic view and didn't want to cause trouble. As a newcomer to the area he did not want to upset anyone and just wanted to get on and see Twizel and the District grow. He believed he was helping that process. He said he shared the views expressed regarding the cumulative effect of signs, but suggested that would be regulated because of Mr Hocken's ownership of the land involved. He was certain that Mr Hocken would not let everyone erect signs on the land.

Mr Walsh reiterated his view that if the bushes and trees in front of his business were tidied up it would make a difference.

He said he was not concerned about the signs at the Ostler Road intersection because they were not effective. He had been heartened to hear that Transit NZ was looking at new generic signs. He appreciated that such things took time and that the southern entrance to Twizel had not been as important as it was now. He emphasised that it was very important to his business.

Mr Walsh said he wanted to retain the other signs and hoped that they would be approved if they were correctly sited.

Cr Pullen asked if Mr Walsh would accept a brown Transit sign advertising Poppies. Mr Walsh said he would be willing to pay for such a sign.

The Mayor thanked the applicant and the submitters for their attention.

## **XII ADJOURNMENT:**

The meeting was adjourned at 3.30 pm and reconvened at 3.48 pm.

## **PUBLIC EXCLUDED:**

Resolved that the public be excluded from the following part of the proceedings of this meeting namely:

Resource Consent Applications RM060043.

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under Section 48(1) for the passing of this resolution</b>
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RM060043

The Right of Appeal  
Lies to the Tribunal

48(1)(d)  
That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in any proceedings to which this paragraph applies.

This resolution is made in reliance on Section 48(1)(a)(i) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows: *RM060043, Objections to Condition, section 48(2)(a) (i) - A right of appeal lies to any Court or tribunal against the final decision of the local authority in these proceedings.*

**J Gallagher/D Pullen**

The Hearing Panel continued in Open Meeting and confirmed the following decisions made with the Public Excluded.

## **VI OTHER REPORTS:**

5. RESOURCE CONSENT APPLICATION RM060043 – ESTABLISH FOUR OFF SITE ADVERTISING SIGNS – STATE HIGHWAY 8 TWIZEL, POPPIES CAFÉ LTD AND COUNTRY STYLE TWIZEL LTD (Continued):

Resolved that the Council decline the application for land use consent to establish two off site commercial advertising signs at the State Highway 8/Ostler Road intersection, Twizel.

**D Pullen /E Williams**

Resolved:

1. That the application for the two commercial advertising signs on State Highway 8 approximately 900 metres to the south of the intersection of Ostler Road and State Highway 8 be declined.
2. That the Council recommend to the Twizel Community Board that the green belt at the southern entrance to Twizel be strategically pruned and that the Township signage be reviewed.
3. That the Council recommend the applicant to apply to Transit NZ for a brown tourist sign indicating his business.

**G Page/E Williams**

The Mayor concluded the meeting of the Hearing Panel and reconvened the Council meeting.

## **XII ADJOURNMENT:**

The meeting was adjourned for lunch at 12.47 pm and reconvened at 1.40 pm.

## **VIII CONFIRMATION OF MINUTES:**

Resolved that the minutes of the meeting of the Mackenzie District Council held on 1 August 2006, including such parts as were taken with the Public Excluded, be confirmed and adopted as the correct record of the meeting.

**D Pullen/E Williams**

## **IX MATTERS UNDER ACTION:**

### **53 Peace Avenue Trees**

Cr Gallagher referred to Peace Avenue trees which Alpine Energy Ltd had requested be pruned to prevent conflict with power lines. He suggested that land onto which the affected power lines could be moved might be Council reserve. He asked for it to be investigated.

## **LATE ITEM**

Resolved that pursuant to the Local Government Official Information and Meetings Act 1987 the issue "Request for Grant for "Healthy Lifestyle Roadshow" be considered.

**E Williams/J Gallagher**

The reason the issue was not included on the Agenda is because it was not available in time. Consideration of the issue at this meeting is required to enable a response to the request to be provided before the next meeting of the Council.

## **REQUEST FOR GRANT FOR THE HEALTHY LIFESTYLE ROADSHOW:**

Cr Williams reported that he had been approached by a representative of the group sponsoring the *Healthy Lifestyle Roadshow* to be held at the Mackenzie Community Centre on 24, 25 and 26 October 2006, seeking assistance towards the cost of the venue for the event.

The Mayor suggested that a recommendation be made that a gold coin donation be given by those attending the *Roadshow* to help offset the costs.

Resolved that a grant be given equal to up to 50% of the cost of hiring the Mackenzie Community Centre for the *Healthy Lifestyle Roadshow*.

**S McDermott/J Gallagher**

Cr Williams left the meeting at 3.30 pm.

## VIII COMMUNITY BOARD RECOMMENDATIONS:

This report from the Chief Executive Officer was accompanied by the minutes of the Twizel, Tekapo and Fairlie Community Board meetings of 28 August 2006, 28 August 2006 and 29 August 2006 respectively

Resolved that the report be received.

**D Pullen/S McDermott**

Resolved that the issues raised in the minutes of the Community Boards' meetings be noted and that the following recommendations be adopted:

### 1. FROM THE TWIZEL COMMUNITY BOARD:

#### a) **Grants to Kindergarten and Mistletoe Market**

That a grant of \$235 be made to the Twizel Free Kindergarten towards the rental of the community lounge and sports hall provided the hall is cleaned to the satisfaction of the TEC Manager.

That a grant of \$40 be made to the Mistletoe Market for hire of tables and chairs.

#### b) **Twizel Green Areas**

That the Twizel Community Board recommends to Council the adoption of the following policies to prevent the unauthorised private use of the Twizel green areas:

##### ***Public Vehicle access***

*No public vehicle access permitted on any Council Owned green area or tree belt in Twizel (except for authorised and emergency vehicles)*

*Trail bikes and 4 wheel all terrain vehicles are strictly prohibited*

*Temporary vehicle access may be granted from time to time for one off specific projects.*

##### ***Storage and Parking***

*The use of the town belt and greenways for the storage any material fire wood timber, trailers compost or mulch is not permitted*

##### ***Firewood***

*The collection of dead or fallen limbs from the ground is permitted. The removal of live trees or branches is strictly prohibited.*

*Permission may be granted from time to time for specific improvement projects the likes of thinning, pruning and wildling tree removal approval.*

##### ***Gates***

*Pedestrian gates providing access to green areas shall be permitted but should be no more than 1.2 metres wide and should be securely latched from the residential side.*

*Vehicle gates will not be permitted and will be progressively restored to an acceptable boundary fence with costs being apportioned as per the Fencing Act 1978*

*Costs for all pedestrian gates will be met by the resident*

*That the Twizel Community Board recommends to the Council that the policies be suitably publicised and a six week period be allowed for compliance with the new requirements.*

c) **Black Stilt Statues:**

That the Community Board supports the proposal from the Isthmus Group to locate the Black Stilts in the area bounded by the Mackenzie District Council building and the radio station/toilets.

d) **Affected Person Approval**

That the Community Board recommends to the Council that affected person approval be granted to Emily Sancha and Matt Gunn for the erection of their house within the twenty metre setback from the boundary with the adjacent walkway land.

2. FROM THE FAIRLIE COMMUNITY BOARD:

a) **Private use of Footpaths – Fairlie Township**

That it be recommended to the Council that the following policy for the use of footpaths for outdoor dining be adopted:

**Fairlie Community Board  
Policy for the Use of Footpaths for Outdoor Dining 2006**

***Purpose***

*To set guidelines and controls for the use of public footpaths for outdoor dining in Fairlie.*

***Conditions of use.***

- *That all requests for use be applied for in writing, defining the proposed area and number of tables and seating requested.*
- *That an annual licence fee of \$30 per annum be paid per application to cover administration costs.*
- *The applicant shall ensure that the presence of furniture on the footpath does not create a hazard to pedestrians or motorists.*
- *That all furniture, including signs and umbrellas not intrude into an obstacle free corridor that is 1.2 metres wide and 2.5 metres high when people are seated at the tables.*
- *That all tables and chairs be located on the building side of the footpath*
- *That alcohol only be sold for consumption on the footpath area when an appropriate liquor licence has been obtained for that area.*

- *The applicant shall ensure that the street frontage is kept clean, litter removed and spills cleaned up and washed down immediately after they occur.*

*Any approval shall be at the Community Board's pleasure with the right to terminate its approval at any time during the term of the agreement if any conditions are not adhered to or some form of serious adverse effects occur as a direct or indirect result of the presence of the approved furniture.*

*That new agreements be initiated with The Fairlie Hotel, Tui's Treats and Main Street Café for use of the footpath.*

*That it be recommended to Council that an annual licence fee be set at \$30.00.*

3. **FROM THE TEKAPO COMMUNITY BOARD:**

- a) **Mobile or Travelling Shops, Hawkers and Itinerant Traders Bylaw 1973**  
That it be recommended to the Council that hawkers, itinerant traders and mobile shops be excluded from the Open Space Heritage zone in Lake Tekapo.

That a revised Mobile or Travelling Shops, Hawkers and Itinerant Traders Bylaw retain the ability for events such as craft markets and charitable and/or fundraising events and/or food stalls held in conjunction with sports events to be held on the Tekapo Domain.

**D Pullen/S McDermott**

**XI COMMITTEES:**

Resolved that the Minutes of the meetings of the Finance Committee held on 15 August 2006, the Operations Committee held on 15 August 2006 and the Planning Committee, including such parts as were taken with the Public Excluded, held on 29 August 2006, be received and the recommendations adopted.

**D Pullen /S McDermott**

**Funding Scenarios for the Eversley Reserve Sewerage Reticulation Project:**

The Mayor suggested that the Opuha Ward Councillors peruse the report. He also asked that the Manager – Roading provide information regarding the sealing of roads in the Eversley Reserve.

**VII PUBLIC EXCLUDED**

Resolved that the public be excluded from the following part of the proceedings of this meeting namely:

1. Activity Report – Land Issues
2. Tekapo Holdings Limited
3. Sale and Purchase Agreement Talbot Street

**Reason for passing**

**Ground(s) under**

<b>General subject of each matter to be considered</b>	<b>this resolution in relation to each matter</b>	<b>Section 48(1) for the passing of this resolution</b>
1. Activity Report Land Issues	The making available of the information would be likely	That good reason exists for not discussing the matter with the public present and is not outweighed by the public interest
2. Tekapo Holdings Ltd	unreasonably to prejudice	
3. Sale and Purchase Agreement Talbot St	the commercial position of the person who supplied it	

This resolution is made in reliance on Section 48(1)(a)(i) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows: “*Activity Report Land Issues*”, “*Tekapo Holdings Ltd*” and “*Sale and Purchase Agreement Talbot Street*” - Section 7(2)(b)(ii).

**J Gallagher /D Pullen**

The Council continued in Open Meeting.

#### **IX ELECTED MEMBERS TIME:**

Cr Pullen requested that urgent attention be given to **Mr B White’s application for building consent.**

Cr Gallagher asked if the Council was able to **claim the costs of preparing the Long Term Council Community Plan and its auditing** from the government.

The Manager – Finance and Administration advised the Council that he had received a **request for grant to support disabled skiers.** It was agreed that the applicant be advised to make a formal application for consideration at a meeting of the Finance Committee.

**THERE BEING NO FURTHER BUSINESS THE  
MAYOR DECLARED THE MEETING CLOSED  
AT 5.27 .**

**MAYOR:** \_\_\_\_\_

**DATE:** \_\_\_\_\_