

MACKENZIE DISTRICT COUNCIL

MINUTES OF A MEETING OF THE MACKENZIE DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBERS, FAIRLIE, ON TUESDAY 5 DECEMBER 2006 AT 9.05 AM

PRESENT:

| | |
|-----------------|-------------|
| John O'Neill | Mayor |
| Crs Dave Pullen | Pukaki Ward |
| Simon McDermott | Pukaki Ward |
| Barry Stringer | 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
 Craig Lyon (Manager – Planning and Regulations) (for parts of the meeting)
 Rosemary Moran (Committee Clerk)

I OPENING:

The Mayor opened the meeting and welcomed Councillors and staff.

II APOLOGY:

The Mayor advised that Cr Williams had offered his apology for lateness.

III BEREAVEMENTS:

The Mayor referred to the recent death of John Shand and Brian Gilson.

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

IV MAYORAL AND MANAGEMENT REPORTS:

1. MAYORAL REPORT:

This report from the Mayor referred to Council, Committee and Community Board Meetings Attended and Activities.

Resolved that the report be received.

D Pullen /S McDermott

The Mayor advised that in addition to the meetings detailed in his report, he had attended a further meeting on 9 November 2006 with Waimate Mayor John Coles and representatives of the Downlands Water Supply. He noted that the meetings detailed for 4 December 2006 had not taken place.

Cr Williams joined the meeting at 9.17 pm.

2. CHIEF EXECUTIVE OFFICER:

This report from the Chief Executive Officer referred to Council, Committee and Community Board meetings attended, Other Meetings and Activities, Downlands Water Supply Representation, Regional Council Representation, Burkes Pass Heritage Trust and Plan Change Seven. He noted a correction to the title of his report from September/October to October/November.

Resolved that the report be received.

S McDermott/G Page

Resolved that Council's objection to the Canterbury Regional Council's review of representation be endorsed.

G Page/S McDermott

Resolved that a grant of \$475 be made from Council's Heritage Protection Fund to the Burkes Pass Heritage Trust to assist in the production of an information booklet about the Burkes Pass Cemetery as described in the application.

S McDermott/B J D Stringer

4. ASSET MANAGEMENT:

This report from the Asset Manager referred to LIMS processed for 2005/2006, Roding, Essential Services and Solid Waste.

Resolved that the report be received.

E Williams/J Gallagher

The Asset Manager undertook to provide a copy of a **Land Information Memorandum (LIM)** to Councillors as an example of the information which is provided in documents.

The Asset Manager undertook to advise Councillors of the cost of hiring the consultant to resolve the **land ownership issues regarding the Stoneleigh Bridge replacement.**

The Asset Manager noted a concern regarding the **standard of spraying of Rocky Gully Road.**

XII ADJOURNMENT:

The meeting was adjourned for morning tea at 10.10 am and was reconvened at 10.20 am.

IV MAYORAL AND MANAGEMENT REPORTS (Continued):

3. MANAGER – FINANCE AND ADMINISTRATION:

This report from the Manager – Finance and Administration advised of the key activities of the Finance and Administration Department since the last full Council meeting dated 24 October 2006 informed the Council of upcoming issues.

The Manager – Finance and Administration distributed figures showing movements in rates assessments for 2007/08 based on the new valuations with the rate requirement remaining constant.

Resolved that the report be received.

S McDermott/ D Pullen

Crs Williams and Gallagher left the meeting at 11.22 am. Cr Williams rejoined the meeting at 11.30 am. Cr Gallagher rejoined the meeting at 11.32 am.

5. COMMUNITY FACILITIES:

This report from the Community Facilities Manager referred to Market Place, Pensioner Housing, Peace Avenue Trees, Pukaki Lookout Toilets and Township Contract Renewal.

Resolved that the report be received.

B J D Stringer/G Page

Resolved if the negotiations with the Minister of Tourism and Meridian Energy Ltd regarding Council's decision to install a user-pays mechanism at the **Mt Cook Lookout Toilets** have not resolved the issues by 25 December 2006, then the user-pays mechanism be installed in January 2007.

D Pullen/G Page

The Council discussed at length the renewal of Infrastructural Services and Village Maintenance Contracts. The Mayor asked the subcommittee set up to review the contracts to provide its recommendation on a way forward at the extraordinary meeting to be held on 12 December 2006.

XII ADJOURNMENT:

The meeting was adjourned for lunch at 11.40 am and was reconvened at 1.00 pm.

IV MAYORAL AND MANAGEMENT REPORTS (Continued):

6. MANAGER – PLANNING AND REGULATIONS:

This report from the Manager – Planning and Regulations provided an update on progress with key projects within the Planning and Regulations Department for the period from 1 November 2006 to 30 November 2006.

Resolved that the report be received.

B J D Stringer/E Williams

The Council discussed the implementation of the proposed **accreditation fees regime under the new Building Act** which was perceived to be inequitable for small local authorities such as the Mackenzie. The Chief Executive Officer undertook to ensure that more information on this matter was made available to the Council.

The issue of the replacement of the motor of the **emergency generator** was discussed. Cr Stringer asked for a report on the matter to be made to the Council. The Mayor undertook to raise the issue at his imminent meeting with Whitestone Ltd.

Resolved that the Council records its appreciation of the excellent work of Planning Officer Sarah Bevin especially during the period when she was the sole officer in the Planning Department.

B J D Stringer/J Gallagher

The Mayor adjourned the meeting and welcomed representatives of Cold Water Properties Ltd. He invited them to present initial concept plans for the Lake Tekapo Village Development project.

IX PUBLIC EXCLUDED:

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

1. Lake Tekapo Village Development

| General subject of each matter to be considered | Reason for passing this resolution in relation to each matter | Ground(s) under Section 48(1) for the passing of this resolution |
|--|--|---|
| Lake Tekapo Village Development | 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:

Tekapo Village Centre. Section 7(2)(b)(ii).

S McDermott /B J D Stringer

The Council continued in Open Meeting.

XII ADJOURNMENT:

The meeting was adjourned for afternoon tea at 3.40 pm and was reconvened at 3.50 pm.

Resolved that a meeting of the Hearings Panel be convened.

E Williams/B J D Stringer

The Mayor reconvened the hearing of the D and T Fisher's application for resource consent.

APPLICATION FOR RESOURCE CONSENT RM060064 D AND T FISHER:

The Manager – Planning and Regulations expressed his concern that the information accompanying the application for the proposed subdivision was insufficient to enable the Panel to be certain about what they would be assessing. He suggested that because the site of the proposed activity was in an Outstanding Natural area near to the District's major icon, Mt Cook, it would be imprudent to make a decision with inadequate information.

Panel members expressed misgivings about the imposition of further cost on the applicants by commissioning another landscape assessment.

The Manager – Planning and Regulations explained that although the applicants' landscape consultant had acknowledged that the site was in an area of outstanding natural significance, it was considered that the landscape assessment was inadequate in that it was to assess the effects of the proposed activity because the site was currently covered with wilding trees and there was neither access to the proposed building platforms nor any means of assessing the visual impact of future buildings. He suggested that because the applicants' landscape report was deficient in this regard, to continue the process relying on that report would continue the flaw. He also pointed out that the applicants' consultant was to some degree an advocate seeking to justify and gain approval for the development. For these reasons he recommended that an independent landscape assessment be commissioned to help the Hearing Panel develop a robust decision on the application.

Resolved that the applicants be advised that the Hearing Panel requires the following further information/assistance to support resource consent application RM060064:

1. An independent landscape assessment
2. The installation of height poles to identify the proposed building sites in the subdivision
3. The clearance of reasonable access ways to each of the proposed lots in the subdivision.

B J D Stringer/D Pullen

Resolved that the Council meeting be reconvened.

D Pullen/B J D Stringer

V OTHER REPORTS:

1. COMMON SEAL:

This report from the Committee Clerk was accompanied by a list of documents signed under the Common Seal from 29 October 2006 to 29 November 2006.

Resolved:

1. That the report be received.
2. That the affixing of the Common Seal to document number 545 be endorsed.

S McDermott/J Gallagher

3. CANTERBURY WASTE JOINT COMMITTEE:

This report from the Chief Executive Officer sought to regularise certain procedural matters affecting the operation of the Canterbury Waste Joint Committee.

Resolved:

1. That the report be received.
2. That the Mackenzie District Council formally delegates to the Canterbury Waste Joint Committee:
 - All matters relating to the reduction of volumes of solid waste sent for disposal, through regional waste minimisation initiatives identified by the Canterbury Waste Joint Committee.
 - Delegation previously made to the Canterbury Joint Standing Committee and the Canterbury Waste Committee are revoked with effect from 1 July 2006.
3. That Cr Pullen be appointed as Council's representative on the Canterbury Waste Joint Committee with effect from 1 July 2006.
4. That the Canterbury Waste Joint Committee is not discharged nor are its delegations revoked following each triennial local election.

J Gallagher/E Williams

3. AMENDMENT TO THE TRIENNIAL AGREEMENT AMONG COUNCILS IN THE CANTERBURY REGION:

This report from the Chief Executive Officer was provided to enable the Council to consider an amendment to allow it to be used for consultation on the review of the Regional Policy Statement.

Resolved:

1. That the report be received.
2. That the Council agrees to amending the Triennial Agreement so that it applies to the review of the Canterbury Regional Policy Statement provided that full

consultation takes place at officer level on the implications of proposed changes for territorial authority District Plans.

B J D Stringer/E Williams

4. THE CANTERBURY REGIONAL POLICY STATEMENT:

This report from the Chief Executive Officer summarised the approach the Regional Council was favouring in updating its 1998 document.

Resolved:

1. That the report be received.

D Pullen/B J D Stringer

7. DELEGATIONS OVER THE HOLIDAY SEASON:

This report from the Chief Executive Officer referred to the prudence of delegating authority to the Mayor and Chief Executive Officer over the holiday season to act on matters that might need to be addressed urgently.

Resolved:

1. That the report be received.
2. That pursuant to the Local Government Act 2002 Sch 7 Cl 32 (1) – Delegations, the Council delegates to the Chief Executive Officer, or in his absence, any member of the management team, authority to act in conjunction with the Mayor on any matter requiring action during the period 6 December 2005 to 29 January 2006.
3. That a report of action taken under the delegated authority be made to the Council at its 30 January 2007 meeting.

S McDermott/E Williams

8. PROPOSED MEETINGS SCHEDULE:

This report from the Chief Executive Officer was accompanied by a draft schedule of meetings for 2007.

Resolved:

1. That the report be received.
2. That the following schedule of meetings for the Council, Committees and Community Boards be adopted for 2007:

1. Mackenzie District Council Meetings beginning at 9.00 am:

Tuesday 30 January 2007

Tuesday 20 March 2007

Tuesday 8 May 2007 (including the adoption of the Draft Annual Plan)

Tuesday 19 June 2007 (including the hearing of submissions to the Draft Annual Plan)

Tuesday 26 June 2007 (to adopt the Annual Plan)
 Tuesday 24 July 2007
 Tuesday 11 September 2007
 Tuesday 9 October 2007

2. Planning Committee Meetings and Hearings beginning at 9.00 am

Tuesday 13 February 2007
 Tuesday 3 April 2007
 Tuesday 15 May 2007
 Tuesday 26 June 2007
 Tuesday 14 August 2007
 Tuesday 2 October 2007

3. Finance and Operations Committee Meetings – Finance beginning at 9.00 am and Operations at 1.00 pm.

Tuesday 27 February 2007
 Tuesday 17 April 2007
 Tuesday 29 May 2007
 Tuesday 10 July 2007
 Tuesday 28 August 2007
 Tuesday 25 September 2007

4. Twizel Community Board Meetings beginning at 3.00 pm

Monday 12 February 2007
 Monday 2 April 2007
 Monday 14 May 2007
 Monday 25 June 2007
 Monday 13 August 2007
 Monday 17 September 2007

5. Tekapo Community Board Meetings beginning at 7.00 pm

Monday 12 February 2007
 Monday 2 April 2007
 Monday 14 May 2007
 Monday 25 June 2007
 Monday 13 August 2007
 Monday 17 September 2007

6. Fairlie Community Board Meetings beginning at 7.00 pm

Tuesday 20 February 2007
 Tuesday 3 April 2007
 Tuesday 15 May 2007
 Tuesday 26 June 2007
 Tuesday 7 August 2007
 Tuesday 18 September 2007

7. Local Government NZ Conference

15 to 18 July 2007 in Dunedin

8. Mayoral Forum Meetings

Monday 19 February 2007

Monday 30 April 2007

Monday 6 August 2007

Monday 1 October 2007

9. Zone Meetings

Thursday 8 March 2007

Tuesday/Wednesday 1 and 2 May 2007

Friday 14 September 2007

Friday 2 November 2007

10. Rural Sector Meetings

Thursday/Friday 22 and 23 February 2007

Thursday/Friday 22 and 23 November 2007

11 Election Day

Saturday 13 October 2007

B J D Stringer/D Pullen

Cr Pullen suggested that consideration be given to holding some 2007 Council/Committee meetings in Twizel and Lake Tekapo.

9. TOURISM AND DEVELOPMENT BOARD NOMINATIONS:

This report from the Mayor recommended nominations to fill vacancies on the Mackenzie Tourism and Development Board.

Resolved

- 1 That the report be received.
- 2 That Lesley O'Hara and Kieran Walsh be appointed to the Mackenzie Tourism and Development Board.

B J D Stringer/D Pullen

VII CONFIRMATION OF MINUTES:

Resolved that the Minutes of the meeting of the Mackenzie District Council held on 24 October 2006 be confirmed and adopted as the correct record of the meeting.

S McDermott/E Williams

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 27 and 28 November 2006 respectively

Resolved:

1. That the report be received.
2. That the issues raised in the minutes of the Community Boards' meetings be noted and that the following recommendations be adopted:

a) FROM THE TWIZEL COMMUNITY BOARD

Request for Grant to Twizel Area School:

That a grant of \$100 be made to the Twizel Area School.

Twizel Events Centre

That a Code Compliance Certificate for the Twizel Events Centre be obtained within the next six months.

Twizel Reserves

That \$10,317.08 of the Twizel Rooding Capital Reserve be transferred to the Twizel Work and Services Operating Reserve.

Twizel Greenways Policy

That the Board grants the request from Margaret Hands for a dispensation from the requirements of the policy relating to greenways in Twizel to enable her to retain her gate size on the walkway at the back of their property in North West Arch.

Requests for Donations

That a donation of \$500 be given to the Twizel Toy Library.

That a grant of \$500 be made to the Kindergarten.

That the Kindergarten be offered the redundant playground equipment for use or to sell for profit.

Signs

That two signs with red lettering on a white background indicating the Twizel Town Centre be obtained – one for each of the two entrances to Twizel from the State Highway and that the cost of the signs be \$200.00 each.

Resignation

That the Board accepts Lionel Belcher's resignation from the Board with regret and records its appreciation of his work in the Twizel community.

b) FROM THE TEKAPO COMMUNITY BOARD:**Application to Sell Paintings**

That Belinda Mataia be advised:

- to apply for a Hawkers Licence to sell paintings from the Domain
- that the community already supports an annual arts festival, and
- that the Board supports the concept of regular market days being held in the village.

Tekapo Financial Reserves

That \$5,419.50 of the Tekapo Works and Services Operating Reserve be transferred to the Overdrawn Capital Reserve for Tekapo Roding.

That \$14,683.42 of the Tekapo Works and Services Operating Reserve be transferred to the Capital Reserve for Tekapo Township.

Tree Removal on Lakeside

That the Chairman, Murray Cox, the Community Facilities Manager and the Manager – Planning and Regulations inspect the area and mark trees for removal.

Naming of Unnamed Peak

That the Board recommends to the Council that the unnamed peak with the height of 2070 m due west of Stag Saddle, coordinate E2323361 N5718649 Lat 43.43 and Lon 170.41 NZMS 260 map 1 36 (Godley) be named *Erica Peak* in recognition of the late Erica Beuzenberg's contribution to mountaineering.

c) FAIRLIE COMMUNITY BOARD:**Strathconan Pool Painting**

1. That Resene be informed of the Board's view that the Company should accept part responsibility for the failure of the paintwork because the Council proceeded with the painting of the Strathconan Swimming Pool on their advice.

Fairlie Financial Reserves

1. That \$5,967.30 of the Fairlie Works and Services Operating Reserve be transferred to the Overdrawn Capital Reserve for Fairlie Township.
2. That a grant of \$165.07 be made towards the cost of hiring the Mackenzie Community Centre for the Healthy Lifestyle Roadshow.

Fairlie Contract Review:

That Board members provide the Community Facilities Manager with any amendments to the schedules and specification in the proposed township maintenance contract.

Fairlie Water Take Draft Conditions:

That a revised Section 5 reflecting a relaxation in the restriction conditions be submitted to Environment Canterbury and that the response be brought back for consideration by the Community Board

D Pullen/B J D Stringer

Township Maintenance Contract

Resolved:

1. That the recommendation from the Tekapo Community Board that the township maintenance contract be negotiated with Whitestone Ltd as first choice be referred to the subcommittee.
2. That the schedule and specifications with the amendments proposed be recommended for adoption.

G Page/S McDermott

Resolved that the Council note the views of the Fairlie Community Board on the Strathconan Pool paint failure and that **Resene products** not be used in the District until adequate compensation is offered by Resene for the paint failure in the Strathconan Pool.

J Gallagher/G Page

Resolved that if adequate compensation is not offered by Resene within 28 days, then the issue be referred to the Department of Internal Affairs for consideration under the Consumer Guarantees Act.

D Pullen /J Gallagher

XI COMMITTEES:

Resolved that the Minutes of the meetings of the Planning Committee held on 7 November 2006, the Operations Committee held on 21 November 2006 and the Finance Committee held on 28 November 2006 be received and the recommendations adopted.

D Pullen/B J D Stringer

MATTERS ARISING:

1. **Proposed Structure for Pukaki Airfield Development:**

The Manager – Finance and Administration circulated a report of the outcome of the meeting with the directors of Mackenzie Holdings Ltd.

Resolved:

1. That the Council creates a new committee called the “Pukaki Airport Board”, with the responsibility to profitably manage the Pukaki Airport and to operate it as a public facility.
2. That subject to confirmation of the Directors of Mackenzie Holdings Limited, that the structure for the Pukaki Airport Board outlined above be adopted.
3. That the Council appoints the following to the Pukaki Airport Board
 - i. Derek Kirke
 - ii. Tim Johnston
 - iii. Rick Ramsay

- iv. Bruce Anderson
- v. One Councillor.

4. That Rick Ramsay is appointed for a further term as a Director of Mackenzie Holdings Limited.
5. That the Assets and Liabilities of Mackenzie Holdings Limited are transferred to the Mackenzie District Council as soon as practicable.
6. That the Council enters into an agreement with Westpac Limited for a Wholesale Term Loan for a period 12 months for a total of \$2,500,000.

S McDermott /D Pullen

The Manager – Finance and Administration noted that the issue of delegated authority to the Board would be the subject of a report to another meeting.

Resolved that Simon McDermott be appointed as the Council's representative on the on the Pukaki Airport Board.

The Mayor E Williams

Cr Pullen suggested that the issues of reserves and financial contributions in relation to the subdivisions at the Pukaki Airfield should be addressed.

VI PUBLIC EXCLUDED:

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

1. Public Excluded parts of the Minutes of the Mackenzie District Council meeting held on 24 October 2006
2. Public Excluded parts of the Minutes of the Planning Committee meeting held on 7 November 2006
3. Public Excluded parts of the Minutes of the Operations Committee meeting held on 21 November 2006
4. Public Excluded parts of the Minutes of the Finance Committee meeting held on 28 November 2006
5. Doctors Residence, Fairlie
6. Pensioner Housing

| General subject of each matter to be considered | Reason for passing this resolution in relation to each matter | Ground(s) under Section 48(1) for the passing of this resolution |
|---|--|---|
| 1 Mackenzie District Council PE Minutes of 24 October 2006 | | 48(1)(a)(i) |
| 2 PE Minutes of Planning Committee meeting of 7 November 2006 | | 48(1)(a)(i) |
| 3. PE Minutes of Operations Committee meeting of 21 November 2006 | | 48(1)(a)(i) |
| 4. PE Minutes of Finance Committee meeting of 28 November 2006 | | 48(1)(a)(i) |
| 5. Doctors Residence, Fairlie | Commercial Sensitivity | |

| | | |
|---------------------|---|--|
| 8 Pensioner Housing | The making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied it | 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: Doctors Residence Fairlie and Pensioner Housing - Section 7(2)(b)(ii).

E Williams/J Gallagher

The Council continued in Open Meeting.

IX ELECTED MEMBERS TIME:

1. The Mayor noted the **extraordinary meeting** to be held on Tuesday 12 December 2006 at 9.00 am.

2. Cr Page reported that 17 excellent applicants for the **Mackenzie County Scholarships** had been interviewed by the scholarship panel for 2006. He noted that the scholarships had been available for the last 14 years and said the panel Chairman, Brian Dwyer, had acknowledged with thanks Mr Allan Hubbard who continued to support the project by arranging favourable investment terms for the scholarship fund. Cr Page said he had once again enjoyed the opportunity of being a member of the scholarship assessment panel.

3. Cr McDermott offered his **apology for the extraordinary meeting** to be held on 12 December 2006.

Cr McDermott referred to the **length of Council meetings**, noting his concerns regarding the safety of members who had to drive home for up to two hours after meetings. He suggested that meetings with visitors be scheduled for days other than Council meeting days to help the situation.

The Mayor acknowledged Cr McDermott’s concerns noting that it was his intention in future to refer any items raised at Council meetings which were not on the Agenda to the relevant Council committees.

4. Cr Williams reported that he had attended a meeting of the **South Canterbury Road Safety Committee**.

**THERE BEING NO FURTHER BUSINESS THE
MAYOR DECLARED THE MEETING CLOSED
AT 6.00 PM.**

MAYOR: _____

DATE: _____