



437TH MEETING OF THE
MACKENZIE DISTRICT COUNCIL

TO THE MAYOR AND COUNCILLORS OF THE MACKENZIE DISTRICT COUNCIL

Membership of the Council:

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

*Notice is given of a meeting of the Mackenzie District Council to
be held on Tuesday August 5, 2014, at 9.30am.*

VENUE: Council Chambers, Fairlie

BUSINESS: As per the attached agenda.

WAYNE BARNETT
CHIEF EXECUTIVE OFFICER



MACKENZIE DISTRICT COUNCIL

Agenda for Tuesday August 5, 2014, at 9.30am

OPENING

APOLOGIES

DECLARATIONS OF INTEREST

BEREAVEMENTS

VISITORS:

AT **11AM** MARTIN WITT FROM THE CANCER SOCIETY AND MARTHY CLOAKE FROM THE HEART FOUNDATION WILL PRESENT TO COUNCILLORS REGARDING SMOKEFREE PUBLIC SPACES (REPORT ATTACHED).

AT **11.30AM** ANDREW TOMBS WILL PRESENT THE ALPINE ENERGY ANNUAL REPORT TO COUNCIL. (A COPY OF THIS REPORT IS ATTACHED TO THE FINANCE COMMITTEE AGENDA FOR THE MEETING ON JULY 24).

AT **12.30PM** FOLLOWING LUNCH NATHAN HOLE AND TONI MORRISON WILL UPDATE COUNCILLORS ON THE WAITAKI WATER ALLOCATION PLAN AND TEKAPO WATER.

AT THE **CONCLUSION** OF THE MEETING PAUL MORRIS WILL CONDUCT A WORKSHOP ON COUNCIL PERFORMANCE MEASURES.

MAYOR'S REPORT

5

REPORTS:

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C) HIGH COUNTRY MEDICAL TRUST (ATTACHED)	12
D) VOTING SYSTEMS (ATTACHED)	42
E) WRITE OFF EXCESS WATER CHARGES (ATTACHED)	45
F) RATES RESOLUTION REPORT (ATTACHED)	47

COMMUNITY BOARD RECOMMENDATIONS AND MINUTES: 59

The Fairlie Community Board meeting held on July 21 and the Twizel Community Board meeting held on July 28:

A) FAIRLIE COMMUNITY BOARD MINUTES	61
B) TWIZEL COMMUNITY BOARD MINUTES	68

COMMITTEE MINUTES:

Receive the minutes of the Finance Committee, Planning and Regulation Committee, and Asset and Services Committee meetings held on July 24, 2014, including such parts taken with the public excluded.

A) FINANCE COMMITTEE MINUTES	78
B) ASSET AND SERVICES COMMITTEE MINUTES	96
C) PLANNING AND REGULATION COMMITTEE MINUTES	102

CONFIRMATION OF COUNCIL MINUTES: 108

Confirm and adopt the minutes of the Mackenzie District Council meeting held on June 24, 2014, as the correct record of the meeting.

PUBLIC EXCLUDED:

That the public be excluded from the following part of the proceedings of this meeting namely the discussion of previous minutes taken in public excluded:

A) PREVIOUS MINUTES TWIZEL COMMUNITY BOARD, JULY 28.	
B) PREVIOUS MINUTES FINANCE, JULY 24.	
C) PREVIOUS MINUTES ASSET AND SERVICES, JULY 24.	
D) PREVIOUS MINUTES PLANNING AND REGULATION, JULY 24.	
E) UPDATE ON PLAN CHANGE 13 AND CANAL HAZARDS (VERBAL)	116
F) A2O MT COOK STATION ROAD/HAYMAN ROAD (ATTACHED)	129
G) BAD DEBTS WRITTEN OFF (ATTACHED)	
H) LAND SALE TWIZEL (ATTACHED)	131

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
Previous minutes Twizel Community Board July 28	Enable commercial negotiations	48(1)(a)(i)
Previous minutes Finance Committee July 24	Enable commercial negotiations Commercial sensitivity Maintain legal professional privilege	48(1)(a)(i)
Previous minutes Asset and Services Committee July 24	Enable commercial negotiations Commercial sensitivity	48(1)(a)(i)
Previous minutes Planning and Regulation Committee July 24	Maintain legal professional privilege Protect the Privacy of Natural Persons	48(1)(a)(i)
Update on Plan Change 13 and canal hazards	Maintain legal professional privilege	48(1)(a)(i)
A20 Mt Cook Station Rd Hayman Road	Enable commercial negotiations	48(1)(a)(i)
Bad Debts Written Off	Protect the privacy of natural persons	48(1)(a)(i)
Land Sale Twizel	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: *Previous minutes Twizel CB, Finance Committee, Asset and Services committee, A20 Mt Cook Station Rd Hayman Rd, Land Sale Twizel under section 7(2)(i). Previous minutes Finance Committee, Asset and Services Committee under section 7(2)(b)(ii). Previous minutes Finance Committee, Planning and Regulation Committee, Update on Plan Change 13 under section 7(2)(g). Previous minutes Planning and Regulation and Bad Debts Written Off under section 7(2)(a).*

ADJOURNMENTS:

10.00am Morning Tea
 12.00pm Lunch (please note lunch has been shortened to 30 minutes)
 3:00pm Afternoon Tea

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL

SUBJECT: GENERAL ACTIVITIES REPORT

MEETING DATE: 5 AUGUST 2014

REF: PAD 2/3

FROM: MAYOR

ACTIVITY REPORT

COUNCIL, COMMITTEE AND BOARD MEETINGS

24 July	Committee Meeting day.
28 July	Twizel Community Board.
29 July	Council Workshop on Bylaws.
5 Aug	Council meeting.

OTHER MEETINGS AND ACTIVITIES

24 June	Met with Graham McDermid, Paul Morris and Wayne regarding the Old Library Café.
25 June	Attended Alpine Energy Shareholder meeting in Timaru.
27 June	Met with Howard Lowe regarding affordable housing. Met with Principal Reece Goldsmith from Mackenzie College. Met with Richard from Heartland Technology along with the CEO regarding rebranding for MDC.
1 July	Met with Toni Morrison, Nathan Hole, Wayne & Cr Cox regarding the Draft Collaborative MOU with Ecan.
7 July	Met with John Allen from Ministry of Social Development.
11 July	Attended a workshop organised by planning staff on Tekapo residential building and the District Plan
15 July	Attended a “Conversation with the NZ Transport Agency” meeting with the Mayor, Bernie Haar & Suzy Ratahi, in Timaru.
16 July	PortFM Mayoral morning show. Attended Sale of Liquor & Alcohol Act in Tekapo with Nathan Hole.
17 July	Met with Ian Marshall from the Royal NZ Navy.
20-22 July	Attended the LGNZ Conference with the CEO, Cr Leslie & Bernie Haar.
23 July	Met with Paul Morris, Cr Smith & the CEO regarding the Finance Committee Agenda for the 24 th of July.
24 July	Attended the ATC Awards.
25 July	Attended a meeting with Timaru & Waimate DC Mayors at Waimate DC on various issues.
30 July	Proposed Committee for Canterbury Meeting in Timaru. Attended the public meeting on the Upper Waitaki Water Zone Committee nutrient allocation issue, in Tekapo.
31 July	Met with NZ Police, Dave Gaskin, Gary Knowles for a general catchup.
4 August	Tekapo Property group Meeting.

1. That the report be received.

CLAIRE BARLOW
MAYOR

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL

SUBJECT: CHIEF EXECUTIVE OFFICER'S GENERAL ACTIVITIES REPORT

MEETING DATE: 5 AUGUST 2014

REF: PAD 2/3

FROM: CHIEF EXECUTIVE OFFICER

ACTIVITY REPORT

COUNCIL, COMMITTEE AND BOARD MEETINGS

24 July	Committee Meeting day. Performance Measures Workshop.
28 July	Twizel Community Board.
29 July	Council Workshop on Bylaws at Tekapo.
5 Aug	Council meeting.

OTHER MEETINGS AND ACTIVITIES

24 June	Met with Graham McDermid, Cr Smith, Paul Morris and the Mayor regarding the Old Library Café.
25 June	Met with Glenn Campbell from Whitestone Contracting Ltd. Fortnightly meeting with Bernie Haar.
27 June	Met with Mark Rogers of Paul Smith Contractors Met with Richard from Heartland Technology along with the Mayor regarding rebranding for MDC.
30 June	Management Meeting. Met with Stephen Gubb & Robin Hughes from RHD regarding Tekapo development, in Christchurch along with Paul Morris.
1 July	Met with Toni Morrison, Nathan Hole, the Mayor & Cr Cox regarding the Draft Collaborative MOU with Ecan.
2 July	Met with the Roding Collaboration Team in Timaru.
3 July	Had fortnightly meeting with Planning staff. Met with Aurecon Consultants representatives in Fairlie then travelled to Tekapo with them.
7 July	Held Management Meeting and then had a workshop with Managers.
9 July	Attended a meeting with planning staff, elected members and Dermott O'Sullivan regarding Tekapo water. Had fortnightly meeting with Bernie Haar.
10 July	Travelled to Christchurch to meet with Aurecon and RD Hughes representatives. Also went to Anthony Harper, Council's solicitors.
11 July	Travelled to Twizel with Garth Nixon and met with Sally Jones from Department of Conservation and also met with Angie Taylor. Attended a meeting in Tekapo with Tekapo Community Board representatives, staff and Tekapo Footbridge Society members on silt

	control at the new footbridge. Attended a workshop organized by planning staff on Tekapo residential building and the District Plan, for Tekapo Community Board members, Pukaki Ward councillors and staff.
14 July	Attended meeting at Twizel Golf Club about medical centre.
15 July	Attended a “Conversation with the NZ Transport Agency” meeting with the Mayor, Bernie Haar & Suzy Ratahi, in Timaru.
17 July	Met with planning staff for a regular catchup meeting.
18 July	Met with Bill Bayfield from Ecan in their Lincoln office regarding Planning issues and a general chat. Attended the Canterbury regional Strategy & Policy Forum at Selwyn DC.
20-22 July	Attended the LGNZ Conference with the Mayor, Cr Leslie & Bernie Haar.
23 July	Met with Ross Waugh in Timaru regarding Asset Management collaboration. Met with Paul Morris, Cr Smith & the Mayor regarding the Finance Committee Agenda for the 24 th of July.
25 July	Attended the LGNZ CEO Forum in Wellington.
28 July	Management meeting. Met with Peter Nixon at Timaru DC regarding possible roading collaboration.
30 July	Met with Aurecon (Jason Trist) & Arowhenua (Mel Schauer & Mandy), Christchurch regarding Tekapo Stormwater Designs.
31 July	Attended the One Network Road Classification Workshop in Christchurch.
1 August	Met with Carolyn & Graeme Murray in Tekapo
4 August	Tekapo Property Group Meeting. Had a catch up meeting with Suzy Ratahi regarding Assets.

RECOMMENDATION:

1. That the report be received.

WAYNE BARNETT
CHIEF EXECUTIVE OFFICER

Steps toward Smokefree 2025 - smokefree community spaces and Mackenzie District Council

Report by Cancer Society and Heart Foundation

Purpose of the report

- To update members on latest progress on policies promoting smokefree community spaces
- To present the headline results of the recent telephone survey conducted by the Cancer Society
- To initiate discussion within Mackenzie District Council as to possible options for smokefree policy

Background

In March 2011 the NZ government committed to a goal of New Zealand becoming smokefree by 2025ⁱ.

Smokefree Aotearoa 2025 is not a ban; it is a commitment to reducing smoking rates to very low levels [less than 5% of the population] by 2025. The 2013 Census reported an overall rate of 15.8%.ⁱⁱ

Smokefree Aotearoa 2025 means the next generation of New Zealanders will be the first smokefree generation.

The goal requires the best possible support for those who want to quit smoking, and stronger protection for children against all exposure to tobacco and tobacco promotions. Increasing the number of public open spaces in which smoking is discouraged will underpin the goal by reducing the visibility of smoking.

Smokefree community spaces in Mackenzie District

Mackenzie District Council [MDC] already has a smokefree outdoor policy that covers all its council playgrounds and sport fields. This is a voluntary policy – smokers are asked to choose not to smoke around these areas, predominantly used by children and families. The policy adopted by MDC is consistent with those adopted over the past 5 years by the other 11 councils in the Canterbury West Coast region. Choosing not to smoke around children is good role modeling and helps reduce the visibility of smoking around our children and future uptake. There is good evidence to support thisⁱⁱⁱ.

Smokefree community spaces and community outcomes

Over the past few months the Cancer Society has made submissions in collaboration with partner organisations to annual plan consultations around the Canterbury West Coast region. There is good alignment between key themes found in community outcomes and promotion of smokefree community spaces. Extracts from the Cancer Society and Heart Foundation recent submission to MDCs Annual Plan 2014/15 highlights this locally:

*The aspiration to **help promote a fit and healthy community**, where people are encouraged to **'use their skills for the benefit of the wider community'** (Draft Annual Plan P14) is entirely consistent with the Smokefree 2025 vision and would be a great platform from which to mobilise 'community champions' to promote the concept of future smokefree generations.*

Support for Community Smokefree Places

Three quarters of local councils now have policies promoting smokefree community spaces with progress now being made on extending policies to cover additional areas e.g. Palmerstone North, Whangarei, Auckland and Dunedin. Here in Canterbury West Coast, a recent telephone survey conducted by Cancer Society volunteers in conjunction with Community and Public Health indicated very encouraging support for smokefree spaces. The results of this survey will be presented to members by the Cancer Society and Heart Foundation at the Council's meeting on August 5th

Looking ahead

With a number of council's smokefree policies being reviewed over the next year, the Cancer Society and Heart Foundation is keen to promote discussions within MDC as to how its own policy might develop in the future. Both agencies welcome the opportunity to work with MDC staff to consider issues and options for the district.

Martin Witt

Manager, Health Promotion and IT Services Cancer Society Canterbury West Coast

Marthy Cloak

Heart Health Advocate - South Canterbury Heart Foundation

References

- i Outline of Smokefree 2025 goal accessed via <http://smokefree.org.nz/smokefree-2025>
- ii NZ Census 2013 <http://www.stats.govt.nz/Census/2013-census.aspx>
- iii Halkett L, Thomson G. [Getting an outdoor smokefree policy: The case of Kapiti Coast District Council](#). *N Z Med J* 2010; 123(1308):28-41
- iv Cancer Society and Heart Foundation submission to MDC Annual Plan 2014/15 submitted June 2014

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL
SUBJECT: HIGH COUNTRY MEDICAL TRUST
MEETING DATE: 5 AUGUST 2014
REF: FIN 9/3/7
FROM: CHIEF EXECUTIVE OFFICER

PURPOSE OF REPORT:

To update council and seek approval of the deeds of lease and agreement with the High Country Medical Trust.

To seek council direction in relation to costs associated with the proposed site for the High Country Medical Trust.

STAFF RECOMMENDATIONS:

1. That the report be received.
2. That council instruct staff to initiate a special consultative procedure in relation to the proposal from the High Country Medical Trust.
3. That council endorse the loan and sale mechanism in the proposed agreement with the High Country Medical Trust.
4. That council endorse the proposal to allow a perpetual lease for a 3300m² site for the proposed new Medical Centre.
5. That council approve the proposal to undertake a boundary adjustment to accommodate the new Medical Centre with costs accruing to council.

WAYNE BARNETT
CHIEF EXECUTIVE OFFICER

ATTACHMENTS:

- Agreement relating to Twizel Medical Centre.
- Deed of Lease – Bare land, Mackenzie Drive, Twizel.

BACKGROUND:

On 19 February, 2013, council resolved to accept in principal a proposal from the High Country Medical Trust. The proposal contemplated council transferring its interest in the existing Twizel Medical Centre into a proposed new centre. It was also requested that council allow the trust a perpetual lease of land for the proposed new centre.

Council instructed the CEO to negotiate suitable terms and conditions for these requests. The terms and conditions were to be approved by council before final acceptance.

An agreement has now been finalised with the following key provisions:

- The trust intends to develop a new medical centre on a 3300m² site which is at present part of the Twizel Golf Club lease.
- Council will negotiate a partial surrender of the Golf Club lease to accommodate the site.
- Council will undertake a subdivision (boundary adjustment) of one of the titles within the Golf Club lease.
- Council and the trust will enter into a perpetual ground lease for the new site.
- Council will lend the trust a sum equal to the current rating valuation of the existing Medical Centre property. It is contemplated that the existing Medical Centre will be sold to recover the value of the loan. This arrangement effectively gifts the existing Medical Centre to the Trust in a liquid state. Council would retain the risk associated with the sale process for the existing Medical Centre.

POLICY STATUS:

Not applicable.

SIGNIFICANCE OF DECISION:

The purpose of Council's Significance Policy is to guide council in its decision making on matters of varying importance to the community, and indicate to the community what degree of consultation it might expect on these matters.

Under the policy, any decision to sell, abandon or dispose of any of council's strategic assets will be regarded as significant.

Council's listed strategic assets include:

- Medical Centres at Fairlie and Twizel.
- All Council's parks, recreation reserves, sports fields and facilities held under the Reserves Act 1977 or otherwise.

Council's 2012-2022 Long Term Plan contemplated the sale of the existing Medical Centre at Twizel but this was linked to the expectation that council would attain ownership of a new centre.

The Long Term Plan did not anticipate a perpetual lease being entered into for a portion of the Twizel Golf Club land.

The above factors are significant to trigger a requirement for a special consultative procedure in relation to the proposed agreement with the High Country Medical Trust.

ISSUES & OPTIONS:

In February, 2013, council agreed in principal to a proposal from the High Country Medical Trust. That proposal contemplated the value of the existing Medical Centre at Twizel being provided to the Trust. The mechanism contemplated at that time was not the same as that which is now proposed. It was originally contemplated that the Medical Trust would raise mortgage funding against the security of the existing facility.

It is recognised that this would be a somewhat inefficient mechanism. It is now proposed that council provides funding directly to the trust by way of a loan, as soon as a construction contract is finalised for the new Medical Centre. This arrangement aids cash flow for the trust and is quite simple. It does place some transitional costs on council and places the sale realisation risk on council. The amount proposed to be loaned to the trust is the rating value of the existing facility.

Council now has the option of endorsing the current proposal or instructing staff to revisit this aspect.

The proposed location of the new medical centre on Mackenzie Drive is the same as was contemplated when council considered the trust proposal in February, 2013. Negotiations are well advanced between the Medical Trust and the Twizel Golf Club, with council staff involved in an administrative capacity.

As noted above, council's 2012-2022 Long Term Plan did not contemplate the provision of a perpetual lease for part of the Golf Club land. As such it is necessary for this proposal to be the subject of a special consultative procedure.

It is a requirement of the Resource Management Act that any land that is subject to a lease longer than 33 years be defined as a separate title. The proposed site is part of a larger title and it is proposed to undertake a boundary adjustment to align the title with the required area. The balance land would be included in the larger title within the Golf Club lease.

The expected cost of completing the boundary alteration and serving the new medical centre site is \$32,250 plus the cost of physical works and engineering approval fees, but this includes \$9,407.19 in contributions. The proposed agreement allocates these costs to council. The costs are of a capital nature and are not included in council's Annual Plan.

If council supports the proposed agreement, it would not be appropriate to fund these costs from the equivalent amount of funded depreciation currently being collected on the existing building (\$2,190 per annum) or alternately, fund these costs from the sale of the existing medical facilities and pass the surplus onto the Medical Trust.

Land sales need to occur for this reserve to be available to support worthwhile community projects like the new medical centre. This, and other projects, could be made possible from the sale of land to Meridian Energy in Twizel, if that sale goes ahead.

CONSIDERATIONS:

Council should consider the following:

- Its appetite to accept the funding cost and sale risk exposure associated with the proposed loan and sale structure for the existing medical centre facility.
- The suitability of providing the High Country Medical Trust with a perpetual lease of a 3300m² site at a peppercorn rental.
- Its appetite to fund the subdivision and engineering costs associated with the establishment of the proposed site.

RECOMMENDATIONS:

1. That Council endorse the loan of sale mechanism in the proposed agreement with the High Country medical trust.
2. That Council endorse the proposal to allow a perpetual lease for a 3,300m² site for the proposed new Medical Centre.
3. That Council approve the proposal to undertake a boundary adjustment to accommodate the new Medical Centre with costs accruing to Council.
4. That Council instruct staff to initiate a special consultative procedure in relation to the proposal from the High Country Medical Trust.

HIGH COUNTRY MEDICAL TRUST

("the Trust")

A N D

MACKENZIE DISTRICT COUNCIL

("Council")

AGREEMENT RELATING TO
TWIZEL MEDICAL CENTRE PREMISES

GRESSON DORMAN & CO
SOLICITORS
TIMARU

KSG-124603-1-12-V2:KSG

- F.** The Trust is in the process of raising sufficient funds to enable construction of the New Medical Centre. The Council is supportive of the Trust's aims and objectives.
- G.** The Trust and the Council have identified a suitable site for the New Medical Centre on land which the Council leases to the Twizel Golf Club.
- H.** The Council and the Golf Club are in negotiations concerning a partial surrender of the Golf Club's lease of that part of the golf course ("partial surrender of lease to the Twizel Golf Club") where the Trust would like to build the New Medical Centre.
- I.** The proposed site for the New Medical Centre comprises approximately 2100m² on Mackenzie Drive, Twizel which is at present part of Lot 7 Deposited Plan 52250 contained in Computer Freehold Register CB31F/180 as shown on the attached aerial photograph shown in Schedule B ("New Property").
- J.** The Trust and the Council wish to enter into this Agreement ("Agreement") to record their agreement concerning both the Existing Property and the New Property.

AGREEMENT

- 1. The Council will:

 - 1.1 use all reasonable endeavours to obtain a partial surrender of lease to the Twizel Golf Club on terms and conditions which allow the Council to enter into a lease of the New Property to the Trust; and
 - 1.2 undertake a subdivision to obtain a separate new certificate of title for the New Property and provide for the balance of the land in title CB31F/180 to be amalgamated with Lot 5 DP 52250.

2. The Council and the Trust will promptly thereafter enter into a perpetual ground lease of the New Property ("Lease") on the terms set out in the draft deed of lease for bare land set out in Schedule A.
3. The Trust will construct the New Medical Centre premises and ancillary buildings on the New Property at its cost and in accordance with all statutory requirements including the Resource Management Act, the Building Act, the Building Code and the Council's District Plan. The Trust shall own all of the improvements on the New Property.
4. The Council agrees to lend the Trust ("New Medical Centre Loan") a sum equal to the current rating valuation of the Existing Property as at the date of this Agreement on the following terms and conditions:
 - 4.1 the New Medical Centre Loan shall be advanced by the Council to the Trust upon:
 - (a) the Trust entering into a term loan agreement recording the loan by the Council to the Trust on such terms and conditions as the Council may reasonably approve;
 - (b) the Trust entering into a lease of the New Property from the Council; and
 - (c) the Trust entering into a contract for the construction of the New Medical Centre on such terms and conditions as the Council may reasonably approve for the construction of the New Medical Centre.
 - 4.2 the New Medical Centre Loan shall only be repayable by the Trust to the Council in the event that:
 - (a) a certificate of practical completion and a code compliance certificate have not issued in respect of the construction of the New Medical

Centre at the New Property within five years of the date of this Agreement;

- (b) the Council has given notice to the Trust terminating the Lease for any of the reasons set out in the lease of the New Property; or
- (c) the Trust is in breach of the terms of the term loan agreement for the New Medical Centre Loan and the Council has served notice on the Trust requiring repayment of that Loan.

4.3 The New Medical Centre Loan shall be interest free except in any of the circumstances where the loan shall be repayable by the Trust to the Council as specified in clause 4.2. In those circumstances, the Trust shall pay interest to the Council at the higher interest rate which shall be the interest rate charged at that date by Westpac New Zealand Limited for loans on commercial properties secured by way of first mortgage plus a margin of 5%.

4.4 The Council shall not require any security for the New Medical Centre Loan.

5. In the event that the Lease is terminated, all assets situated at the New Property will vest in the Council as the registered proprietor of the New Property.

6. In the event that the Trust has been unable to obtain a certificate of practical completion and a code compliance certificate for the New Medical Centre within four years of the commencement of the ground lease of the New Property, the parties shall in good faith review the terms of this Agreement, with the intention of determining how to best meet the long term health care needs of the community.

7. This Agreement is conditional upon:

7.1 the Council passing a resolution to approve all the terms of this agreement within two (2) months of the date of this Agreement;

7.2 the Council being able to obtain a partial surrender of lease to the Twizel Golf Club on such terms and conditions as the Council may reasonably approve within three (3) months of the date of this Agreement; and

7.3 the Council receiving approval from the Council (acting in its regulatory capacity) and Land Information New Zealand to the Council obtaining a new title for the New Property within four (4) months of the date of this Agreement;

8. The parties acknowledge that:

8.1 satisfaction of the conditions in this clause shall be at the sole and absolute discretion of the Council; and

8.2 in relation to each of the conditions in this Agreement the following shall apply unless otherwise expressly provided:

- (a) the condition shall be a condition subsequent;
- (b) the Council shall do all things which may reasonably be necessary to enable the condition to be fulfilled;
- (c) time for fulfilment of any condition and any extended time for fulfilment to a fixed date shall be of the essence;
- (d) the condition shall be deemed to be not fulfilled, until notice of fulfilment has been served by the Council on the Trust; and
- (e) the Council may waive any condition. Any such waiver shall be by notice.

9. **Miscellaneous**

- 9.1 Each party must execute and deliver all documents and do all other things reasonably necessary for the proper and complete performance of its obligations under this Agreement.
- 9.2 This Agreement may be executed in any number of counterpart copies which taken together will be deemed to form the same Agreement. The parties acknowledge that this Agreement may be executed by an exchange of facsimile and/or scanned and emailed PDF copies and execution of this Agreement by that means is valid and sufficient execution.
- 9.3 The law of New Zealand applies to this Agreement and the transactions contemplated by it. The courts of New Zealand have jurisdiction in respect of this Agreement and the transactions contemplated by it.
- 9.4 Each party shall be responsible for its own costs in relation to this Agreement and the implementation of its terms.
10. Nothing in this Agreement will require the Council to process or deal with any application to Mackenzie District Council for consents or approvals except in accordance with its normal procedures and timeframes or to determine any application (where a determination by Mackenzie District Council is required) except in accordance with normal principles and standard criteria for such applications. The Trust acknowledges that:
 - 10.1 Mackenzie District Council, in its capacity as a territorial authority, is required to carry out its statutory consent functions under the Resource Management Act 1991 and the Building Act 2004 in accordance with the provisions of those statutes;
 - 10.2 the granting by Mackenzie District Council of any consent or approval by Mackenzie District Council as territorial authority under either the Resource Management Act 1991 or the Building Act 2004 will not of itself be deemed to be a consent or approval by the Council under this Agreement or any agreement

or covenant which may result from this Agreement or be referred to in this Agreement and in any such circumstances the Trust shall be required to obtain consent from Mackenzie District Council acting in its capacity as a party to this Agreement; and

10.3 Mackenzie District Council is bound by statutory obligations to exercise its powers, including discretionary powers and duties under both the Resource Management Act 1991 and the Building Act 2004 without regard to any relationship which it may have with the Trust under this agreement.

11 The Council and the Trust acknowledge that:

- (a) circumstances may arise whereby the Trust considers it necessary or appropriate to contemplate changes to the service delivery model for health care services provided at the New Medical Centre and that such changes if agreed by the parties will result in a termination of the Lease;
- (b) It is impractical to make provision for every contingency that may arise in the performance of the parties obligations under this Agreement or the Lease; and
- (c) If the Lease should be terminated by mutual agreement on the basis that such termination is in the best interests of the Mackenzie/Omarama Community and the provision or promotion of health care service delivery within that community then, notwithstanding the provisions of clause 5.4 of the Lease, the parties shall use all reasonable endeavours to negotiate in good faith with a view to reaching a mutually acceptable agreement as to the ongoing ownership and use of the New Medical Centre and the fittings and fixtures incorporated in the New Medical Centre.

SIGNED as an agreement

SIGNED for and on behalf of

HIGH COUNTRY MEDICAL TRUST

by

)

)

)

Trustee

Trustee

SIGNED for and on behalf of

MACKENZIE DISTRICT COUNCIL

by its duly authorised officer

)

)

)

SCHEDULE A

SCHEDULE B



**DEED OF LEASE - BARE LAND
MACKENZIE DRIVE, TWIZEL**

**MACKENZIE DISTRICT COUNCIL
HIGH COUNTRY MEDICAL TRUST**

MAW-028144-363-16-V2



Christchurch
Level 9, HSBC Tower
62 Worcester Boulevard
PO Box 2646
Christchurch 8140
Telephone +64 3 379 0920
Facsimile +64 3 366 9277

Auckland
Level 8, Chorus House
66 Wyndham Street
PO Box 2646
Auckland 1140
Telephone +64 9 920 6400
Facsimile +64 9 920 9599

www.anthonharper.co.nz

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DATED

2014

PARTIES

- 1 **MACKENZIE DISTRICT COUNCIL** at Fairlie ("**Lessor**")
- 2 **HIGH COUNTRY MEDICAL TRUST** at Twizel ("**Lessee**")

BACKGROUND

- A The Lessee has been a tenant of the Lessor at premises at 37 Tasman Road, Twizel. The parties agree that those premises are no longer suitable for the Lessee's operations and that the Lessee should relocate to another site within Twizel.
- B The Lessor has agreed to lease new premises to the Lessee in order to provide a larger, purpose built facility which will more readily provide for the future health care needs of Twizel and the surrounding district and will also cater for an anticipated expansion in the required future health care services in the district.
- C The Lessor has agreed to enter into this lease for premises in Mackenzie Drive, Twizel in recognition of the public interest in and the increasing need for efficient well-funded health care services in Twizel and the surrounding district.

TERMS OF THIS DEED - GRANT OF LEASE

The Lessor leases to the Lessee and the Lessee takes on lease the Premises for the term and subject to the terms and conditions set out in the Schedules to this Lease.

EXECUTION

THE COMMON SEAL OF MACKENZIE)
DISTRICT COUNCIL was hereto affixed)
 as Lessor in the presence of)

 Mayor/CEO

 CEO/Councillor

THE COMMON SEAL OF HIGH)
COUNTRY MEDICAL TRUST was)
hereto affixed)
as Lessee in the presence of)

FIRST SCHEDULE (Reference Schedule)

Item 1: Name and Address of Lessor

Mackenzie District Council
Main Street
Fairlie 7949
Postal Address: PO Box 52, Fairlie 7949

Item 2: Name and Address of Lessee

High Country Medical Trust
37 Tasman Road
Twizel 7901
Postal Address: PO Box 5299, Dunedin 9058

Item 3: The Premises

The land having an area of approximately 2100 square metres being Lot [] on DP [] and being all the land in computer freehold register [] and shown on the aerial photograph annexed to this Lease as the Third Schedule

Item 4: Term of Lease

10 years

Item 5: Commencement Date

[Upon issue of a separate title for the Premises and the execution of this lease by both the Lessor and the Lessee]

Item 6: Expiry Date

Upon termination of this lease for any reason.

Item 7: Annual Rent

Ten cents plus GST per annum

Item 8: Rights of Renewal

Recurring rights of renewal of ten (10) years each

Item 9: Permitted Use of Premises

- medical centre uses

- the following uses when reasonably incidental to the above use:
 - administration offices
 - health information and education rooms
 - community activities

Item 10: Schedules Forming Part of this Lease

First Schedule: Reference Schedule

Second Schedule: General Terms and Conditions

Third Schedule: Photograph of Premises

SECOND SCHEDULE (GENERAL TERMS AND CONDITIONS)

1 DEFINITIONS, INTERPRETATIONS AND EXCLUSIONS

1.1 In this Lease unless a contrary intention appears:

- (a) **"Commencement Date"** means the date specified in Item 5 of the First Schedule;
- (b) **"GST"** means Goods and Services Tax or any tax in the nature of a Goods and Services Tax;
- (c) **"the Lessee"** and **"the Lessor"** include their respective successors and permitted assigns and extends in the case of the Lessee to include the Lessee's employees, agents, contractors, invitees and any other person under the Lessee's control;
- (d) **"Premises"** means the premises described in Item 3 of the First Schedule;
- (e) **"Working Day"** has the meaning given in the Property Law Act 2007. Notices served after 5pm on a Working Day, or on a day which is not a Working Day, shall be deemed to have been served on the next succeeding Working Day;
- (f) **"Year"** means any year or part of the year ending on 30 June or on the expiration or sooner determination of this Lease as the case may require.

1.2 Interpretations

- (a) Words importing the singular will include the plural. Words importing the masculine gender will include the feminine or neuter and vice versa. Words importing persons will include companies.
- (b) Any covenant or agreement on the part of two or more persons will be deemed to bind them jointly and severally.
- (c) The table of contents and any headings and marginal notations in this Lease have been inserted for convenience only and will not limit or govern the construction of the terms of this Lease.
- (d) Any reference in this Lease to any statute or regulation is deemed to include all amendments and revisions made from time to time to that statute or regulation and any re-enactments thereof.
- (e) Where the Lessor's consent or approval is required pursuant to any provision of this Lease such consent or approval will be required for each separate occasion notwithstanding any prior consent or approval obtained for the like purpose on a prior occasion.

1.3 Entire Agreement

This Lease embodies the entire understanding and the whole agreement between the parties. Any previous representations, warranties, arrangements and statements whether expressed or implied with reference to the subject matter of this Lease are merged herein.

2 TERM

- 2.1 This Lease is for the term fixed in Item 4 of the First Schedule commencing on the Commencement Date and subject to compliance with the terms of this Lease, shall continue in effect on a perpetual basis.

3 OUTGOINGS AND OTHER CHARGES

3.1 Direct Outgoings

- (a) The Lessee will pay all charges and expenses in respect of all services, utilities and amenities supplied to or used by the Lessee in the Premises including all charges for cleaning (including garbage disposal and sewage disposal), water supply, electrical power supply and telephone systems and any other services supplied to the Premises ("the Direct Outgoings"). The Lessee will pay the Direct Outgoings directly to the provider of that service and shall indemnify the Lessor against any liability in respect of the Direct Outgoings.
- (b) If required to do so by the Lessor or any authority having jurisdiction, the Lessee shall at its own cost install and maintain any meter or other measuring device necessary for the proper charging of any the Direct Outgoings or any other services, utilities or amenities supplied to or used by the Lessee.

3.2 Indirect Outgoings

The Lessee will pay the Lessor for all amounts incurred by the Lessor ("the Indirect Outgoings") for all rates, taxes (including land tax but excluding income tax on the Lessor's income), charges and all impositions by any local government or other competent authority, in respect of the Premises.

3.3 Proportion of Indirect Outgoings

In any case where the Indirect Outgoings are not separately assessed to the Premises the Lessee will pay a fair and reasonable proportion of those charges and expenses.

3.4 Payment of Indirect Outgoings

The Indirect Outgoings will be payable on demand without deduction or set-off and if required by the Lessor the Lessor may estimate in advance the annual amount of the Indirect Outgoings and require payment of such amount by monthly instalments together with rent in advance. The Lessor's estimate may be revised by the Lessor from time to time and the Lessee's monthly instalments adjusted accordingly. When the actual annual amount of outgoings payable is known any deficiency will be paid by the Lessee promptly on demand and any excess will be promptly refunded by the Lessor or credited towards future outgoings or rent at the Lessor's discretion. Where any outgoing has not been taken into account in determining the monthly instalments it will be payable by the Lessee on demand from the Lessor.

3.5 No Liability

The Lessee will not be liable for any proportion of the amounts payable under clause 3.1 and 3.2 which relate to any period falling outside the term of this Lease.

4 GOODS AND SERVICES TAX

4.1 Payment

The Lessee will pay to the Lessor or as the Lessor will direct the GST payable by the Lessor in respect of the rent and other payments payable by the Lessee hereunder. The GST in respect of the rent will be payable on each occasion when any rent payment falls due for payment and in respect of any other payment will be payable upon demand.

4.2 **Default**

If the Lessee makes default in payment of the rent or other moneys payable hereunder and the Lessor becomes liable to pay additional GST then the Lessee will on demand pay to the Lessor the additional GST.

5 MAINTENANCE REPAIRS ALTERATIONS AND ADDITIONS

5.1 **Lessee Maintenance**

The Lessee will at the Lessee's expense keep, and at the expiry or sooner determination of the lease will leave the Premises in a neat and tidy condition. The Lessee will also at the Lessee's expense:

- (a) Keep any improvements on the Premises (including all windows) clean and ensure that all waste and rubbish is placed in suitable receptacles and is removed from the Premises at least daily;
- (b) Without limiting the generality of (a), the Lessee will enter into an arrangement for programmed maintenance of its improvements including wash-down and guttering cleaning at least once per annum;
- (c) Immediately make good any defects or damage to any part of the Premises or the Lessee's improvements on the Premises;
- (d) Maintain all landscaping (if any) on the Premises to a reasonable standard; and
- (e) Maintain the seal of the yard on the Premises to a reasonable standard.

5.2 **Signage**

- (a) The Lessee will not paint erect or exhibit any sign or advertising device in upon or about the Premises without the prior written consent of the Lessor. The Lessor will not unreasonably or arbitrarily withhold its consent in respect of signage describing the Lessee's use of the Premises. The Lessor may give its consent subject to such conditions as to the size and design of any sign or advertising device as are reasonable in all the circumstances.
- (b) For the avoidance of doubt the Lessee shall not paint erect or exhibit any sign or advertising device on behalf or for the benefit of or relating to a third party.

5.3 **Alterations and Additions**

The Lessee will neither construct any improvements nor make nor permit any alteration or addition to existing improvements on the Premises without the prior written consent of the Lessor which may be given or withheld subject to such conditions as are reasonable in all the circumstances.

5.4 **Alterations and Additions on Termination**

On termination of this Lease for any reason, the Lessor shall have the right to:

- (a) Require the Lessee to leave its improvements (whether in the nature of a trade fixture or not) on the Premises with ownership of such improvements vesting in the Lessor without payment of compensation to the Lessee; or
- (b) Require the Lessee at the Lessee's sole cost to remove its improvements from the Premises and make good damage to the Premises caused by such removal immediately after such termination. In the event the Lessee fails to undertake such removal and make good in a timely fashion then in addition to any other of its rights and remedies the Lessor shall be entitled to undertake such work and recover the cost of the same on an indemnity basis from the Lessee.

5.5 **Damage or Defects to Premises**

The Lessee will immediately forthwith give notice to the Lessor of any circumstances likely to occasion any damage or injury within the Premises.

5.6 **Fencing**

The Lessee will not call upon the Lessor to contribute towards the cost of the erection, maintenance or repair of any fences to the boundaries of the Premises.

6 **ASSIGNMENT/SUB-LETTING**

6.1 **Control of Assignment and Subletting**

- (a) The Lessee will not:
 - (i) mortgage its interest in the Premises or any part of the Premises;
 - (ii) transfer or assign its interest in the Premises or any part of the Premises;
 - (iii) sublet or part with possession of its interest in part only of the Premises;
 - (iv) change the use of the premises from the use that is permitted under this lease.
- (b) The Lessee will not sublet or otherwise part with possession of all of the Premises without first obtaining the written consent of the Lessor which the Lessor will not unreasonably withhold or delay if the following conditions are fulfilled:
 - (i) the Lessee proves to the satisfaction of the Lessor that the proposed sublessee is (and in the case of a company that the shareholders of the proposed sublessee are) respectable, responsible and has the financial resources to meet the Lessee's commitments under this Lease and the sublessee's commitments under the sublease;
 - (ii) the Lessee proves to the satisfaction of the Lessor that the sublessee has the skills and resources required to perform the use specified in this Lease; and
 - (iii) there is no subsisting breach of any of the Lessee's covenants.

7 **INSURANCE**

7.1 **No Insurance by Lessor**

The Lessee acknowledges that as this is a lease of bare land, the Premises are not insured by the Lessor.

7.2 **Lessee to Insure**

- (a) During the term of this Lease, the Lessee shall at its own cost keep current at all times insurance policies in the name of the Lessee, with the Lessor noted as an additional insured, for:
 - (i) Public risk insurance applicable to the Premises and the business carried on by the Lessee for an amount not less than \$5,000,000.00 (being the amount which may be paid out arising out of any one event) or such higher amount as the Lessor may require from time to time;
 - (ii) The replacement cost of all additions and improvements to the Premises owned by the Lessee and all the Lessee's fixtures, fittings and stock; and
 - (iii) Business interruption insurance in a sum approved by the Lessor.

- (b) Such policies shall be effected with an insurance company approved by the Lessor (such approval not to be unreasonably or arbitrarily withheld). The Lessee shall on each anniversary of the Commencement Date or whenever requested by the Lessor provide to the Lessor a copy of a Certificate of Currency of the insurance policies incorporating a cross liability clause in relation to the public risk insurance and with such Certificate to be issued recording the Lessor as an additional insured. The Lessee shall ensure that each such policy includes a provision that the policy will not be cancelled other than for non-payment of premiums and that if the policy is to be cancelled, then the insurer or the Lessee will give the Lessor notice of the proposed cancellation.

8 LESSEE'S RISK AND INDEMNITY

8.1 Lessee to Occupy Premises at its risk

The Lessee agrees to occupy and use the Premises at the Lessee's risk and releases to the fullest extent permitted by law the Lessor its servants and agents from all claims and demands of any kind and from all liability which may arise in respect of any accident, damage or injury occurring to any person or property in or about the Premises.

8.2 Lessee's Indemnity

The Lessee will keep the Lessor indemnified against all claims, actions, losses and expenses of any nature which the Lessor may suffer or incur or for which the Lessor may become liable in respect of or arising out of:

- (a) The negligent or careless use or misuse by the Lessee of the Premises or any of the utilities or other services to the Premises or arising out of any faulty fixture or fitting of the Lessee;
- (b) Any accident or damage to property or persons arising from any occurrence in or near the Premises wholly or in part by reason of any act or omission by the Lessee;
- (c) Any breach by the Lessee of the provisions of Section 15 of, or any conditions of a discharge permit issued under, the Resource Management Act; and
- (d) Any liability incurred by the Lessor whatsoever in respect of a breach by the Lessee of any of the provisions of any legislation, including by way of example but not limited to, the Building Act 1991 and/or the Building Act 2004, or the Health & Safety in Employment Act 1992, in respect of the Premises.

8.3 Neglect of other tenant

The Lessor accepts no responsibility to the Lessee for the acts or omissions of any other tenant or occupier of any land owned by the Lessor which adjoins the Premises.

8.4 Suitability

No warranty or representation expressed or implied has been or is made by the Lessor that the Premises are now suitable or will remain suitable or adequate for use by the Lessee or that any use of the Premises will comply with the requirements of any Authority. The Lessee acknowledges that it has entered into this Lease in reliance upon its own judgement and not in reliance upon any representation or warranty by the Lessor.

9 USE OF THE PREMISES

9.1 Permitted Use

The Lessee will use the Premises only in accordance with the Permitted Use of Premises specified in Item 9 of the First Schedule. The Lessee covenants absolutely not to change the use of the Premises from such Permitted Use.

9.2 Essential Term

The Lessee acknowledges that its obligations under clause 9.1 are essential terms of this Lease. Any breach will, in addition to any other rights and remedies available to the Lessor, give rise to a right of cancellation by the Lessor pursuant to clause 11.2.

9.3 Compliance

The Lessee will comply with all statutes, ordinances, regulations, by-laws or other lawful requirements so far as they relate to, and all notices or orders which may be given by any competent Authority in respect of, the Premises or their use by the Lessee and will keep the Lessor indemnified in respect of all such matters.

9.4 Prohibitions

The Lessee will not:

- (a) Permit any person to sleep on the Premises other than when such is necessary in order to provide primary and secondary health care services at the Premises;
- (b) Allow any animal to be kept in or about the Premises;
- (c) Bring or permit to be brought onto the Premises any goods or things of a flammable, volatile or explosive nature other than in conjunction with the Permitted Use and shall at all times ensure that, if required by legislation, a valid Dangerous Goods Licence is held in respect of any such items;
- (d) Use or permit the use of the toilets, sinks, drainage and other plumbing facilities in the Premises or the Common Areas for any purposes other than those for which they were designed, and will not deposit or allow any rubbish to be deposited in them. Any damage or blockage to the toilets, sinks, drainage or other plumbing facilities will immediately be repaired or cleared by the Lessee;
- (e) Do, allow, or carry on in or upon any part of the Premises any offensive, noxious, noisy, illegal or dangerous act or business occupation;
- (f) Do or fail to do any thing in or upon any part of the Premises which may cause damage to or allow damage to occur to the Premises or which may cause contamination to the Premises or become an annoyance, nuisance or disturbance to the Lessor or any other occupier of the Airport (including causing interference to any telecommunication system);
- (g) Bring into or install on the Premises any machinery, plant or equipment of such a weight or size as may be liable to cause structural or other damage to the Premises; or
- (h) Apply for any discharge permit under Section 15 of the Resource Management Act 1991 in respect of the Premises without the prior written consent of the Lessor, such consent not to be unreasonably or arbitrarily withheld. For the purposes of this subclause the Lessor's consent will not be unreasonably or arbitrarily withheld if as a condition of consent the Lessor requires that:
 - (i) The application be made in the Lessor's name, but at the Lessee's expense in all respects; or
 - (ii) The Lessee enter into a deed of covenant whereby the Lessee agrees unconditionally, and for no consideration, at the option of the Lessor to transfer the discharge permit to the Lessor immediately upon the expiration or termination of this Lease.

10 LESSOR'S COVENANTS

10.1 Lessor's Obligations

The Lessor will pay all rates and taxes charged levied or assessed on the Premises at any time during the term except those that the Lessee is obliged to pay.

10.2 Quiet Enjoyment

The Lessee upon paying all other moneys payable to the Lessor and upon performing the Lessee's obligations under this Lease will and may peaceably possess and enjoy the Premises during the term of this Lease without any undue interruption or disturbance from the Lessor, except as stated in this Lease.

11 RIGHTS RESERVED BY THE LESSOR

11.1 Lessor's Right of Inspection

The Lessor will have the right to enter upon the Premises with all necessary materials and equipment at all reasonable times and on reasonable notice (but at any time and without notice in the case of an emergency):

- (a) To view the state of repair of the Premises and/or to inspect the Premises to ascertain whether or not there has been any breach of the terms of this Lease;
- (b) To carry out repairs or other works to the Premises or services to the Premises;
- (c) To execute any work required to remedy a defect which is the Lessee's duty to repair if the Lessee has not, within a reasonable period after the date of receipt by the Lessee of written notice from the Lessor requiring such defect to be repaired, taken steps to remedy that defect; or
- (d) For the purpose of complying with the terms of any present or future legislation affecting the Premises or of any notice served on the Lessor or Lessee by any competent authority for which the Lessee is not responsible under this Lease,

PROVIDED ALWAYS in exercising such rights the Lessor will use its best endeavours to minimise any disturbance caused to the Lessee in its occupation and use of the Premises.

11.2 Cancellation

If at any time during the term of this Lease:

- (a) There is a default by the Lessee in respect of any obligation of the Lessee and such default is not remedied within a reasonable period after notice has been given to the Lessee or, in the case of repairs required to be effected by the Lessee, such repairs are not completed within a reasonable time;
- (b) Execution is levied against any of the assets of the Lessee and remains unsatisfied;
- (c) The Lessee (not being a company) is declared bankrupt or insolvent or assigns its estate or enters into a deed of arrangement for the benefit of creditors; or
- (d) The Lessee (being a company) either:
 - (i) Goes into liquidation (other than a voluntary liquidation for the purposes of reconstruction or amalgamation approved in writing by the Lessor);
 - (ii) Is wound up or dissolved;
 - (iii) Enters into a scheme of arrangement with any of its creditors; or
 - (iv) Has a receiver appointed

Subject to the Lessor having served, in accordance with Section 353 Property Law Act 2007, a valid notice pursuant to Section 245 or 246 (as the case may be) of the Property Law Act 2007, it shall be lawful for the Lessor to re-enter the Premises and determine the estate of the Lessee and remove or otherwise deal with any goods, fittings, fixtures and effects found on the Premises **WITHOUT** releasing the Lessee from any liability in respect of any antecedent breach.

11.3 **Meaning of "rent"**

For the purposes of this Lease, the word "rent" extends to and includes the share of outgoings payable by the Lessee under clause 3 together with GST on the same and all or any amounts paid by the Lessor upon default by the Lessee of its obligations under this Lease.

12 **RENEWAL OF LEASE**

12.1 If the Lessee has given to the Lessor written notice to renew the lease at least 3 calendar months before the end of the term and is not at the date of the giving of the notice in breach of this lease then the Lessor will grant a new lease for a further term of ten (10) years from the renewal date.

12.2 The new lease shall be upon and subject to the covenants and agreements expressed and implied in this lease including this right of renewal.

13 **MISCELLANEOUS**

13.1 **Holding Over**

If the Lessor permits the Lessee to occupy the Premises beyond the Final Expiry Date the Lessee will do so as a periodic tenant only at a rent calculated daily but payable monthly in advance, determinable at any time by either party by 20 Working Days' written notice but otherwise the tenancy will continue on the same terms and conditions (so far as applicable to a periodic tenancy) contained in the Lease.

13.2 **Costs**

- (a) The Lessor and the Lessee will each pay their own costs of the negotiation and preparation of this Lease and any variation or renewal of this Lease;
- (b) The Lessee will pay:
 - (i) The Lessor's legal costs of and incidental to the obtaining of any consents or approvals associated with this Lease; and
 - (ii) All costs and expenses for which the Lessor will become liable in consequence of or in connection with any breach or default by the Lessee in the performance or observance of any of the terms of this Lease, including costs and expenses incurred by the Lessor in the enforcement or attempted enforcement by the Lessor of its remedies under this Lease.

13.3 **Exclusion of Implied Covenants**

Any covenants and powers implied in leases by virtue of the provisions of any act to the maximum extent permitted by law are excluded from this Lease.

13.4 **No Caveat**

The Lessee will not register a caveat against the Certificate of Title on which the Premises are located.

13.5 **Lessor Not Required to Register**

The Lessor will not be obliged to do any act or thing or grant any consent or co-operate in any way with the Lessee to register this Lease under the Land Transfer Act 1952.

13.6 **Notices**

All notices must be in writing and must be served by one of the following means:

- (a) In the case of a notice under sections 245 or 246 of the Property Law Act 2007 in the manner prescribed by section 353 of that Act.

- (b) In all other cases and subject to clause 13.6(c), unless otherwise required by sections 352 to 361 of the Property Law Act 2007:
 - (i) In the manner authorised by sections 354 to 361 of the Property Law Act 2007; or
 - (ii) By personal delivery; or
 - (iii) By pre-paid registered post; or
 - (iv) By facsimile,

and any notice or other document will when given or served by the method mentioned in sub-clause (iii) be deemed to have been given or served and received by the other party two (2) Working Days after the date of posting and any notice given or served by the method mentioned in sub-clause (iv) will be deemed to have been given or served and received by the other party twenty-four (24) hours after the time recorded in the transmission confirmation report.
- (c) Any notice referred to in clause 13.6(b) will be deemed to have been properly delivered, posted or transmitted (as the case may be):
 - (i) In the case of the Lessor, if delivered, posted or transmitted to the Lessor's Property Manager or any other person authorised by the Lessor to accept service for the purposes of this Lease; or
 - (ii) In the case of the Lessee, if delivered, posted or transmitted to the Lessee's office or to the address listed in Item 2 of the First Schedule or such other place in New Zealand as the Lessee may notify the Lessor in writing.
- (d) In the case of any notice or document required to be served or given by the Lessor to the Lessee the same may be signed on behalf of the Lessor by any attorney, officer, employee, servant, agent or solicitor of or for the Lessor or any other person authorised by the Lessor from time to time.

13.7 **Dispute Resolution**

- (a) In the event of any dispute or difference between the parties in relation to or arising out of this Lease then, if the parties so agree, the dispute or difference may be referred to mediation, with such mediation to be conducted on such basis as the parties may agree.
- (b) In the event of the dispute or difference not being resolved by mediation, then it will be determined by a single arbitrator. That arbitrator will be agreed between the parties, or failing agreement will be appointed by the President for the time being of the Canterbury Branch of the New Zealand Law Society (Clause 1 of the Second Schedule to the Arbitration Act 1996 will not apply). The arbitration will otherwise be conducted in accordance with the Arbitration Act 1996 or any statute enacted in substitution for the time being in force.

13.8 **Delivery**

Without limiting any other mode of delivery, this Deed will be delivered by each of the parties to this Deed on the earlier of:

- (a) physical delivery of an original of this Deed, executed by that party, into the custody of the other party or its solicitors;
- (b) transmission by that party, its solicitors or any other person authorised in writing by that party of a facsimile, photocopied or scanned copy of an original of this Deed, executed by that party, to the other party or its solicitors.
- (c) Third SCHEDULE (AREA PHOTOGRAPH OF THE LAND)

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL

SUBJECT: ELECTORAL SYSTEM COMMENCING FROM THE NEXT TRIENNIAL ELECTION

MEETING DATE: 5 AUGUST 2014

REF: PAD 1/2016

FROM: ELECTORAL OFFICER

PURPOSE OF REPORT:

To enable Council to decide which voting system it wishes to implement for the next two triennial elections.

STAFF RECOMMENDATIONS:

1. That the report be received.
2. That Council adopt the First Past the Post (FPP) Voting System for the next two triennial elections, OR:
3. That Council adopt the Single Transferable Vote (STV) Voting System for the next two triennial elections.

PAUL MORRIS
ELECTORAL OFFICER

BACKGROUND:

Council must decide, and therefore resolve, which of the two electoral systems it wishes to use for the next two triennial elections for both Council and Community Board elections. This requirement is detailed in Sec27 of the Local Electoral Act 2001 (The Act).

Council resolved to continue with the First Past the post (FPP) system six years ago. Council has an option to review and change to the Single Transferrable Vote (STV) system. This decision must be taken before 12 September 2014.

Council must give public notice no later than 19th September 2014 of Council's proposed electoral system and that the resolution can only be overturned by a Poll of Electors (Sec 28(2) of the Act).

All elections undertaken prior to the next triennial election are undertaken under the current electoral system. All elections from the next triennial election (including that election) will be subject to the new electoral system (if it is changed).

The two electoral systems differ. The following is a general description of the FPP system:

1. Voters cast as many votes as there are positions to be filled.
2. Where a single position is to be filled, the candidate who received the highest number of votes is elected.
3. Where more than one position is to be filled, the candidates equal to the number of positions who receive the highest number of votes are elected.
4. If a poll is undertaken using the FPP system then the word candidate in the third point above is replaced with the matter or matters of the Poll.

The STV system is more complicated:

1. Voters express a first preference for one candidate and may express a second and further preferences for other candidates up to the number of candidates standing.
2. A quota for election is calculated from the number of votes and positions to be filled.
3. The first preferences are counted and any candidate whose first preference votes equal or exceed the quota is elected.
4. If insufficient candidates are elected the proportion of the elected candidates votes above the quota is redistributed accordingly to the voters second preference and:
 - a. Candidates who then reach the quota are elected and
 - b. The candidates with the fewest votes is excluded.
5. The excluded candidate votes are redistributed according to their further preferences.
6. If insufficient candidates are elected, repeat points 4 & 5 until all positions are filled.

In the case of an election for a mayoral or single member vacancy the voting requirements has the following features:

1. Voters express a first preference for one candidate and may express a second and further preferences for other candidates.
2. An absolute majority of votes for the election is calculated from the number of votes and the positions to be filled,.
3. The first preferences are counted and if a candidate's first preference votes equal or exceeds the absolute majority of votes, then the candidate is elected.

4. If no candidate is elected, the candidate with the fewest votes is excluded and that candidates votes are redistributed according to voters further preferences.
5. Repeat Point 4 until a candidate is elected.
6. If a poll is undertaken using STV then the ward candidate in the points above is substituted with the ward matter or matters.

SIGNIFICANCE OF DECISION:

The decision is not considered significant although the decision will be publicly notified and may in the future be the subject of an elector poll.

RECOMMENDATION:

It would not be appropriate to make a recommendation to Council on this matter as the role of Electoral Officer must remain neutral and should not favour one system over the other.

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL
SUBJECT: WRITE OFF EXCESS WATER CHARGES
MEETING DATE: 5 AUGUST 2014
REF: WAS 16/15
FROM: MANAGER – FINANCE AND ADMINISTRATION
ENDORSED BY: CHIEF EXECUTIVE OFFICER

PURPOSE OF REPORT:

This report has been prepared to enable Council to decide whether to write off an excess water charge invoice.

STAFF RECOMMENDATIONS:

1. That the report be received.
2. That the excess water charge of \$1261.30 to Page Family Trust be written off.

PAUL MORRIS
MANAGER FINANCE AND ADMINISTRATION

WAYNE BARNETT
CHIEF EXECUTIVE OFFICER

ATTACHMENTS:

None.

BACKGROUND:

To the year ended 30 June 2014, Page Family Trust (the Trust) incurred an excess water charge of 2002 cu metres which equalled to \$1261.30.

It was discovered that a leak on the property of the Trust had occurred causing the excess usage.

Council has in the past set rules around circumstances where excess water usage can be written off due to a leak, which are:

1. No excess usage in the three years immediately preceding the excess water charge. In the Trusts case there have been no excess usage in the three years preceding the charge.
2. The leak is repaired by the land owner. This has been done by the Trust.
3. That no subsequent leaks have occurred. The Trust has provided two readings which indicate no further excess water is passing through the meter.

POLICY STATUS:**SIGNIFICANCE OF DECISION:**

The decision required is not considered to be significant.

ISSUES & OPTIONS:

Council has two options available:

1. Not to write off the excess charge.
2. To write off the excess charge.

If Council decided not to write off the excess charges, it would be undermining its previous decisions and practices.

It would be very difficult for Council to recover this money as precedent may work against it.

This option is not recommended.

Council therefore has one option available to it which is to write off the excess water charge and therefore comply with current practice.

CONCLUSION:

It is recommended that this amount of excess water charge be written off as the historical information indicates no excess usage and the Trust has repaired the leak as per Council practices.

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL

SUBJECT: RATES RESOLUTION REPORT

MEETING DATE: 5 AUGUST 2014

REF: FIN 4/1

FROM: MANAGER FINANCE & ADMINISTRATION

ENDORSED BY: CHIEF EXECUTIVE OFFICER

PURPOSE OF REPORT:

The purpose of this report is to meet the requirements of Section 23(1) and Section 24 of the Local Government (Rating) Act 2002 which requires that rates must be set by resolution.

RECOMMENDATION:

1. That the report be received.
2. That the Mackenzie District Council resolves to set the following rates under the Local Government (Rating) Act 2002, on rating units in the Mackenzie District for the financial year commencing on 1 July 2014 and ending on 30 June 2015 and sets the due dates for the payment of the rates.

GENERAL RATES

A General rate set on the capital value of the land under Section 13 of the Local Government (Rating) Act 2002 on all rateable land. The general rate will be set differentially using the following categories based on the use and location of the land:

- Tekapo A A rate of \$0.006673 per dollar (GST inclusive) of Capital Value
- Ohau A A rate of \$0.000774 per dollar (GST inclusive) of Capital Value
- Tekapo B A rate of \$0.001168 per dollar (GST inclusive) of Capital Value
- All other properties A rate of \$0.0006521 per dollar (GST inclusive) of Capital Value

UNIFORM ANNUAL GENERAL CHARGE

A Uniform Annual General Charge set on all rateable land under Section 15 of the Local Government (Rating) Act 2002.

- A fixed amount of \$25.33 (GST inclusive) per separately used or inhabited part (SUIP) of a rating unit.

WORKS & SERVICES RATES

Targeted rates for works and services, set under Section 16 of the Local Government (Rating) Act 2002, assessed on a differential basis as described below:

TWIZEL WORKS & SERVICES RATE

- A fixed amount of \$82.92 (GST inclusive) per separately used or inhabited part (SUIP) of a rating unit on every rating unit situated in the Twizel Community
- A rate of \$0.00136392 per dollar (GST inclusive) based on the capital value on every rating unit in the Twizel Community (as defined on a map held by Council)

The relationship between the rates in the differential category is as follows:

- a) A fixed amount per separately used or inhabited part (SUIP) of a rating unit to fund 20.00% of the targeted rate requirement
- b) A rate per dollar of capital value of the land to fund 80.00% of the targeted rate requirement

FAIRLIE WORKS & SERVICES RATE

- A fixed amount of \$54.64 (GST inclusive) per separately used or inhabited part (SUIP) of a rating unit, on every rating unit situated in the Fairlie Community
- A rate of \$0.00229081 per dollar of capital value (GST inclusive) based on the capital value on every rating unit in the Fairlie Community (as defined on a map held by Council)

The relationship between the rates in the differential category is as follows:

- a) A fixed amount per separately used or inhabited part (SUIP) of a rating unit to fund 10% of the targeted rate requirement
- b) A rate per dollar of capital value of the land to fund 90% of the targeted rate requirement

TEKAPO WORKS & SERVICES RATE

- A fixed amount of \$252.51 (GST inclusive) per separately used or inhabited part (SUIP) of a rating unit on every rating unit situated in the Lake Tekapo Community area of benefit
- Tekapo A
A rate of \$0.00204994 per dollar of capital value (GST inclusive) on every rating unit situated in the Lake Tekapo Community area of benefit
- All other Tekapo properties
A rate of \$0.00088673 per dollar of capital value (GST inclusive) based on the capital value on every rating unit situated in the Lake Tekapo Community area of benefit (as defined on a map held by Council)

The relationship between the rates in the differential category is as follows:

- a) A fixed amount in the separately used or inhabited part (SUIP) of a rating unit to fund 35% of the targeted rate requirement
- b) Tekapo A
20% of the balance of the 65% targeted rate requirement
- c) All other Tekapo properties
80% of the balance of the 65% targeted rate requirement

RURAL WORKS AND SERVICES RATE

- A fixed amount of \$128.50 (GST inclusive) per separately used or inhabited part (SUIP) of a rating unit on every rating unit situated in the rural community
- Ohau A
A rate of \$0.00000739 per dollar of capital value (GST inclusive) on every rating unit in the rural community
- Tekapo B
A rate of \$0.00001114 per dollar of capital value (GST inclusive) on every rating unit in the rural community
- All other rural properties
A rate of \$0.00000436 per dollar of capital value (GST inclusive) based on the capital value on every rating unit in the rural community (as defined on a map held by Council)

The relationship between the rates in the differential category is as follows:

- a) a fixed amount per separately used or inhabited part (SUIP) of a rating unit to fund 94.91% of the total rate requirement, and
- b) Ohau A
20% of the 5.09% balance of the targeted rate requirement
- c) Tekapo B
20% of the 5.09% balance of the targeted rate requirement
- d) All other rural properties
60% of the 5.09% balance of the targeted rate requirement

URBAN SEWAGE TREATMENT RATES

Targeted rates for sewage treatment, set under Section 16 of the Local Government (Rating) Act 2002, of

- A fixed amount of \$7.25 (GST inclusive) per separately used or inhabited part (SUIP) of a rating unit for all rating units situated in the Fairlie Community and which are connected to the Fairlie Community sewerage scheme
- A fixed amount of \$1.81 (GST inclusive) per each water closet or urinal (after the first) per separately used or inhabited part of a rating unit for all rating units situated in the Fairlie Community and which are connected to the Fairlie Community sewerage scheme.
- A fixed amount of \$10.97 (GST inclusive) per separately used or inhabited part (SUIP) of a rating unit for all rating units situated in the Lake Tekapo Community and which are connected to the Lake Tekapo Community sewerage scheme
- A fixed amount of \$2.74 (GST inclusive) per each water closet or urinal (after the first) per separately used or inhabited part (SUIP) of a rating unit for all rating units situated in the Lake Tekapo Community and which are connected to the Lake Tekapo Community sewerage scheme.
- A fixed amount of \$4.82 (GST inclusive) per separately used or inhabited part (SUIP) of a rating unit for all rating units situated in the Pukaki Ward and which are connected to the Twizel Community sewerage scheme
- A fixed amount of \$1.21 (GST inclusive) per each water closet or urinal (after the first) per separately used or inhabited part (SUIP) of a rating unit for all rating units situated in the Pukaki Ward and which are connected to the Twizel Community sewerage scheme.

Notes for the purposes of these rates:

The sewage treatment service is treated as being provided if the rating unit is connected to a public sewerage drain.

A rating unit used primarily as a residence for one household must not be treated as having more than one water closet or urinal

BURKES PASS SEWERAGE RATE

Targeted rate for Sewerage, set under Section 16 of the Local Government (Rating) Act 2002, of

- A fixed amount of \$376.85 (GST inclusive) per separately used or inhabited part (SUIP) of a rating unit for all rating units situated in the Burkes Pass Community and which are connected to the Burkes Pass Community sewerage scheme or part charge thereof for where connection to the Burkes Pass Community sewerage scheme is available
- A fixed amount of \$94.21 (GST inclusive) per each water closet or urinal (after the first) per separately used or inhabited part (SUIP) of a rating unit for all rating units situated in the Burkes Pass Community and which are connected to the Burkes Pass Community sewerage scheme.

Notes for the purposes of these rates:

The sewerage service is treated as being provided if the rating unit is connected to or able to be connected to a public sewerage drain and is within 30 metres of such a drain.

A rating unit used primarily as a residence for one household must not be treated as having more than one water closet or urinal

EVERSLEY RESERVE SEWERAGE RATE

Targeted rate for Sewerage, set under Section 16 of the Local Government (Rating) Act 2002, of

- A fixed amount of \$938.28 (GST inclusive) per rating unit for ratepayers in the Eversley Reserve sewerage scheme who have not previously paid the capital contribution.
(as defined on a map held by Council)

URBAN SEWERAGE INFRASTRUCTURE RATES

Targeted rates for sewerage infrastructure, set under Section 16 of the Local Government (Rating) Act 2002, of

- A fixed amount of \$193.80 (GST inclusive) per separately used or inhabited part (SUIP) of a rating unit for all rating units situated in the Fairlie Community and which are capable of being connected to the Fairlie Community sewerage scheme.
- A fixed amount of \$48.45 (GST inclusive) per each water closet or urinal (after the first) per separately used or inhabited part (SUIP) of a rating unit for all rating units situated in the Fairlie Community and which are capable of being connected to the Fairlie Community sewerage scheme.
- A fixed amount of \$252.26 (GST inclusive) per separately used or inhabited part (SUIP) of a rating unit for all rating units situated in the Lake Tekapo Community and which are capable of being connected to the Lake Tekapo Community sewerage scheme.
- A fixed amount of \$63.07 (GST inclusive) per each water closet or urinal (after the first) per separately used or inhabited part (SUIP) of a rating unit for all rating units situated in the Lake Tekapo Community and which are capable of being connected to the Lake Tekapo Community sewerage scheme.
- A fixed amount of \$102.57 (GST inclusive) per separately used or inhabited part (SUIP) of a rating unit for all rating units situated in the Pukaki Ward and which are capable of being connected to the Twizel Community sewerage scheme.
- A fixed amount of \$25.64 (GST inclusive) per each water closet or urinal (after the first) per separately used or inhabited part (SUIP) of a rating unit for all rating units situated in the Pukaki Ward and which are capable of being connected to the Twizel Community sewerage scheme

Notes for the purposes of these rates:

The sewerage infrastructure service is treated as being provided if the rating unit is connected to or able to be connected to a public service drain and is within 30 metres of such a drain.

A rating unit used primarily as a residence for one household must not be treated as having more than one water closet or urinal

URBAN WATER TREATMENT RATES

Targeted rates for water treatment, (metered or unmetered), set under Section 16 of the Local Government (Rating) Act 2002, of

- A fixed amount of \$89.08 (GST inclusive) per separately used or inhabited part (SUIP) of a rating unit for all rating units situated in the Opuha Ward and which are connected to the Fairlie Community water supply
- A fixed amount of \$43.20 (GST inclusive) per separately used or inhabited part (SUIP) of a rating unit for all rating units situated in the Pukaki Ward and which are connected to the Lake Tekapo Community water supply
- A fixed amount of \$70.39 (GST inclusive) per separately used or inhabited part (SUIP) of a rating unit for all rating units situated in the Pukaki Ward and which are connected to the Twizel Community water supply

Notes for the purposes of these rates:

The water supply treatment service is treated as being provided if any part of the rating unit is connected to a Council operated waterworks.

BURKES PASS WATER SUPPLY

A targeted rate for water supply, (metered or unmetered), set under Section 16 of the Local Government (Rating) Act 2002, of

- A fixed amount of \$646.48 (GST inclusive) per separately used or inhabited part (SUIP) of a rating unit for all rating units situated in the Burkes Pass Community and which are connected to the Burkes Pass Community water supply, or part charge thereof for where connection to the Burkes Pass Community water supply is available

Notes for the purposes of these rates:

The water supply service is treated as being provided, if any part of the rating unit is connected to a Council operated waterworks or if the rating unit is situated within 100 metres of waterworks and is capable of connection.

URBAN WATER INFRASTRUCTURE RATES

Targeted rates for water supply infrastructure, (metered or unmetered), set under Section 16 of the Local Government (Rating) Act 2002, of

- A fixed amount of \$336.03 (GST inclusive) per separately used or inhabited part (SUIP) of a rating unit for all rating units situated in the Opuha Ward and which are connected to the Fairlie Community water supply or capable of being connected
- A fixed amount of \$142.91 (GST inclusive) per separately used or inhabited part (SUIP) of a rating unit for all rating units situated in the Pukaki Ward and which are connected to the Lake Tekapo Community water supply or capable of being connected
- A fixed amount of \$227.52 (GST inclusive) per separately used or inhabited part (SUIP) of a rating unit for all rating units situated per Pukaki Ward and which are connected to the Twizel water supply or capable of being connected.

Notes for the purposes of these rates

The water supply infrastructure service is treated as being provided, if any part of the rating unit is connected to a Council operated waterworks or if the rating unit is situated within 100 metres of waterworks and is capable of connection.

RURAL WATER SUPPLIES

Targeted rates set under Section 19 of the Local Government (Rating) Act 2002, of:

- A fixed amount of \$212.12 (GST inclusive) per unit of water supplied to every rating unit serviced by the Allandale Rural water supply.
- A fixed amount of \$162.54 (GST inclusive) per unit of water supplied to every rating unit serviced by the Spur Road Rural water supply
- A fixed amount of \$131.00 (GST inclusive) per unit of water supplied to every rating unit serviced by the Downlands Rural water supply area in the Mackenzie District.

Targeted rates set under Section 16 of the Local Government (Rating) Act 2002, of:

- A fixed amount of \$225.00 (GST inclusive) per rating unit serviced by the Ashwick Opuha Rural water supply
- A rate of \$3.71 (GST inclusive) per hectare on every rating unit serviced by the Fairlie Water Race of a fixed amount per hectare.
- A fixed amount of \$30.00 (GST Inclusive) per rating unit serviced by the Fairlie Water Race
- A fixed amount of \$327.00. (GST inclusive) per rating unit serviced by the Downlands water supply area in the Mackenzie District.
- A fixed amount of \$46.37 (GST Inclusive) per rating unit in the Manuka Terrace water supply area.

DISTRICT ROADING RATE

Targeted rates for roading, set under Section 16 of the Local Government (Rating) Act 2002, of

- A fixed amount of \$0.00 (GST inclusive) per separately used or inhabited part (SUIP) of a rating unit on every rating unit (excluding Mount Cook Village) situated in the Mackenzie District.
- Tekapo A
A rate of \$0.00477066 per dollar (GST inclusive) of Capital Value
- Ohau A
A rate of \$0.00055325 per dollar (GST inclusive) of Capital Value
- Tekapo B
A rate of \$0.00083486 per dollar (GST inclusive) of Capital Value
- All other district properties
A rate of \$0.00047542 per dollar (GST inclusive) of Capital Value

URBAN SOLID WASTE RATE

A targeted rate for solid waste, set under Section 16 of the Local Government (Rating) Act 2002, of

- A fixed amount of \$260.23 (GST inclusive) per separately used or inhabited part (SUIP) of a rating unit for all rating units to which Council provides the service.

ALBURY AREA WASTE COLLECTION

A targeted rate for Albury area waste collection, set under Section 16 of the Local Government (Rating) Act 2002, of

- A fixed amount of \$44.23 (GST inclusive) per separately used or inhabited part (SUIP) of a rating unit for all rating units to which Council provides the service situated in the Albury waste collection area, excluding those properties already being assessed to pay the solid waste rate.
(as defined on a map held by Council)

TWIZEL IMPROVEMENT RATE

A targeted rate for Twizel improvement work, set under Section 16 of the Local Government (Rating) Act 2002, of

- A fixed amount of \$61.33 (GST inclusive) per separately used or inhabited part (SUIP) of a rating unit on every rating unit situated in the Twizel Community. (as defined on a map held by Council)

FAIRLIE COMMUNITY FACILITIES RATE

A targeted rate for Fairlie Community Facilities, set under Section 16 of the Local Government (Rating) Act 2002

- A fixed amount per dwelling of \$46.83 (GST inclusive) for all rating units in the area defined as the former Fairlie Ward, excluding those properties already being assessed to pay the Fairlie Works and Services Rate.

TWIZEL COMMUNITY FACILITIES RATE

A targeted rate for Twizel Community Facilities, set under Section 16 of the Local Government (Rating) Act 2002

- A fixed amount per dwelling of \$120.00 (GST inclusive) for all rating units in the area defined as the Twizel Community, excluding those properties already being assessed to pay the Twizel Works and Services Rate

MARKETING, TOURISM AND ECONOMIC DEVELOPMENT RATES

Targeted rates for Marketing, Tourism and Economic Development, set under Section 16 of the Local Government (Rating) Act 2002, assessed on a differential basis as described below:

- A fixed amount of \$37.77 (GST inclusive) per separately used or inhabited part (SUIP) of a rating unit on every rating unit situated in the Mackenzie District
- A fixed amount of \$31,400.00 (GST inclusive) per property assessed on primary accommodation - Tier 1 properties
- A fixed amount of \$6,978.00 (GST inclusive) per property assessed on primary accommodation - Tier 2 properties
- A fixed amount of \$3,488.83 (GST inclusive) per property assessed on primary accommodation - Tier 3 properties
- A fixed amount of \$1046.71 (GST inclusive) per property assessed on primary Accommodation - Tier 4 properties
- A fixed amount of \$697.77 (GST inclusive) per property assessed on primary accommodation - Tier 5 properties
- A fixed amount of \$348.75 (GST inclusive) per property assessed on primary accommodation - Tier 6 properties
- A fixed charge of \$69.77 (GST inclusive) per property assessed on secondary accommodation - Tier 1 properties
- A fixed amount of \$209.32 (GST inclusive) per property assessed on secondary accommodation - Tier 2 properties
- A fixed amount of \$348.87 (GST inclusive) per property assessed on secondary accommodation - Tier 3 properties
- A fixed amount of \$174.44 (GST inclusive) per property assessed on commercial businesses - All properties
- A fixed amount of \$174.44 (GST inclusive) per property assessed on commercial businesses – Tourism based properties

RURAL CATTLESTOP MAINTENANCE RATE

A targeted rate for Rural Cattlestop Maintenance, set under Section 16 of the Local Government (Rating) Act 2002, of

- A fixed amount of \$300.92 per cattlestop or part thereof, to the rating unit benefitting

DIFFERENTIAL CATEGORIES

GENERAL RATE

The Council adopts the following differential categories based on the use and location of the land for the purposes of the general rate:

Group (A)

- a) Tekapo A
- b) Ohau A
- c) Tekapo B

Group (B)

All other properties

The relationship between the rates set per differential categories is as follows:

Group (A)

- a) Tekapo A 10% of the total rate requirement
- b) Ohau A 10% of the total rate requirement
- c) Tekapo B 10% of the total rate requirement

Group (B)

All other properties 70% of the total rate requirement

TEKAPO COMMUNITY WORKS & SERVICES RATE

The Council adopts the following differential categories based on the use and location of the land for the purposes of the Tekapo Works and Services Rate:

Category

- a) Tekapo A
- b) All other Tekapo properties

The relationship between the differential categories is as follows:

Tekapo A 20% of the balance of the targeted rate requirement

All other Tekapo properties 80% of the balance of the targeted rate requirement

RURAL WORKS & SERVICES RATE

The Council adopts the following differential categories for the purposes of the Rural Works & Services Rate:

Category

- a) Ohau A
- b) Tekapo B
- c) All other rural properties

The relationship between the rates set per differential categories is as follows:

Ohau A 20% of the balance of the targeted rate requirement

Tekapo B 20% of the balance of the targeted rate requirement

All other rural properties 60% of the balance of the targeted rate requirement

DISTRICT ROADING RATE

The Council adopts the following differential categories based on the use and location of the land for the purposes of the district roading rate:

Group (A)

- a) Tekapo A
- b) Ohau A
- c) Tekapo B

Group (B)

All other district properties

The relationship between the rates set per differential categories is as follows:

Group (A)

- | | |
|-------------|-----------------------------------|
| a) Tekapo A | 10% of the total rate requirement |
| b) Ohau A | 10% of the total rate requirement |
| c) Tekapo B | 10% of the total rate requirement |

Group (B)

- | | |
|-------------------------------|-----------------------------------|
| All other district properties | 70% of the total rate requirement |
|-------------------------------|-----------------------------------|

MARKETING, TOURISM AND ECONOMIC DEVELOPMENT RATES

A series of targeted rates of a fixed amount per category will be assessed under section

16 on a differential basis, to fund marketing, tourism and economic development activities.

Targeted marketing, tourism and economic development rates will be calculated on the following basis.

- a) All Properties
- b) The use to which the land is put and
- c) The capital value of the land

The Council has proposed that the targeted rate be assessed on the following categories of land:

- All Properties
A fixed amount per separately used or inhabited part (SUIP) of a rating unit on every rating unit situated in the Mackenzie District
- Primary Accommodation – Tier 1
All rateable properties within the Mackenzie District that are used for accommodation purposes on land with a property category code beginning with CA per Council's Rating Information Database and where the Capital Value exceeds \$10,000,001.
- Primary Accommodation – Tier 2
All rateable properties within the Mackenzie District that are used for accommodation purposes on land with a property category code beginning with CA per Council's Rating Information Database and where the Capital Value is between \$5,000,001 and \$10,000,000.
- Primary Accommodation – Tier 3
All rateable properties within the Mackenzie District that are used for accommodation purposes on land with a property category code beginning with CA per Council's Rating Information Database and where the Capital Value is between \$2,000,001 and \$5,000,000.
- Primary Accommodation – Tier 4
All rateable properties within the Mackenzie District that are used for accommodation purposes on land with a property category code beginning with CA and where the Capital Value is between \$1,000,001 and \$2,000,000.
- Primary Accommodation – Tier 5
All rateable properties within the Mackenzie District that are used for accommodation purposes on land with a property category code beginning with CA per Council's Rating Information Database and where the Capital Value is between \$500,000 and \$1,000,000.
- Primary Accommodation – Tier 6
All rateable properties within the Mackenzie District that are used for accommodation purposes on land with a property category code beginning with CA per Council's Rating Information Database and where the Capital Value is less than \$500,000.
- Secondary Accommodation – Tier 1

All rateable properties within the Mackenzie District identified as Farmstay accommodation providers but where the primary use of the land is not for accommodation purposes.

- Secondary Accommodation – Tier 2

All rateable properties within the Mackenzie District with a Capital Value of less than \$500,000 but where the primary use of the land is not for accommodation purposes.

- Secondary Accommodation – Tier 3

All rateable properties within the Mackenzie District with a capital value of \$500,000 or greater and identified as accommodation providers but where the primary use of the land is not for accommodation purposes.

- Commercial Businesses - All

All rateable properties within the Mackenzie District on land with a property category code beginning with C per Council's Rating Information Database.

- Commercial Businesses – Tourism Based

All rateable properties within the Mackenzie District on land with a property category code beginning with C per Council's Rating Information Database that have been identified as being primarily tourism based.

Notes for the purposes of these rates

Secondary accommodation providers can be exempt if they provide a declaration stating that they provide accommodation for less than 20 bed nights per annum

Definitions:

Group (A)

- "Tekapo A" means all separately rateable properties in the former Tekapo Ward with an area of less than 2000 hectares, used for hydro electric power generation (as more particularly defined on valuation roll number 2530015901)
- "Ohau A" means all separately rateable properties in the former Twizel Ward used for hydro electric power generation (as more particularly defined on valuation roll number 2532000701A)
- "Tekapo B" means all separately rateable properties in the former Tekapo Ward with an area of 2000 hectares or more, used for hydro electric power generation (as more particularly defined on valuation roll number 2530018400)

Group (B)

- "All other properties" means every other property in the district other than Tekapo A, Ohau A and Tekapo B.

Other Categories

- "All other Tekapo properties" means all other rating units in the Lake Tekapo community area of benefit excluding Tekapo A
 - "All other rural properties" means every other property in the rural community other than Ohau A and Tekapo B and Mount Cook Village. Rural community is defined as the area of the Mackenzie District excluding the community areas of benefit of Twizel, Lake Tekapo, Fairlie and Mount Cook Village (as defined on a plan held by Council).
 - "All other district properties" means all separately rateable properties in the Mackenzie District other than Tekapo A, Ohau A, Tekapo B and Mount Cook village. (as defined on a plan held by Council).
- "All properties" means all separately used or inhabited parts (SUIP) of a rating unit situated in the Mackenzie District.

DUE DATE FOR PAYMENT OF RATES

All rates will be payable in four instalments on due dates as follows:

Instalment number	Due Date
One	20 September 2014
Two	20 December 2014
Three	20 March 2015
Four	20 June 2015

PENALTIES

That pursuant to sections 57 and 58 of the local Government (Rating) Act 2002, the Council prescribes the following penalties to be added to unpaid rates:

- a) A charge of 10 per cent of the amount of any instalment that has been assessed after 1 July 2014 and which is unpaid after the due dates being
 - 20 September 2014
 - 20 December 2014
 - 20 March 2015
 - 20 June 2015
- b) A charge of 10 per cent on so much of any rates levied before 1 July 2014 which remain unpaid on 10 August 2014.
- c) A charge of 10 per cent on any rates to which a penalty has been added under (b) if the rates remain unpaid on 10 February 2015

PAYMENT OF RATES

That rates shall be payable at any of the following places:

Council offices, 53 Main Street, Fairlie (between the hours of 8.30 am to 5.00 pm, Monday to Friday, excluding public holidays) and Market Place, Twizel (between the hours of 8.30 am to 5.00 pm Monday to Friday) or pre advertised winter hours.

PAUL MORRIS
MANAGER - FINANCE & ADMINISTRATION

WAYNE BARNETT
CHIEF EXECUTIVE OFFICER

Background

Section of the Local Government (Rating) Act 2002 requires that the rates must be set by resolution of the local authority.

Assessment of Significance

This matter is not deemed significant under the Council's significance policy.

Recommendation

That the rates and due dates for payment be set by resolution for the 2014/15 financial year.

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL
FROM: CHIEF EXECUTIVE OFFICER
SUBJECT: COMMUNITY BOARD RECOMMENDATIONS
MEETING DATE: AUGUST 5, 2014
REF: PAD 5

PURPOSE OF REPORT:

To consider the recommendations made by community boards.

RECOMMENDATIONS:

1. That the report be received.

FAIRLIE COMMUNITY BOARD:

2. That council **notes** the following resolution regarding the Welcome to Fairlie sign:
 That the Fairlie Community Board writes a letter to the Fairlie Promotions Society congratulating them on what has been done so far to establish a new 'Welcome to Fairlie' sign, and requests input and sign off on the design of the next sign on that site.

Owen Hunter/Trish Willis

TWIZEL COMMUNITY BOARD:

3. That council **notes** the following resolutions regarding rubbish collection near the Twizel Four Square:
 That the community board approves Garth Nixon's suggestion to install a refurbished bin set between the Twizel Events Centre and the supermarket, replacing the swimming pool set so as not to incur the additional cost of emptying.

Phil Rive/John Bishop
4. That council **notes** the following resolution regarding a suggestion to re-name Old Glen Lyon Road, Twizel:
 That the name of Old Glen Lyon Road not be changed by council.

Russell Armstrong/Phil Rive
5. That council **notes and considers** the following resolutions from the Twizel Community Board regarding the proposal by Meridian Energy to build at Market Place, Twizel:
 That the community board recommends to council that it approves the concept plans for the Meridian Energy Building at Market Place, Twizel, and gives council permission to proceed.

John Bishop/Phil Rive

That the resolutions regarding the concept plans presented by Meridian Energy be confirmed in the public part of the meeting.

John Bishop/Phil Rive

TEKAPO COMMUNITY BOARD:

There are no resolutions from the Tekapo Community Board due to the cancellation of the meeting.

ATTACHMENTS:

The minutes of the meetings of the Twizel and Fairlie Community Boards.

BACKGROUND:

The community boards have made a number of decisions for council to note and/or consider.

POLICY STATUS:

N/A

SIGNIFICANCE OF DECISIONS REQUESTED:

No significant decisions are required.

CONSIDERATIONS:

The Council delegated a range of authorities to staff and other organisations on 14 June 2005 when it also confirmed that it did not need to make any specific delegations to Community Boards to have them better perform their role.

This policy was amended on 29 January 2008 when the Council resolved to delegate to the Fairlie, Tekapo and Twizel Community Boards, the following responsibilities:

- The ability to consider requests from local organizations for financial assistance in the form of grants, where budget exists for such matters and subject to no one grant exceeding \$1,000.
- The ability to appoint local representatives to organizations within the community board area and other organizations where local representation is requested.
- The ability to authorize, within approved budgets, board members' attendance at relevant conferences and/or training courses.
- The ability to provide or withhold affected persons approval for planning applications on land adjoining Council owned land within the community board area.
- The ability to approve routine changes in policy affecting locally funded facilities within the community board area.

In the absence of delegated authority to the Community Boards on other matters, the Council has the opportunity to note and consider the issues raised and matters promoted on behalf of the Townships by their Boards and to endorse them where appropriate.

WAYNE BARNETT
CHIEF EXECUTIVE OFFICER

MACKENZIE DISTRICT COUNCIL

MINUTES OF A MEETING OF THE FAIRLIE COMMUNITY BOARD HELD IN THE COUNCIL CHAMBERS, FAIRLIE, ON MONDAY JULY 21, 2014, AT 7:00PM

PRESENT:

Owen Hunter (Chairman)
Les Blacklock
Warren Barker
Trish Willis
Cr Noel Jackson

IN ATTENDANCE:

Garth Nixon (Community Facilities Manager)
Arlene Goss (Committee Clerk)
Pauline Jackson (public)
Anne Thomson, Fairlie Heartlands (public)

APOLGIES:

Resolved that apologies be received from chief executive Wayne Barnett and Mayor Claire Barlow.

Noel Jackson/Warren Barker

DECLARATIONS OF INTEREST:

Declarations of interest were not called for.

MINUTES:

Resolved that the minutes of the meeting of the Fairlie Community Board held on June 9, 2014, be confirmed and adopted as the correct record.

Warren Barker/Noel Jackson

FAIRLIE COMMUNITY BOARD MATTERS UNDER ACTION:

SH 79 Approach to Fairlie – Signage:

The Welcome to Fairlie sign has gone up.

Trish Willis expressed a concern that future similar signs need to be checked by someone at the council who has an overview of strategic branding for the district.

The chairman said this is the Fairlie Promotions Society sign, rather than a council or community board sign, and the advice from the chief executive was

that community board cannot tell them what they can or cannot put on their sign.

Cr Jackson said it was a sign for the Fairlie township, rather than the whole district, and it was helpful to have a sign to show what the township has to offer. The Promotions Society took advice from Transit NZ on the layout of the sign. He would like the sign to have a small border to give it a frame and make it stand out more.

Warren Barker said the community believes that signs come from the council anyway, so maybe the community board should have input.

Garth Nixon said a draft sign was put in front of the community board and a decision was made to go ahead with input from Christchurch and Canterbury Tourism. This occurred. The finished sign shows that fewer words and larger lettering is more effective.

Further discussion was held on the need for more collaboration with the Promotions Society on promoting Fairlie. A letter needs to be sent to them to thank them for their efforts in establishing the new sign. Town representation and signage is currently listed on the town projects list for further consideration.

Garth Nixon said the next step would be to create another sign to use on the same site, as the plan is to change signage regularly to keep it fresh. The community board discussed having more input into the design of the next sign.

Resolved that the Fairlie Community Board writes a letter to the Fairlie Promotions Society congratulating them on what has been done so far to establish a new 'Welcome to Fairlie' sign, and requests input and sign off on the design of the next sign on that site.

Owen Hunter/Trish Willis

PUBLIC FORUM:

Anne Thomson from Fairlie Heartlands was invited to address the community board.

She gave her views on the upgrade of the community centre courtyard. The points she raised were:

- The use of river stones in the courtyard needs to continue as a theme.
- A grass area is needed.
- She would like some thought given to the fate of the cherry trees because some people have an attachment to them. They have been there since 1986. She would like them retained.
- The recent pipe band championships were an example of good use of the area and she would like the space kept open and available for such occasions.
- Don't put in too many seats as they are not used.

The chairman thanked Anne Thomson for her comments and said the plans for the upgrade of the courtyard would be put out for public comment before anything happened.

This matter was also discussed later in the meeting.

REPORTS:

FAIRLIE COMMUNITY BOARD FINANCIAL ACTIVITY REPORT TO MAY:

Cr Jackson had a question regarding Strathconan Park on page 16 of the agenda. Why no budget? Garth Nixon said maintenance of the trees and mowing of this park is included in the township account.

Cr Jackson asked for details on the costs of maintaining the Fairlie walkway. Garth Nixon said the community board pays wages to the person maintaining the walkway and also other costs for contractors to do some jobs like the removal of large trees. There have also been costs for spraying, and contractors did work on the bottom section after it was blocked following a windstorm. New signage has also been installed at the Talbot St access point.

Mr Nixon was asked why the walkway entrance on Allandale Rd, going west, is like a pond. He is investigating this to see where the water is coming from.

The chairman said what the Lions Club would like to do is get the walkway to a high standard so it can be sprayed from a four-wheeler instead of by hand.

Trish Willis asked if there was an update on the lease of the domain camp ground. Garth Nixon said he would ask Finance Manager Paul Morris to provide an update on this to the community board.

The chairman also requested a balance sheet to tell the community board how much money each cost centre has in it. Garth Nixon offered to ask Paul Morris for this for the next meeting.

Resolved that the report be received.

Les Blacklock/Trish Willis

OLD LIBRARY CAFÉ BUILDING UPDATE:

Work is underway on the Old Library Café restoration. The traffic management plan has been signed off and the contractor is getting into demolition. The chairman said the contractor has been diligent with pricing. There is a possibility of some walls not being re-plastered and they may be water blasted and left as stone. Will be on schedule to finish in mid December, weather permitting. No resolution was passed on this item.

WARD MEMBERS REPORT:

Cr Jackson has nothing to report.

REPORTS FROM MEMBERS WHO REPRESENT THE BOARD ON OTHER COMMITTEES:

The chairman said the Lions Club are continuing to work towards covering the stage on the village green. They have sourced an original door to make the railway carriage look authentic and this will be built over the next few months.

GENERAL BUSINESS:

FAIRLIE COMMUNITY CENTRE COURTYARD DESIGN:

The chairman asked the board members to consider the two designs that have been submitted. Trish Willis asked that a letter be written to Randall Froude to thank him for his time and contribution, as he did not charge for the work. The chairman agreed.

The chairman said he likes the use of river stone in the design, but would also like some greenery because otherwise it's all grey. He would also like the noticeboard at the front of the courtyard to be moved. Discussion was held on other sites that may be more suitable for a community noticeboard. The community board agreed to move it from the entrance area.

Trish Willis suggested a sign at Mount Michael with symbols including a coffee cup to encourage people to stop in Fairlie.

The chairman asked if it was possible to amalgamate the two courtyard design plans. Garth Nixon said yes and asked the board members to give him an indication of what they like or don't like in each plan.

The community board would like to incorporate the stone work and bring it further to the front. They like the grass area, and want to remove the noticeboard and drag the green area further to the front. The community centre sign needs to come forward. You need to be able to walk from the council door into the main courtyard. They don't want to include a deck at the front of the community centre as part of project. A new low stone wall at the front near the footpath is good.

Garth Nixon was asked to prepare a revised plan and said he hoped to be able to do this by the end of the week. It then needs to go out to the community board members before it is sent out for community consultation.

Trish Willis suggested using large boulders to provide interest, similar to the Britomart area in Auckland. Discussion was held on whether this would be

appropriate in the courtyard, with concern that the space might be too confined.

The chairman asked about seating. They are planning to tidy up the current seating and re-use it. Seven seats are included in the plan and this is too many. Garth Nixon said the seats by the community centre and in the rock alcove are the essential ones.

Discussion was held on the removal of cherry trees and which ones could be left. Garth Nixon was asked to discuss this with Anne Thomson.

The community board agreed not to make changes to the community centre building and will leave it as is, except for the front gardens. This work can be addressed later as a separate project.

Trish Willis asked about the décor in the community lounge. Garth Nixon said yes there are concerns about the age of the décor. Chairs have been cleaned but are aged. Curtains are old and are on the list to replace.

Warren Barker asked if the plans for the courtyard were within budget. Garth Nixon said once a decision is made on what to do with the courtyard it can then be costed. He expects it to be within budget.

Garth Nixon will email the revised plan to community board members before it goes into the Accessible. We need to make it clear to the community that it is only the courtyard that is being discussed, not the community centre.

Discussion was held on the dishwasher in the community centre which needs to be upgraded. The roof is a priority as well, because it is deteriorating.

TOWN SIGNAGE:

This agenda item was discussed earlier in the meeting under Matters Under Action.

GENERAL BUSINESS:

The chairman would like to organise a projects workshop for the community board to discuss the projects list, which is attached to these minutes.

It was decided to hold this workshop on Monday, August 4, at 5pm. Paul Morris will be asked to attend to provide financial advice. The chairman will send out a memo after this has been confirmed.

The chairman raised the issue of a raised area of ground that used to be railway ground on the north side of the bridge heading towards Tekapo. It is never mown and needs to be tidied up. Garth Nixon has discussed this with the owner of the land behind it and favours planting. The chairman suggested

the raised ground be removed. Cr Jackson would rather see it tidied up and planted. Garth Nixon will discuss with the land owner the idea of it being sprayed and planted.

Warren Barker raised the issue of a sign that says "Ford" which is needed to prevent vehicles from getting stuck in the ford/stream on North Street. It was agreed a sign is needed and should be actioned.

The chairman raised the issue of the Give Way sign on the main intersection that is used by vehicles from Tekapo turning left towards Geraldine. NZTA would like to remove this sign, however this will create a bottleneck. Roding manager Suzy Ratahi has written to NZTA asking them to leave it as it is.

**THERE BEING NO FURTHER BUSINESS
THE CHAIRPERSON DECLARED THE MEETING CLOSED AT 8.29pm.**

CHAIRMAN: _____

DATE: _____

Unconfirmed

PROJECT LIST

1. Allandale Bridge to Talbot Rd Walkway
2. Town entrance – Allandale Bridge
3. Streetscaping plan
4. Town entrance – Mt Cook Rd
5. Street furniture
6. Denmark St retail development
7. Signage
8. Clip on Allandale Bridge
9. Proactive Main St caretaker
10. Water reticulation – Eversley
11. Courtyard improvement
12. Riddle St
13. Street parking
14. Swimming Pool
15. Colour palette
16. Themed seasonal decorations
17. Seal Eversley Reserve
18. Eversley street lights
19. Stan Taylor/Lions Corner
20. Tighter contractual arrangements with Enhancement Board etc
21. Define levels of serve from contractor
22. Targeted grants – Entrepreneurs
23. Pedestrian Crossing – Main St
24. Main intersection design
25. Land availability to new houses
26. Eversley Turnoff
27. Earthquake strengthening issues
28. Retail parking
29. Fairlie Domain
30. Western Catchment
31. Town Boundary – Representation
32. Cycle Lanes
33. Beautification of visible river
34. Promotion and marketing of town model
35. Disabled parking (4)

21st.

see paul.

5 pm

Monday.

4 August

MACKENZIE DISTRICT COUNCIL

MINUTES OF A MEETING OF THE TWIZEL COMMUNITY BOARD HELD IN THE COUNCIL SERVICE CENTRE, TWIZEL ON MONDAY, JULY 24, 2014 AT 3PM

PRESENT:

John Bishop (Chairman)
Bruce White
Pat Shuker
Phil Rive
Cr Russell Armstrong

IN ATTENDANCE:

Cr James Leslie
Claire Barlow (Mayor)
Wayne Barnett (Chief Executive) – from 3.10pm
Garth Nixon (Community Facilities Manager)
Paul Morris (Finance and Administration Manager)
Geoff Horler (Water Manager)
Arlene Goss (Committee Clerk)
Graeme Bond (public)

APOLOGIES:

An apology for lateness was received from chief executive Wayne Barnett.

Wayne Barnett joined the meeting at 3.10pm.

DECLARATIONS OF INTEREST:

Cr Russell Armstrong has a declaration of interest on the public excluded item “Concept Plans”. He will not debate or vote on this matter.

MINUTES:

Resolved that the minutes of the meeting of the Twizel Community Board held on June 3, 2014, be confirmed and adopted as the correct record of the meeting.

Phil Rive/Bruce White

The chairman asked for an update regarding the filter system. Geoff Horler to report under his item on this. Lighting not reported back yet. The chairman did write the report for the Twizel Update and to be discussed under correspondence.

PUBLIC EXCLUDED:

Resolve that the public, be excluded from the following part of the proceedings of this meeting namely 'Concept Plans'.

Russell Armstrong/Pat Shuker

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
Concept plans	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: *Concept Plans under section 7(2)(i)*.

The Twizel Community Board continued in open meeting. The following resolutions relate to a matter discussed in the public excluded session and are to be confirmed in open meeting.

CONCEPT PLANS:Resolved:

1. That the report be received.

John Bishop/Phil Rive

2. That the community board recommends to council that it approves the concept plans for the Meridian Energy Building at Market Place, Twizel, and gives council permission to proceed.

John Bishop/Phil Rive

Community board member Pat Shuker voted against this motion and requested that her vote be recorded in the minutes.

3. That the resolutions regarding the concept plans presented by Meridian Energy be confirmed in the public part of the meeting.

John Bishop/Phil Rive

Cr Leslie left the meeting at 3.45pm.

TWIZEL COMMUNITY BOARD MATTERS UNDER ACTION:

Alleyways:

This is completed. This item can be removed from the list.

Twizel Public Toilets:

The community board requested to add the topic of the demolition or sale of the old toilets, and future use of the space, to the agenda of the next meeting.

Twizel Information Centre Opening Hours:

Garth Nixon handed out a table showing statistics regarding the use of the information centre by the public. Bruce White asked if this information can be collected until next year to provide a full year of data. The chairman said there was some concern previously about opening hours, but staffing issues have been resolved and things are running more smoothly. Garth Nixon still needs to talk to the TPDA regarding their concerns. Pat Shuker said public opinion expressed to her is that people are happy to have someone at the information centre from 9am to 5pm.

Name Change for Old Glen Lyon Road:

To be addressed later on the agenda.

Traffic Issues at Maitland Place and Irishman Drive:

Aerial photographs showing plans to improve traffic problems in this area were handed to councillors, with further discussion to come at the next meeting.

The Mayor asked for an update on the building of the new public toilets. This project is about five weeks behind due to some blocks breaking in the polishing process. This has been resolved and things will move forward faster now. The toilets will be finished in September.

FINANCIAL REPORT TO MAY, 2014:

The purpose of this report is to update board members on the financial performance of the Twizel Community as a whole for the period to May, 2014.

Paul Morris explained variances in the budgets. There was some discussion on banking processes which have changed as a result of a recent theft. These were outlined to board members. The auditors are comfortable with the steps that have been taken.

Resolved that the report be received.

Russell Armstrong/Phil Rive

VERBAL UPDATE ON TWIZEL WATER SUPPLY UPGRADE:

Utilities manager Geoff Horler attended the meeting to update community board members on progress with the upgrade of the Twizel water supply. He circulated a report from Opus on the replacement of the reservoir liner. This is attached to these minutes. There is no money in the budget to do this this year.

Questions were asked regarding the testing of the new filter. Council has decided to use the new filter but is testing one to see how long they last for, so they can be budgeted for replacement at the appropriate time.

Geoff Horler said he has also had to water blast and inspect the number 2 well and will know the results of the CCTV inspection soon. The water safety plan has been approved by the Ministry of Health.

Pipe samples have been collected and taken to Opus for testing. Results are not too far away and he will let the community board know. 12 samples have been taken and we have asked Opus to provide a report and suggest ideas on how to predict the life of the pipe.

Opus has also been asked to do a review on the costs of building a water scheme for Manuka Tce residents. This will go to council.

Pat Shuker said she was under the impression that Manuka Tce didn't come within the Twizel town boundary. Yes this is the case but council is still looking at the idea of a water scheme for that area.

REPORT FROM HEARTLAND SERVICES TRIZEL COMMUNITY WORKER:

This report from the community worker was attached to the minutes and outlined activity in May 2014.

Bruce White is a member of the Community Care Trust. He said he is impressed with the group and has attended two meetings. They have recently received a grant for a computer from Meridian. They do very good work and it's a positive group.

WARD MEMBER'S REPORT:

Cr Russell Armstrong has nothing to report.

REPORTS FROM MEMBERS WHO REPRESENT THE COMMUNITY BOARD ON OTHER COMMITTEES:

There were no reports from members who represent the community board on other committees.

GENERAL BUSINESS:

HIRE OF TOWN MULCHER:

The chairman has received a cheque for \$600 as a hire fee for the town mulcher. He handed this to committee secretary Arlene Goss for banking (receipt number 232887).

CORRESPONDENCE: LETTER FROM MACKENZIE FOUR SQUARE:

This letter from Stuart Petrie was at page 30 of the agenda. It requests the construction of a rubbish bin facility near the supermarket.

Pat Shuker said she was originally approached by Mr Petrie and asked him to write the letter to the community board. Supermarket staff are cleaning up rubbish after the buses stop. There was some discussion held on the need for the Four Square to keep their land tidy. Cr Armstrong said they have a valid point regarding rubbish from buses. The chairman suggested the Four Square could put their own bins out, or we could move a bin from the centre of town to the supermarket. He was aware that it can cost thousands of dollars a year to have a new bin emptied.

Garth Nixon said he has received a call from Whitestone who are concerned about this same issue. He suggested that a set of bins currently located outside the swimming pool be taken from that location and replaced with a single bin. This would provide a temporary fix. He also has an old bin from Tekapo that needs a refurbish, and this could be installed at the supermarket as a permanent fix.

Resolved that the community board approves Garth Nixon's suggestion to install a refurbished bin set between the Twizel Events Centre and the supermarket, replacing the swimming pool set so as not to incur the additional cost of emptying.

Phil Rive/John Bishop

Garth Nixon to send a letter to notify the Four Square, to include a note regarding their responsibility to keep their own land tidy.

CORRESPONDENCE: LETTERS FROM DIANE MCGEORGE, MARION SEYMOUR AND MANDY SPEARING REGARDING THE RE-NAMING OF OLD GLEN LYON ROAD:

These letters are at page 31, 32 and 33 of the agenda. They contain suggestions regarding the re-naming of Old Glen Lyon Road.

The chairman has done some research into the history of the name Lyford, as suggested in two of the letters, but has also received additional feedback that the name should not be changed from Old Glen Lyon Road. The chairman read out a letter from Mat Bayliss who has built a home on the road and said he has not had any problems with the name. The chairman has had a meeting with Mr Bayliss and Simon Cameron. He has also received a phone call from a lady on Boundary Road objecting to the name change.

There was discussion on whether there was enough interest shown to warrant changing the name of the road, and also the public process that would be required to change it. Cr Armstrong suggested a motion to leave the road named as it is and this was seconded by Phil Rive.

Resolved that the name of Old Glen Lyon Road not be changed by council.

Russell Armstrong/Phil Rive

CLOSING COMMENTS:

The chairman asked if there was anything further to discuss in general business.

Pat Shuker has been asked questions by a resident regarding a greenway with a broken concrete pavement. She asked what the process was for dealing with it. Bruce White said the money has already been spent this financial year on greenways, but it could be a priority for the next financial year. Pat Shuker agreed to show the location to Bruce with a view to making it the next project.

Garth Nixon said a programme to target footpaths in Twizel would be helpful for the next round of funding.

The community board requested that a discussion be held on the fate of the old public toilets at the next meeting.

The chairman thanked Graeme Bond, a member of the public, for attending to observe the meeting. Mr Bond objected to the community board starting a meeting with a public excluded item. The chairman informed him of the resolutions from the public excluded session, as they had been confirmed for public release. Mr Bond asked some questions regarding the process and these were answered.

**THERE BEING NO FURTHER BUSINESS
THE CHAIRMAN DECLARED THE MEETING CLOSED AT 4.35PM**

CHAIRMAN: _____

DATE: _____

MACKENZIE DISTRICT COUNCIL

MINUTES OF A MEETING OF THE FINANCE COMMITTEE HELD IN THE COUNCIL CHAMBERS, FAIRLIE, ON THURSDAY, JULY 24, 2014, AT 9.30AM

PRESENT:

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

IN ATTENDANCE:

Wayne Barnett (Chief Executive Officer)
 Paul Morris (Finance and Administration Manager)
 Nathan Hole (Planning and Regulation Manager)
 Garth Nixon (Community Facilities Manager) from 9.49am
 Arlene Goss (Committee Clerk)
 Jason Gaskill (Alps2Ocean/Tourism Waitaki) from 11am
 Miles O'Connor (Bancorp) from 11.30am

APOLOGIES:

Resolved that an apology was received from Cr Murray Cox.

Claire Barlow/James Leslie

DECLARATIONS OF INTEREST:

Cr Russell Armstrong made a declaration of interest relating to the public excluded matter 'Land Sale Twizel'. He will not debate or vote on this issue.

MINUTES:

Resolved that the minutes of the meeting of the Finance Committee held on June 12, 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

MATTERS ARISING:

The chief executive updated the committee on two matters mentioned in the minutes. Regarding the Freedom Camping bylaw, he said a meeting has been arranged and a person engaged to write this bylaw. Regarding the workshop to be held on insurance and risk, this has not been scheduled at this stage, but will be acted on.

REPORTS:

FINANCIAL ACTIVITY REPORT TO MAY, 2014:

Resolved that the report be received.

Evan Williams/James Leslie

This report updated the committee as to the council's financial position to May 31, 2014.

Questions were asked regarding variances. Since the council building has installed heat pumps it has saved five thousand dollars in electricity costs.

The Fairlie supply has had a number of breakages and repairs that are unbudgeted. A report on this matter is on the agenda for the Asset and Services committee meeting on July 24.

There are a number of financial and reserve contributions showing in the budget for the planning area, mainly related to subdivisions in Twizel.

On page 33 of the agenda it shows council has received emergency reinstatement (\$653,000) for roading and are over spent in this area. Given the extraordinary events we've had this financial year the roads are in good condition and we have been able to do what we wanted to do this year. It's a good result for roading.

On page 35, footpath servicing is mentioned. The townships have used their reserves on footpaths and the overspend will be funded from the roading reserves.

Community facilities manager Garth Nixon joined the meeting at 9.49am.

There has been a change to animal control provision, which has given us a slight surplus. Councillors will need to look at levels of service in this area in future. We have one of the cheapest dog registration fees in the country but are not doing a lot of monitoring.

Solid waste costs are up due to more waste being produced and more waste going to landfill. We need to encourage holiday home owners to recycle more when they are staying in the district. At the moment we have a \$40,000 deficit coming through in waste. This needs to be noted going forward and we might need more education.

On page 43 there are legal fees. We are in negotiation with the Twizel Medical Trust which has resulted in these fees. This will be discussed further at the council meeting on August 5. On page 45, Twizel's public toilets have not been finished in this financial year so there will be a carry over of expenditure.

The chairman said next months figures will show the final results for the financial year. At the moment things are on track except for a small overspend in solid waste and roading.

PUBLIC EXCLUDED:

Resolve that the public be excluded from the following part of the proceedings of this meeting namely Land Sale Twizel.

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
Land Sale Twizel	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: <i>Land Sale Twizel, under section 7(2)(i).</i>		

Evan Williams/Claire Barlow

The Finance Committee continued in open meeting.

The meeting adjourned for morning tea at 10.30am and reconvened at 11am. During morning tea the Mayor and councillors welcomed Japanese students from Mackenzie College who took photos with the Mayor and then left.

Jason Gaskill from Tourism Waitaki joined the meeting at 11am.

PRESENTATION FROM JASON GASKILL, ALPS2OCEAN:

Jason Gaskill handed out a report to councillors which is attached to these minutes. He said over winter there are still a number of people using the trail, including a group of 30-40 on one section.

The best month last season for operators was April. People in Tekapo are using the canal road on their bikes to join with the main route. It has been a very successful year. Estimated numbers are between 9,000 and 11,000 users. Numbers are far in excess of what was expected at this stage.

The booking engine is now functional and partners are receiving bookings through it. Need to fine tune how to handle tour groups. They are updating the hotel booking structure so all room types are represented. Have had limited negative feedback on the booking engine. A positive reaction from most partners towards the business model. They now have 151 business partners. Have planned meetings in Tekapo over the next couple of weeks to connect operators to Alps2Ocean.

They are currently developing an app and getting it to function on the trail so people can download it to their mobile and use it while they are on the trail. This also allows Alps2Ocean to follow users and determine where they are starting and ending their journey. This is being tested and will be ready to launch by September.

They hope to take over responsibility for signage. Working on a process to shift that responsibility to Tourism Waitaki.

Jason Gaskill said financially the organisation has done better than expected in a number of ways and he is reasonably comfortable with how things are going. There is a modest surplus of about \$11,000. This includes all capital work. That surplus has been allocated to capital expenses around the booking engine and the app.

The chairman asked regarding further funding from the government. Yes there has been some funding from NZTA and the Waitaki DC has tagged this to shift the trail off-road in the Waitaki district at Duntroom. Hayman Road has also been identified as a concern and applications are currently in for money to address this problem area.

The chief executive said the approach of the Alps2Ocean committee is that the most important place for improvement has been in the Waitaki area and getting the trail off the state highway there. There will be an agenda item to the council soon to cover the subject of Hayman Road in the Mackenzie District.

The main emphasis of the committee is to ensure safety first, and then the general experience of cyclists.

Cr Jackson asked about the canal road connection to Tekapo. Jason Gaskill said a few months ago Genesis announced that the canal road was allocated to cycling and walking. This will be promoted as an alternative experience for cyclists. A conversation is happening on how to get from Tekapo onto the canal road. Two cycling companies have indicated an interest in setting up in Tekapo to take cyclists on the canal road. Have also looked at the trail around Braemar and the opportunities are there for cycling but this is not a priority.

Jason Gaskill said regarding maintenance Whitestone are inspecting the track every six weeks and reporting any problems. The trail is holding up well, barring any significant weather events. He didn't expect people to be on the trail in June after major rain events and there were problems with mud.

Councillors asked how money can be extracted from cyclists to put back into the maintenance of the track. Jason Gaskill said they are considering selling voluntary passes to cyclists who want to support the track. More can also be earned from restructuring the partnership programme and use of the strategic brand.

The booking engine was always assumed to be the main revenue generator for the trail. He is hoping Alps2Ocean will be close to being financially self sufficient by 2017-18, thanks to the income generated by the booking engine.

The chief executive said the agreement between Mackenzie District Council and Tourism Waitaki is working exceedingly well with good reports coming back. Jason Gaskill's approach and service is fantastic. The chairman and chief executive thanked him for ensuring a good relationship with council. Jason Gaskill said he has appreciated the opportunity to be involved.

Jason Gaskill left the meeting at 11.35am.

Miles O'Connor from Bancorp joined the meeting at 11.35am

PRESENTATION FROM MILES O'CONNOR, BANCORP:

BANCORP QUARTERLY REPORT – JUNE 2014:

Paul Morris introduced Miles O'Connor from Bancorp, who spoke to his report on page 101 of the agenda. This report informed the committee of the performance of council's investment portfolio, which is managed by Bancorp.

He gave a presentation which is attached to these minutes.

The chairman asked Miles O'Connor for his opinion regarding the future of the NZ dollar. He replied that he can see it coming down but not dramatically.

The chairman thanked Miles O'Connor for his presentation and invited him for lunch.

Resolved that the report be received.

Claire Barlow/James Leslie

The meeting adjourned for lunch at 12.14pm and reconvened at 12.51pm

ALPINE ENERGY LTD ANNUAL REPORT 2014:

The purpose of this report was to brief councillors on the results for Alpine Energy in the past financial year. It was noted that representatives from Alpine Energy have been invited to the council meeting on August 5 and discussion on the performance of Alpine Energy would occur at that time.

Resolved that the report be received and the content noted.

Russell Armstrong/James Leslie

FRAUD EVENT, TWIZEL OFFICE:

The chief executive said this report outlines an official position in relation to a fraud that occurred in the Twizle office. The facts are set out in the report at page 98 of the agenda.

He said it was important to note that the fraud did come to light in our system and council should take confidence that it was uncovered, was managed appropriately and the investigation has been concluded.

He said council is confident that the person who pleaded guilty is the only person involved. No other staff members were involved. He is pursuing the recovery of the money.

Resolved that the report be received and the content noted.

Russell Armstrong/Noel Jackson

PUBLIC EXCLUDED:

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

1. Public excluded minutes of the Finance Committee meeting held on June 12, 2014, taken in public excluded session.
2. Land Sale Twizel (attached).
3. Website Credit Card Transaction Fees (attached).
4. Development Update (attached).
5. Tekapo Commercial Subdivision (attached).
6. Status of Land Sale (attached).
7. Development Proposal (attached).
8. Sale Contract Update (attached).
9. Development of Lakeside Drive land (attached).

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
Previous minutes of the Finance Committee, June 12, 2014	Enable commercial negotiations	48(1)(a)(i)
Land Sale Twizel	Enable commercial negotiations	48(1)(a)(i)
Website Credit Card Transactions	Commercial sensitivity	48(1)(a)(i)
Development Update	Commercial sensitivity	48(1)(a)(i)
Tekapo Commercial Subdivision	Maintain legal professional privilege	48(1)(a)(i)
Status of Land Sale	Enable commercial negotiations	48(1)(a)(i)
Development Proposal	Commercial sensitivity	48(1)(a)(i)

Sale Contract Update	Enable commercial negotiations	48(1)(a)(i)
Development of Lakeside Drive Land	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: *Previous minutes of the Finance Committee, Land Sale Twizel, Status of Land Sale, Sale Contract Update, Development of Lakeside Drive Land all under section 7(2)(i). Website Credit Card Transactions, Development Update and Development Proposal under section 7(2)(b)(ii), Tekapo Commercial Subdivision under section 7(2)(g).*

James Leslie/Noel Jackson

THE CHAIRMAN DECLARED THE MEETING CLOSED AT 12.22pm

CHAIRMAN: _____

DATE: _____

Unconfirmed

MACKENZIE DISTRICT COUNCIL

MINUTES OF A MEETING OF THE ASSET AND SERVICES COMMITTEE HELD IN THE COUNCIL CHAMBERS, FAIRLIE, ON THURSDAY, JULY 24, 2014, AT 3PM

PRESENT:

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

IN ATTENDANCE:

Wayne Barnett (Chief Executive Officer)
 Bernie Haar (Asset Manager)
 Garth Nixon (Community Facilities Manager)
 Geoff Horler (Utilities Manager)
 Suzy Ratahi (Roothing Manager) – from 3.28pm
 Arlene Goss (Committee Clerk)

APOLOGIES:

An apology was received from Cr Murray Cox and from Roothing Manager Suzy Ratahi for lateness.

DECLARATIONS OF INTEREST:

There were no declarations of interest.

MINUTES:

Resolved that the minutes of the meeting of the Asset and Services Committee held on June 12, 2014, including those parts taken in public excluded, be confirmed as an accurate record.

Claire Barlow/Russell Armstrong

SUB COMMITTEE MINUTES:

Resolved that the minutes of the Allandale Water Supply Committee meeting on July 3, 2014, be received.

Claire Barlow/Graham Smith

REPORTS:

ASSET MANAGERS MONTHLY REPORT – JULY 2014:

The purpose of this report was to update the Asset and Services Committee on the progress on various projects and also the normal operation of the department for the past month.

The following matters were included in the discussion of this report:

The Fairlie Water Supply turbidity meter will be installed shortly.

A report has been received regarding the covering of the reservoir in Twizel and this is attached to the agenda. This is not budgeted for in the coming year.

The Water Safety Plan has been approved by the Ministry of Health, which makes us compliant with drinking water standards.

Recent snow in Tekapo and Braemar was cleared from roads.

Regarding the bridge replacement programme council has engaged Opus to draft a document to apply for consent and this should be lodged on August 1. Council is pushing hard to spend this money before July 30 next year, which is the end of the financial year.

The delay in the bridge replacement programme is because Environment Canterbury's Land and Water Regional Plan will allow council to demolish and build bridges as an allowed activity, so council has been waiting for this to pass into law. Ngai Tahu has appealed the plan and there is no indication when this will be resolved. The current Natural Resources Regional Plan makes this activity "non-complying". Council has decided not to wait but to apply for consent.

A list of minor improvement projects is provided in the report. There was discussion on the former Roding Committee of council which lapsed at the last election and has not been re-established.

Regarding the lighting upgrades listed in the minor improvements list, Bernie Haar said council has been considering when to move to LED street lights. He is currently looking at a new product and will put two of these lights outside the community hall in Tekapo to see if they are appropriate. Consultation will take place with the Dark Skies Association.

Cr Smith asked regarding a policy for bridge replacement when a bridge only serves one property owner. Bernie Haar said this issue needs to go into the long term plan and a list of these bridges needs to be prepared for further discussion.

Geoff Horler reported on a consent issue with Environment Canterbury regarding discharge from the sewerage ponds at Tekapo onto land. He is investigating other means of disposal. One solution may be to use land above the ponds, but whatever council does it needs to be in a way that does not impact on the public.

Roding Manager Suzy Ratahi joined the meeting at 3.28pm.

Regarding the breakages in the Fairlie Allandale water pipe, council has been asked to approve unbudgeted expenditure to fix a section of pipe that keeps breaking.

Cr Smith asked if it was possible to reduce the water pressure in Fairlie and reduce blowouts. No, the pressure is low enough already.

In Twizel the trial of new filters is underway to see how long the filters last. Cr Armstrong asked when the filter system would be up and running. Just waiting on some parts. Geoff Horler will find out and let him know.

Cr Williams asked who the neighbours are near the Tekapo sewerage ponds. They are Meridian, Genesis and DOC.

Regarding solid waste, Bernie Haar said green waste has been mulched and it's going well. There is an issue with flax and steel in the green waste affecting

the mulcher. This needs public education. ESL have not constructed the new recycling facility yet. Solid waste manager Angie Taylor is due back to work in three weeks, following her maternity leave.

Resolved that the report be received.

Russell Armstrong/Evan Williams

ROAD SAFETY COORDINATOR ANNUAL REPORT:

The purpose of this report is to provide the Asset and Services Committee with an overview on road safety, crash trends, and social costs in the Mackenzie District for the 2013/14 financial year. This report has been prepared by Daniel Naudé, Road Safety Coordinator for South Canterbury.

Council pays Timaru District Council about \$16,000 a year for road safety activity and this report indicates the work being doing in this area. Bernie Haar said the crash trends are interesting and there are few serious crashes on any local roads, except the ones you would expect.

Funding of road safety has been affected by the FAR review, so Council will need to find another \$1,000 to \$1,500 to make up the difference.

Cr Smith asked if the road safety reports are used by staff. Roading manager Suzy Ratahi said she looks at the reports for data on crashes. If there are concerns about a road, the data is helpful in accessing funding for repairs.

Cr Leslie noted that poor handling and single car events are the most common type of accident. This relates to cars driving off the road.

Resolved that the report be received.

Graham Smith/Evan Williams

UNBUDGETED EXPENDITURE ALLANDALE WATER SUPPLY:

This item is asking the committee to approve the spending of unbudgeted funds of \$12,000 to renew a water main in the Allandale water scheme that has had several failures in recent months.

Water manager Geoff Horler said a section of line at Allandale has cost \$9,000 this year to repair, due to poor quality construction and lower pressure rated pipe being used. The best option is to replace this section with better pipe. The cost will come out of Allandale's finances and will be addressed in their water charges.

Resolved:

1. That the report be received.

Claire Barlow/Russell Armstrong

2. That the committee approves the unbudgeted expenditure for the work to be carried out.

Evan Williams/Graham Smith

Bernie Haar, Geoff Horler and Suzy Ratahi left the meeting at 3.52pm.

PUBLIC EXCLUDED:

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

1. Previous minutes of the Asset and Services Committee meeting on June 12, 2014.
2. Contract 1214 Township Maintenance (attached).

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
Previous minutes June 12, 2014.	Commercial sensitivity	48(1)(a)(i)
Contract 1214 Township Maintenance	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: *Previous minutes of the Asset and Services Committee June 12 under section 7(2)(b)(ii), and Contract 1214 Township Maintenance under section 7(2)(i).*

Claire Barlow/Graham Smith

The Asset and Services Committee continued in open meeting.

**THERE BEING NO FURTHER BUSINESS THE
CHAIRMAN DECLARED THE MEETING CLOSED AT 4.04PM**

CHAIRMAN: _____

DATE: _____

MACKENZIE DISTRICT COUNCIL

MINUTES OF A MEETING OF THE PLANNING AND REGULATION COMMITTEE HELD IN THE COUNCIL CHAMBERS, FAIRLIE, ON THURSDAY, JULY 24, 2014, AT 3.30PM

PRESENT:

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

IN ATTENDANCE:

Wayne Barnett (Chief Executive Officer)
Nathan Hole (Planning and Regulation Manager)
Arlene Goss (Committee Clerk)

APOLOGIES:

An apology was received from Cr Murray Cox and from senior policy planner Toni Morrison.

DECLARATIONS OF INTEREST:

There were no declarations of interest.

MINUTES:

Resolved that the minutes of the meeting of the Planning and Regulation Committee held on June 12, 2014, including those parts taken in public excluded, be confirmed and adopted as the correct record of the meeting.

Graham Smith/Russell Armstrong

REPORTS:

PLANNING AND REGULATION MANAGER'S ACTIVITY REPORT:

The purpose of this report was to provide the committee with an activity report for planning and regulations for the period 5 June to 16 July, 2014.

Nathan Hole raised the issue of the Heslip Determination under the Building Act 2004, which is attached to this report.

He said the Heslip's believed they were exempt from needing a building consent in relation to some work they carried out. A determination from the Department of Building and Housing says they do need a building consent for this work.

Council has asked for a notice to fix or that the building be removed. If this is not responded to council has no option but to apply to the court to have the building removed.

Nathan Hole said he has brought this matter to the committee's attention because if the notice is not complied with the committee will need to make a decision on this matter at a future meeting.

Resolved that the report be received.

Russell Armstrong/Graham Smith

MEMORANDUM OF UNDERSTANDING WITH ECAN:

The purpose of this report was to seek ratification of a proposed Memorandum of Understanding between Environment Canterbury and the Mackenzie District Council on planning matters. This document has been revised since the agenda was sent out. At the meeting Nathan Hole handed around the latest version which shows minor tracked changes. This is attached to these minutes.

The chief executive said this MOU is designed to get the two organisations to work more closely together and sets out the intent and scope of the relationship. Council revised the MOU to spread the scope wider than the district plan review and include other areas of responsibility. Ecan are happy with this.

Resolved:

1. That the report be received.

Graham Smith/Evan Williams

2. That the Memorandum of Understanding between Environment Canterbury and Mackenzie District Council in relation to collaborative planning is ratified by the committee.

Claire Barlow/James Leslie

ANNUAL PLAN SUBMISSION FROM MCNEILLY:

Nathan Hole said this submission relates to an issue with two buildings in Twizel that don't have adequate set-back from the boundary. He said Mr McNeilly is correct in his observations and the issue has come up due to confusion regarding whether the distance from the boundary is measured to the wall of the building or to the eaves.

This matter has already been resolved in the district plan and council staff are aware of the correct procedure. They are careful to check this on new building consents.

Nathan Hole will write a letter to Mr McNeilly responding to his submission.

REPORTS FROM THE WATER ZONE COMMITTEES:

Due to Cr Cox being away and Cr Williams having just returned from leave there were no reports from the water zone committees at this meeting.

It was noted that Nathan Hole was planning to report to councillors at a later date to update them in relation to Plan Change 3.

PUBLIC EXCLUDED:

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

1. Discussion on the previous minutes of the Planning and Regulation committee on June 12, 2014.
2. Plan Change 13 Second High Court Appeal (attached).
3. Building Practitioners Board Complaint (attached).

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
Discussion of previous minutes June 12.	Maintain legal professional privilege	48(1)(a)(i)
Plan Change 13 Second High Court Appeal	Maintain legal professional privilege	48(1)(a)(i)
Building Practitioners Board Complaint	Protect the privacy of natural persons	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: *Discussion of previous minutes June 12, and Plan Change 13 Second High Court Appeal under section 7(2)(g). Building Practitioners Board Complaint under section 7(2)(a).*

Graham Smith/Evan Williams

The Planning and Regulation Committee continued in open meeting. The following resolutions relate to a matter discussed in the public excluded session that is to be confirmed in open meeting.

BUILDING PRACTITIONERS BOARD COMPLAINT:

Resolved:

1. That the report be received.

Graham Smith/Evan Williams

2. That the committee retains the delegation to make complaints to the Building Practitioners Board.

Noel Jackson/Graham Smith

3. That the resolutions regarding the delegation to make complaints to the Building Practitioners Board be confirmed in the public part of the meeting.

Noel Jackson/Graham Smith

**THERE BEING NO FURTHER BUSINESS THE
CHAIRMAN DECLARED THE MEETING CLOSED AT 4.33pm**

CHAIRMAN: _____

DATE: _____

Unconfirmed

MACKENZIE DISTRICT COUNCIL

MINUTES OF A MEETING OF THE MACKENZIE DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBERS AT FAIRLIE, ON TUESDAY JUNE 24, 2014, AT 9.30AM

PRESENT:

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

IN ATTENDANCE:

Wayne Barnett (Chief Executive Officer)
Arlene Goss (Committee Clerk)
Paul Morris (Finance and Administration Manager)
Nathan Hole (Planning and Regulation Manager)
Jennifer Cordes (Candidate for Citizenship)
Martin Cordes (observer)
Claire Hector-Taylor (Christchurch and Canterbury Tourism)
Annabelle Bray (Christchurch and Canterbury Tourism)
Caroline Blanchfield (Christchurch and Canterbury Tourism)
Amy Lamb (Mackenzie Community Development Worker)
Anne Thompson (Heartlands Fairlie)

OPENING:

The Mayor welcomed everyone to the meeting.

APOLOGIES:

An apology was received from Cr Evan Williams.

Chief Fire Officer Rob Hands was on the agenda to present the new Albury Fire Tanker to councillors, but sent his apologies as he was unable to attend.

DECLARATIONS OF INTEREST:

There were no declarations of interest.

BEREAVEMENTS:

The Mayor noted the following bereavements:

- Geoff Rowe, husband of Kate, late of Fairlie.
- Nigel Colley, stepfather of Claire McKibbon, late of Twizel.

- Lillian Jane Naughton, mother in law of Kathleen and Brian Carpenter, late of Twizel.
- Thelma France, wife of Jim France and mother of John and Jenny France, late of Albury.
- Jo Heal, wife of Martin, late of Lake Ohau and a former Twizel Community Centre worker.
- Frank Bishop, husband of Isobel, father of Dwin and Kiri Bishop (Fairlie) and Lisa and Tim Mills (Twizel), late of Fairlie.
- Betty Purdie, mother of Jenn Purdie and Sam Bosshard, late of Twizel.
- Claire Christian, wife of Dave Christian, late of Twizel.

A moment of silence was observed.

MAYOR'S REPORT:

This was the report of Mayoral activities from May 13, 2014 to June 24, 2014.

Resolved that the report be received.

Noel Jackson/James Leslie

REPORTS:

CHIEF EXECUTIVE'S ACTIVITIES:

This was the report of chief executive activity from May 14, 2014, to June 24, 2014.

The chief executive noted the following corrections. On May 26 he met with Pauline Jackson, not Noel Jackson. On June 3 the scheduled meeting with Sally Jones from DOC Twizel did not take place.

Cr Armstrong asked how the meeting on June 23 at Arowhenua Marae went. The chief executive was confident the meeting went well and a solution can be found to resolve their concerns regarding storm water going into Lake Tekapo. A pooling area has been suggested as an alternative to their suggestion that stormwater be piped into the river. The Mayor said it was good to hear their concerns and have dialogue with Arowhenua. Cr Smith asked if a financial solution had been discussed and the chief executive said no.

Resolved that the report be received.

Russell Armstrong/Murray Cox

PROPOSED ROAD STOPPING: NEW ZEALAND DEFENCE FORCE:

Planning and Regulation Manager Nathan Hole spoke to this report which is on page 15 of the agenda. This is an application to close the road

permanently under the Public Works Act. The only requirement on council is to give approval. The Department of Conservation has also approved of this. There are easements in place to provide walking access to conservation land.

Resolved:

1. That the report be received.

Murray Cox/Russell Armstrong

2. That Council agrees to provide written consent for legal road to be stopped as shown in red on Appendix A attached to this report; and

Claire Barlow/Russell Armstrong

3. That Council supports continuity of public access through the creation of the easements initiated on SO 448942 and NZ Gazette 2012 page 4185.

Claire Barlow/Russell Armstrong

FEES AND CHARGES:

Finance and Administration manager Paul Morris spoke to this item in the agenda. A CPI increase has been added to all fees and charges. A further change has been to financial contributions from developers due to a new valuation that has been received for council assets.

The chief executive indicated there may be a law change coming up that takes away the ability for council to charge developer financial contributions.

Paul Morris compared figures from last year with those proposed in his fees and charges report.

Financial and corporate charges have only had a CPI increase. Regarding mileage charges, these are charged to outside agencies for council work.

The metered minimum annual fees for all water supplies is now a standard charge of 66 cents for excess water.

Council is planning to accept credit card payments online and at the counter soon. At the moment this only applies to rates but will develop further. A report will go to the next Finance Committee meeting with more details on this.

Fees and charges will be advertised and come into effect on August 1.

Resolved:

1. That the report be received.

Graham Smith/James Leslie

2. That the Mackenzie District Council adopts the attached Fees and Charges report for Asset management and Corporate Services Charges for the period 1 August 2014 to 30 June 2015.

Graham Smith/James Leslie

PUKAKI AIRPORT BOARD DRAFT STATEMENT OF INTENT:

Cr Smith questioned whether the income figures in the draft statement of intent were optimistic. Cr Leslie said there have been a significant number of enquiries on sections recently, but nothing concrete yet. He feels the draft statement of intent is fairly conservative. He does not believe it needs to be changed.

The Mayor noted that on page 40 of the agenda, the draft statement of intent notes that "in conjunction with council, the board shall be responsible to facilitate a review of the Aviation Strategy every three years to coincide with the review of the council's long-term council community plan." This needs to be corrected to read "long term plan" and staff were asked to ensure this review takes place.

Resolved:

1. That the report be received.

James Leslie/Russell Armstrong

2. That Council adopts the attached Statement of Intent for the Pukaki Airport Board for the three years ended 30 June 2017.

James Leslie/Graham Smith

COMMON SEAL AND AUTHORISED SIGNATURES:

This report advised councillors of documents signed under the common seal from May 6, 2014, to June 17, 2014.

Resolved:

1. That the report be received.

Graham Smith/Russell Armstrong

2. That the affixing of the Common Seal to document number 783 be endorsed.

Graham Smith/Russell Armstrong

COMMUNITY BOARD RECOMMENTATIONS AND MINUTES:

This report from the Chief Executive was accompanied by the minutes of the meetings of the Tekapo and Twizel Community Boards on June 3, and the Fairlie Community Board on June 9, 2014.

Resolved: that the report be received.

Russell Armstrong/Noel Jackson

TWIZEL COMMUNITY BOARD:

Council **noted** the following resolutions regarding the revised community facilities fees and charges:

That James Leslie be appointed to assist with decisions on who pays the commercial rate for Events Centre hire.

That the Twizel Community Board adopt the revised fees and charges as proposed.

Council **noted** the following resolution regarding traffic problems:

That the council roading engineers do some plans to address the traffic problems at Maitland Place and Irishman Drive, Twizel, and bring them back to the community board.

Cr Smith asked if there was a problem in the relationship between the TPDA and council related to the information centre in Twizel. The chief executive said TPDA are not currently contributing financially to the information centre, however they have requested longer opening hours. Discussions regarding opening hours of information centre are ongoing.

TEKAPO COMMUNITY BOARD:

Council **noted** the following resolution regarding the revised charges for the Tekapo Community Hall:

That the Tekapo Community Board recommends to council that the revised fees and charges schedule be adopted.

FAIRLIE COMMUNITY BOARD:

Council **noted** the following resolution regarding Fairlie Community Facilities fees and charges:

That the Fairlie Community Board adopt the revised fees and charges as proposed.

MACKENZIE FORESTRY BOARD MINUTES:

Resolved that the minutes of the meeting of the Mackenzie Forestry Board meeting held on June 10, 2014, be received.

Graham Smith/Murray Cox

COMMITTEE MINUTES:

Resolved that the minutes of the meeting of the Finance Committee held on June 12, 2014, including such parts as were taken with the public excluded, be received.

Murray Cox/Graham Smith

Resolved that the minutes of the meeting of the Planning and Regulation Committee held on June 12, 2014, including such parts as were taken with the public excluded, be received.

Murray Cox/Graham Smith

Resolved that the minutes of the meeting of the Asset and Services Committee held on June 12, 2014, including such parts as were taken with the public excluded, be received.

Murray Cox/Graham Smith

COUNCIL MINUTES, ORDINARY MEETING:

Resolved that the minutes of the meeting of the Mackenzie District Council held on May 13, 2014, including such parts as were taken with the public excluded, be confirmed and adopted as the correct record of the meeting.

Graham Smith/James Leslie

COUNCIL MINUTES, ANNUAL PLAN SUBMISSION HEARING:

Resolved that the minutes of the meeting of the Mackenzie District Council held on June 10, 2014, to hear submissions on the Draft Annual Plan 2014/15, be confirmed and adopted as the correct record of the meeting.

James Leslie/Noel Jackson

COUNCIL MINUTES, ADOPTION OF ANNUAL PLAN:

Resolved that the minutes of the meeting of the Mackenzie District Council held on June 10, 2014, to adopt the 2014/15 Annual Plan, be confirmed and adopted as the correct record of the meeting.

Claire Barlow/Russell Armstrong

CITIZENSHIP CEREMONY:

The Mayor welcomed Jennifer and Martin Cordes to the meeting and conducted a citizenship ceremony for Mrs Cordes. Mrs Cordes gave the affirmation and was presented with her citizenship certificate and a gift. The Mayor read out a letter from the Hon Peter Dunne, the Minister of Internal Affairs, to welcome Mrs Cordes as a new citizen.

The meeting adjourned for morning tea at 10.20am and reconvened at 10.45am.

QUARTERLY REPORT FROM CHRISTCHURCH AND CANTERBURY TOURISM:

The Mayor welcomed Claire Hector-Taylor, Annabelle Bray and Caroline Blanchfield from Christchurch and Canterbury Tourism.

The visitors gave a power point presentation with an update on tourism performance in the district. The presentation is attached to these minutes.

She noted there has been a big increase in international bed nights of 11.3%, or 130,713 people in total, over the last quarter. Out of 33 regions in New Zealand, only five others performed as well as Mackenzie did. Queenstown statistics were similar. Electronic card data transactions are also up this quarter on last year.

Following the presentation Cr Smith asked where council would be best to spend more money if it was available. Claire Hector-Taylor suggested another staff position. Council thanked Claire Hector-Taylor for her work and thanked CCT for the detailed report.

VISIT FROM AMY LAMB, COMMUNITY DEVELOPMENT WORKER:

The Mayor welcomed Amy Lamb to the meeting. She was introduced to the councillors.

The idea of a community development worker originally came from Heartlands Fairlie but the role is district wide. A steering group was formed to develop the role, source funding and employ a person. She is funded by Lotteries, COGS and the South Canterbury Trust. At the moment there is funding for one year. She started in the role on April 1 this year.

The purpose of the community development worker is to build capacity and leverage. She gave an example of her work as facilitating Inland Revenue to visit the district two days a month instead of one by putting them in touch with people in the community.

She said there are many things needed by vulnerable groups, aged care, and in mental health. A large number of services are funded to meet needs in the

Mackenzie district but they are not there in the community. She wants to bring together the Twizel, Tekapo and Fairlie communities to work together.

Amy Lamb asked councillors for help to gain access to Fund View. This is software that helps community groups find out what funding is available to them according to the search criteria they enter. It is a nationwide database with information about national funding that the Mackenzie District is not currently getting access to.

This will cost \$417 plus GST for one to three licences, for one year. Amy Lamb suggested putting Fund View into the Heartlands offices in Fairlie and Twizel, and somewhere in Tekapo. Community groups could then use it to access funding. She wants to release pressure on local organisations for funding and get some external funding instead.

Amy Lamb also spoke about other initiatives she is involved with, including creating a network of elderly people to help source better access to aged care services, and setting up newcomer groups in Fairlie and Twizel.

The Mayor thanked Amy Lamb for attending.

THE MAYOR DECLARED THE MEETING CLOSED AT 11.37am.

MAYOR: _____

DATE: _____