

MACKENZIE DISTRICT COUNCIL

MINUTES OF A MEETING OF THE MACKENZIE DISTRICT COUNCIL HELD AT THE COUNCIL CHAMBERS IN FAIRLIE ON TUESDAY DECEMBER 9, 2014, AT 9.30AM

PRESENT:

Claire Barlow (Mayor)
Cr Graham Smith
Cr Murray Cox
Cr James Leslie
Cr Russell Armstrong
Cr Evan Williams
Cr Noel Jackson

IN ATTENDANCE:

Wayne Barnett (Chief Executive Officer)
Paul Morris (Finance and Administration Manager)
Bernie Haar (Asset Manager)
Nathan Hole (Planning and Regulation Manager)
Toni Morrison (Senior Planner)
Garth Nixon (Community Facilities Manager)
Arlene Goss (Committee Clerk)
Daphne Chesser (Citizenship candidate)
Ganesh Kesavan and guests (Citizenship candidate)
Drew Seward and guests (Citizenship candidate)
Jennifer Cordes (Mackenzie Cenotaph Memorial Committee) - from 11am
Jack Montgomerie (Journalist, Timaru Herald)

OPENING:

The Mayor welcomed everyone to the meeting.

APOLOGIES:

Cr Noel Jackson sent an apology for lateness.

CITIZENSHIP CEREMONY:

The Mayor held a ceremony to welcome three new New Zealand citizens.
They were Daphne Chesser, Ganesh Kesavan and Drew Seward.

PRESENTATION OF BRUCE SCOTT MEMORIAL PRIZE:

This presentation was cancelled due to the prize recipient being unable to attend.

DECLARATIONS OF INTEREST:

Cr Armstrong declared a conflict of interest in an item to be discussed in public excluded session. This is further noted in those minutes.

BEREAVEMENTS:

The Mayor noted the following bereavements:

- Caitiana Mackay Beatock, died November 13, sister of the late Donald Burnett, late of Mount Cook Station.
- Roy Marshall, died November 19, husband of Glenys Marshall, late of Twizel.
- Mrs McNabb, mother of Andy and Sue McNabb of Albury.
- Eric Waters, died December 4, husband of June Waters, late of Kimbell.
- Alec Kirby, father of Di Anderson.
- Graham Palmer of Twizel.

A moment of silence was observed.

MAYOR'S REPORT:

This was the report of Mayoral activities from October 29 to December 5, 2014.

The Mayor said she didn't make it to the police parade on December 3 due to car trouble. Cr Smith said he was disappointed that he was not notified that the Twizel Public Toilets were being opened.

Cr Smith gave a report on the rural provincial meeting. He attended with the Mayor and chief executive. He provided a summary of the matters discussed at that meeting.

The Mayor also provided a report from the Canterbury Mayoral Forum workshop on Growing the Rural Economy.

Resolved that the report be received.

Evan Williams/Russell Armstrong

The meeting adjourned for morning tea at 10am and reconvened at 10.30am. New citizens and members of the public left the meeting after morning tea.

REPORTS:

CHIEF EXECUTIVE'S ACTIVITIES:

This was the report of chief executive activity from October 29 to December 5, 2014.

Cr Smith asked regarding the new managerial appointment. David Rae begins work on January 12. His title will be the projects and administration manager. He will be looking after IT, HR, filing, and one-off projects.

Resolved that the report be received.

Evan Williams/James Leslie

HERITAGE FUND APPLICATION:

The Mackenzie Cenotaph Memorial Committee has presented this application for funding to add the missing names of soldiers to the cenotaph at Fairlie.

Nathan Hole tabled an email and notes which are attached to these minutes. He said the cenotaph was a category Y heritage item and listed in the district plan. This allows the memorial committee to apply for 60% of the funding of the cost, or a maximum of \$2,500 per application. In this case only one quote came through. 60% of the quote comes in at \$2,800. He thinks it would be fine to make a retrospective grant once the work is done and an invoice is available from the contractor. The council would normally do an inspection to ensure the work has been done to the standard anticipated. This money is normally allocated at the end of October, but there have not been any applications so the fund is still available.

Cr Smith asked if the funding is accumulating. Nathan Hole said the fund is re-set each year. Paul Morris said if the money is used we rate to top it up, if it's not used it just sits there.

Jennifer Cordes from the Mackenzie Cenotaph Memorial Committee joined the meeting at 11.01am and was invited to speak to councillors.

She has been working on this for a while. There are eight names missing from the cenotaph from WWII and others from WW1. The eight from WW2 were mainly in the RAF. They include Jack Lovelock's brother who was enrolled in the Fairlie School. She has listed at the back of her application the references she has used and people she has spoken to. National Archives in Wellington has digitised records and these have been valuable.

She has provided a quote from the stonemason in Timaru. They met and discussed possibility of adding names. There is no room on the current plaques for this. Current options include black granite. Four blocks underneath would fit quite well. Or cut existing marble blocks and insert marble into it. Everyone she has spoken to is supportive of showing respect to these men.

Cr Smith commended Mrs Cordes for the work she has done. It's important to get the names right. She said she had been diligent regarding this. If the project goes ahead there will be a space left just in case somebody else's name turns up. She has checked and there is no government funding available. The Mayor asked Garth Nixon if he had held discussions with the RSA. Garth Nixon said their position was that the original memorial was put

up by the community and any new names should be determined by the community. They raised some concerns about some names but Jenny Cordes has addressed this.

Cr Noel Jackson joined the meeting at 11.08am.

The Mayor asked regarding the balance of funding, as the Heritage Fund has an upper limit of \$2500. The Mayor asked Nathan Hole to explain how the Heritage Fund works. He said the fund allows a maximum of \$2500 but the funding is provided retrospectively and payment is made on invoice for the work.

Cr Armstrong said it was important that these people's names were recognised because they did serve the country.

Cr Williams commended Jenny Cordes for her work.

Resolved that Council grants \$2500 from the Heritage Fund towards the addition of missing soldier's names to the cenotaph.

Evan Williams/Russell Armstrong

Jenny Cordes asked for further advice regarding a decision between white marble or black granite. Garth Nixon said he preferred the black granite. The Mayor asked if everyone was comfortable to go with black granite. They agreed.

Garth Nixon and Jenny Cordes left the meeting at 11.16am.

DELEGATIONS MANUAL:

The purpose of this report is for Council to consider some minor amendments to the delegations manual following the November 2014 audit of the Council's Building Consent Authority by IANZ. Nathan Hole clarified that this is an administrative change. No staff delegations are changing.

Resolved:

1. That the report be received.

Evan Williams/James Leslie

2. That Council amends the delegations manual to change the references to Building Inspector and Senior Building Inspector to Building Control Officer and Building Control Manager in relation to staff delegations under the Building Act 2004

Graham Smith/Murray Cox

CHRISTCHURCH AND CANTERBURY TOURISM REPORT:

The purpose of this report was to update council on recent activity carried out by Christchurch and Canterbury Tourism.

Annabelle Bray will present to the next council meeting in February. Cr Smith said the winter marketing didn't go well. The Mayor said there wasn't much snow. The operators did increase their numbers but the increase was smaller than expected.

Resolved that the report be received.

Russell Armstrong/Evan Williams

LAND SALE TO YOUTH HOSTEL ASSOCIATION:

The purpose of this report is to seek council approval to sell land at Tekapo to the Youth Hostel Association.

The chief executive outlined the efforts to date regarding looking at other sites. Council staff were unable to establish a viable site outside the lakefront area. Lot 4 is the only site available. The property group support entering into an agreement regarding Lot 4. A public drop-in session was held for people to voice their views. Three people turned up and there was no real opposition. On that basis he recommended accepting the deal. The Mayor said the key points were that the sale is subject to council approval of plans, securing an unconditional sale in the area, and other conditions.

Resolved:

1. That the report be received.

Murray Cox/Evan Williams

2. That Council approve the sale of Lot 4 of the Tekapo Lakefront Development to the Youth Hostel Association of New Zealand.

Graham Smith/Evan Williams

3. That the Mayor and the chairman of the Tekapo Property Group be delegated authority to approve the terms and conditions of the agreement.

Graham Smith/Evan Williams

Senior Planner Toni Morrison joined the meeting at 10.50am.

ORARI-OPIHI-PAREORA ZONE COMMITTEE REFRESH OF COMMITTEE MEMBERSHIP:

The purpose of this report is to appoint the new members of this committee. Cr Smith said he was on the selection panel and had some very good applicants. He is positive about the new appointments.

Resolved:

1. That the report be received and noted.
Russell Armstrong/Evan Williams
2. That the Council:
 - a) Appoints the community members of the Orari-Opihi-Pareora Water Management Zone Committee as follows:
 - Ad Sintenie until December 2017
 - Tony Howey until December 2017
 - James Pearse until December 2017
 - b) Confirms the appointment of Karl Russell as a representative for Te Rūnanga o Arowhenua on the Orari-Opihi-Pareora Water Management Zone Committee.

Russell Armstrong/Evan Williams

STANDING COMMITTEES TERMS OF REFERENCE:

The purpose of this report is to approve a minor amendment to the Council's General Powers and the Terms of Reference for each of council's standing committees, to clarify that each committee is able to approve any contracts relating to the business of that committee, with the exception of land sales which are to be approved by the Council. Minor amendments to the membership of the Tekapo Property Group subcommittee are also proposed.

Resolved:

1. That the report be received.
Russell Armstrong/Evan Williams
2. That the Council amends the General Powers Reserved for Council and the Standing Committees' Terms of Reference to:
 - a. Reserve all decisions relating to the approval of the sale, purchase, or disposal of any Council property, land or buildings to the Council.
 - b. Amend the Terms of Reference for each Standing Committee to clarify that all Committees can approve contracts that relate to the responsibilities of that Committee, (excluding contracts for sale, purchase or disposal of Council lands and property in accordance with (a) above).
Murray Cox/Russell Armstrong
3. That the Council amends the requirements for membership of the Tekapo Property Group, to require that the subcommittee have not less than 5 members, the majority of whom shall be Councillors,

and to remove the requirement for the Chief Executive Officer and Finance Manager to be members of the subcommittee.

Murray Cox/Russell Armstrong

COMMON SEAL AND AUTHORISED SIGNATURES:

The purpose of this report was to advise of the documents signed under the Common Seal from October 2 to November 29, 2014:

Cr Leslie asked for an update regarding the lease between the golf club and the council. This has been signed and is completed.

Resolved:

1. That the report be received.

James Leslie/Claire Barlow

2. That the affixing of the common seal to documents 788, 789 and 790 be endorsed.

Graham Smith/Russell Armstrong

REVIEW OF BYLAWS:

The purpose of this report was to present the draft Dog Control Bylaw 2014, draft Dog Control Policy 2014, draft Mobile Shops and Traders Bylaw 2014, draft Market Place Liquor Ban Bylaw 2014, draft Wastewater Bylaw 2014, draft Water Supply Bylaw 2014 and draft Downlands Water Supply Bylaw 2014 to Council for adoption.

Also to present the revised draft Freedom Camping Bylaw 2014 to Council for adoption. The revised draft bylaw reflects resolutions of the Planning and Regulatory Committee made during deliberations on submissions received.

Toni Morrison table an amendment to recommendation 2. She said this was the last stage of this process, with council needing to adopt the final bylaws. To summarise, staff are recommending no changes to all of the bylaws except one. A day of hearings on the Freedom Camping Bylaw resulted in these changes.

The first change is in the meeting paper. This relates to non-self contained freedom camping not to be allowed anywhere in the district on council controlled land. The council does own land which are proper campgrounds. Staff are recommending these be exceptions. These four exemptions are listed in the meeting paper.

A change also needs to be made to refer to “council controlled land only” in the commercial areas of Twizel and Tekapo.

One submitter wanted freedom camping prohibited around the Lake Ohau lakefront. This area is actually in the Waitaki District. The bylaw cannot apply to areas outside the district. Cr Leslie asked if we are maintaining the road. The chief executive said he understands we are maintaining that road.

Toni Morrison suggested we write to Waitaki District Council and ask them to consider the same issue in relation to their Freedom Camping bylaw. The Mayor said this would be a good idea.

Cr Cox asked regarding council land - is that just district council or regional council land. Toni Morrison said just district council. Does this mean the regional council needs a bylaw. They can have one, but are not required to.

Toni Morrison also said staff have met and started to talk about enforcement. The bylaws will be advertised as coming into effect on December 15. It will take time to organise contractors, so although signs are going up it will take a while to organise contractors for enforcement.

The Mayor would like to communicate this, but there will be a response available over Christmas. Those volunteers who are warranted now will still be available.

Cr Leslie asked that a copy of the bylaw be sent to the Waitaki District Council to encourage them to have a similar set of rules. Toni Morrison agreed.

Resolved:

1. That the report be received.

Murray Cox/Russell Armstrong

2. That the Council adopts the Freedom Camping Bylaw 2014 in the form attached to the report, with the following changes:
 - a) The wording of the bylaw is to be amended for the following three sites:
 - Church of the Good Shepherd Area, Tekapo.
 - Tekapo Commercial Area, Tekapo.
 - Twizel Commercial Area, Twizel.

Wording to read: Freedom camping is prohibited on all council controlled land, including roads and reserves in the area shown on Diagram (x) highlighted in blue.

- b) Lake Ohau – Boat Ramp Area and diagram 6 is to be deleted from the bylaw.

Graham Smith/Russell Armstrong

3. That the Council adopts the Dog Control Bylaw 2014 in the form attached to the report.

Russell Armstrong/Evan Williams

4. That the Council adopts the Dog Control Policy 2014 in the form attached to the report.

Russell Armstrong/Evan Williams

5. That the Council adopts the Mobile Shops and Traders Bylaw 2014 in the form attached to the report.

Russell Armstrong/Evan Williams

6. That the Council adopts the Market Place Liquor Ban Bylaw 2014 in the form attached to the report.

Russell Armstrong/Evan Williams

7. That the Council adopts the Wastewater Bylaw 2014 in the form attached to the report.

Russell Armstrong/Evan Williams

8. That the Council adopts the Water Supply Bylaw 2014 in the form attached to the report.

Russell Armstrong/Evan Williams

9. That the Council adopts the Downlands Water Supply Bylaw 2014 in the form attached to the report.

Russell Armstrong/Evan Williams

COMMUNITY BOARD RECOMMENDATIONS AND MINUTES:

This report from the chief executive was accompanied by the minutes of the meetings of the Twizel and Tekapo Community Boards on November 17, and the Fairlie Community Board on November 24, 2014.

Resolved that the report be received.

Russell Armstrong/Graham Smith

TWIZEL COMMUNITY BOARD:

1. Council noted the following resolution regarding signage on the new public toilets:

Resolved that the Twizel Community Board puts up a sign above the level of campervans to identify the public toilets.

2. Council noted the following resolution regarding rubbish bins over the Christmas period:

Resolved that for the period of Christmas to the first week in January two wheelie bins are placed outside the Lotto Shop in Twizel.

3. Council noted the following resolution regarding a donation to the Twizel volunteer fire brigade:

Resolved that the Twizel Community Board donate \$50 to the Twizel Volunteer Fire Brigade towards their fireworks display.

4. Council noted the following resolution regarding a donation to the Twizel Area School:

Resolved that the Twizel Community Board donates \$100 to Twizel Area School towards prizes for students.

TEKAPO COMMUNITY BOARD:

5. Council noted the following resolution amending the minutes of a previous meeting:

Resolved that the resolution regarding a funding request for water tanks in the regional park, recorded in the minutes of the Tekapo Community Board meeting of November 17, 2014, be amended to read "That the community board pay \$6,000 to the regional park to pay for the tanks."

6. Council noted the following resolution regarding the Alps2Ocean cycleway connection track with Tekapo:

Resolved that the Tekapo Community Board instructs the community facilities manager to prepare specifications for the walkway/cycleway as shown on the plan and bring back the costs of the project to the community board.

7. Council noted the following resolution regarding the naming of the commercial lane in central Tekapo:

Resolved that the community board recommends to council that the name Rapuwai is suitable as a name for the commercial lane at Tekapo.

8. Council noted the following resolution regarding a grant request from the Aoraki Multicultural Trust:

Resolved that the Tekapo Community Board provide free hall hire by way of a monthly grant to cover hall use by the Aoraki Multicultural Trust. This will equate to approximately \$930 over 12 months hall hire

at local user rates, and the community board requested a report on how the service is going in six months.

9. Council noted the following resolution regarding two requests from the Tekapo School:

Resolved that the Tekapo Community Board will take a case by case approach to applications from the school for hall use and that \$200 towards the use of the hall hire for the jumble sale be granted.

10. Council noted the following resolution regarding a request from the University of Canterbury:

Resolved that the local rate for hall hire be offered to the University of Canterbury to support two astronomy conferences in the Tekapo Community Hall.

FAIRLIE COMMUNITY BOARD:

11. Council noted the following resolution regarding the former paintball site in Fairlie: School:

Resolved that the community board instructs staff to contact the leaseholder of the former paintball site and request that the land is tidied up to an appropriate standard.

12. Council noted the following resolution regarding a grant application from the Fairlie District Promotions Association:

Resolved that the Fairlie Community Board declines the application for a grant to the Fairlie District Promotions Association for the re-designed Fairlie map.

13. Council noted and considered the following resolution regarding the provision of land for the expansion of the Fairlie township:

Resolved that the Fairlie Community Board considers the land to be an opportunity for the expansion of the township and suggests the council investigates further.

This matter will be discussed later in the meeting under public excluded.

COMMITTEE MINUTES:

Resolved that the minutes of the meeting of the Strategy and Policy Committee held on November 25, 2014, be received.

James Leslie/Russell Armstrong

Resolved that the minutes of the meeting of the Finance Committee held on November 25, 2014, including such parts as were taken with the public excluded, be received.

James Leslie/Russell Armstrong

Resolved that the minutes of the meeting of the Asset and Services Committee held on November 25, 2014, including such parts as were taken with the public excluded, be received.

James Leslie/Russell Armstrong

Resolved that the minutes of the meeting of the Planning and Regulation Committee held on November 25, 2014, including such parts as were taken with the public excluded, be received.

James Leslie/Russell Armstrong

SUBMISSION HEARING AND MEETING:

Resolved that the minutes of the meeting of the Planning and Regulation Committee to hear bylaw submissions on November 27, 2014, be received.

Graham Smith/Murray Cox

Resolved that the minutes of the meeting of the Planning and Regulation Committee held on November 27, 2014, be received.

Graham Smith/Murray Cox

COUNCIL MINUTES:

Resolved that the minutes of the meeting of the Mackenzie District Council held on October 28, 2014, including such parts as were taken with the public excluded, be confirmed and adopted as the correct record of the meeting.

Claire Barlow/James Leslie

EXTRAORDINARY COUNCIL MINUTES:

Resolved that the minutes of the extraordinary meeting of the Mackenzie District Council held on November 7, 2014, including such parts as were taken with the public excluded, be confirmed and adopted as the correct record of the meeting.

Claire Barlow/Russell Armstrong

PUBLIC EXCLUDED:

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

- A) TWIZEL PUBLIC TOILETS
- B) EXCESS WATER USE INVOICES

- C) LAND AVAILABILITY AT FAIRLIE
- D) LAKESIDE DRIVE PROPERTY SALE
- E) TWIZEL PROPERTY SALES
- F) PREVIOUS MINUTES TEKAPO COMMUNITY BOARD NOVEMBER 17.
- G) PREVIOUS MINUTES FINANCE COMMITTEE NOVEMBER 25.
- H) PREVIOUS MINUTES ASSET AND SERVICES NOVEMBER 25.
- I) PREVIOUS MINUTES PLANNING AND REGULATION COMMITTEE NOVEMBER 25.
- J) PREVIOUS MINUTES COUNCIL OCTOBER 28.
- K) PREVIOUS MINUTES COUNCIL NOVEMBER 7.

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
Twizel Public Toilets	Commercial sensitivity	48(1)(a)(i)
Excess Water Use Invoices	Protect privacy of persons	48(1)(a)(i)
Land Availability at Fairlie	Enable commercial negotiations	48(1)(a)(i)
Lakeside Drive Property Sale	Enable commercial negotiations	48(1)(a)(i)
Twizel Property Sales	Enable commercial negotiations	48(1)(a)(i)
Previous minutes Tekapo Community Board November 17	Commercial sensitivity	48(1)(a)(i)
Previous minutes Finance Committee November 25	Enable commercial negotiations	48(1)(a)(i)
Previous minutes Asset and Services Committee November 25	Commercial sensitivity Maintain legal professional privilege Enable commercial negotiations	48(1)(a)(i)
Previous minutes Planning and Regulation Committee November 25	Maintain legal professional privilege	48(1)(a)(i)
Previous minutes Council meeting October 28	Enable commercial negotiations	48(1)(a)(i)

Commercial sensitivity

Maintain legal
professional privilege

Previous minutes
Council meeting
November 7

Enable commercial
negotiations

48(1)(a)(i)

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: *Twizel Public toilets, Previous minutes Tekapo CB, Previous minutes Asset and Services, Previous minutes Council under section 7(2)(b)(ii). Excess water use invoices under section 7(2)(a), Land availability at Fairlie, Lakeside Drive property sale, Twizel property sales, Previous minutes Finance, Previous minutes Asset and Services, Previous minutes council on Oct 28 and Nov 7 under section 7(2)(i). Previous minutes Asset and Services, Previous minutes Council under section 7(2)(g).*

Murray Cox/Russell Armstrong

Council continued in open meeting.

THE MAYOR DECLARED THE MEETING CLOSED AT 1.15PM

MAYOR: _____

DATE: _____