



***385th MEETING OF THE
MACKENZIE DISTRICT COUNCIL***

**TO THE MAYOR AND COUNCILLORS OF THE
MACKENZIE DISTRICT COUNCIL**

MEMBERSHIP OF THE COUNCIL

Claire Barlow (Mayor)

John Bishop

Peter Maxwell

Annette Money

Graeme Page

Graham Smith

Evan Williams

***Notice is given of the meeting of the Mackenzie District Council
to be held on Tuesday 14 December 2010 at 9.30 am***

VENUE: Council Chambers, Fairlie

BUSINESS: As per Agenda Attached

**GLEN INNES
CHIEF EXECUTIVE OFFICER**

9 December 2010



AGENDA FOR TUESDAY 14 DECEMBER 2010 AT 9.30 AM

- I. OPENING
- II. APOLOGIES
- III. DECLARATIONS OF INTEREST
- IV. BEREAVEMENTS
- V. MAYORAL REPORT
- VI. REPORTS REQUIRING COUNCIL DECISION
 1. Adoption of Audited Annual Report for 30 June 2010 (*to be circulated*)
 2. Investment Policy and Revenue and Financing Policy Amendment
 3. Investment of Monies
 4. Twizel Early Learning Centre
 5. Sealing Past Houses Request
 6. Financial Support for Twizel Medical Centre
 7. Appointments :
 - Downlands Water Supply Shared Community Representative
 - South Canterbury Irrigation Trust
 - Opihi Catchment Committee
 - Creative Communities Scheme Assessment Committee
 8. Mackenzie Properties Ltd – Right of Way Proposal

This report was considered at the meeting of the Planning Committee held on 25 November 2010 when it was resolved that a decision on the request from Mackenzie Properties Ltd for a right-of-way easement over Council owned REC P land in Twizel be deferred until the Committee members had inspected the site.
 9. Adoption of Register of Members' Interests
 10. Change of Date for July 2011 Council Meeting

The Council meeting scheduled for 12 July 2011 clashes with the LGNZ Conference. It is proposed it be changed to 19 July 2011.
 11. Additional dates for Committee Meetings in February 2011

Proposed date 1 February 2011
 12. Implementation of Utilities Access Act 2010
 13. Rural Travel Fund Allocation Committee
 14. Confirmation of Remuneration Decisions by Council and Community Boards
 15. Rules for Reimbursement of Expenses by Elected Members
 16. Pukaki Airport Board – Chairman's Report 28 November 2010

VII. INFORMATION REPORTS

1. Common Seal
2. Chief Executive Officer's Activities

VIII. COMMITTEES

Adopt the Minutes of the meetings of the Finance and Projects and Strategies Committees held on 23 November 2010 and the Planning Committee held on 25 November 2010 including such parts as were taken with the Public Excluded.

IX. COMMUNITY BOARD RECOMMENDATIONS

X. CONFIRMATION OF MINUTES

Confirm and adopt the Minutes of the Mackenzie District Council Meeting held on 5 November 2010 including such parts as were taken with the Public Excluded.

ACTION POINTS

XI. PUBLIC EXCLUDED:

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

1. Public Excluded Minutes of the Mackenzie District Council meeting held on 5 November 2010
2. Public Excluded Minutes of the Finance and Operations Committee meetings held on 23 November 2010
3. Acceptance of Tender for Council Resealing Programme
4. Confirmation of Membership of Upper Waitaki Water Management Zone Committee
5. Appointment of Trustees to Mackenzie Tourism and Development Trust
6. Appointment to South Canterbury Rural Fire Committee

<u>General subject of each matter to be considered</u>	<u>Reason for passing this resolution in relation to each matter</u>	<u>Ground(s) under Section 48(1) for the passing of this resolution</u>
Public Excluded Minutes of Council meeting of 5 November 2010		48(1)(a)(i)
Public Excluded Minutes of Finance and Projects and Strategies Committee meetings of 23 November 2010		48(1)(a)(i)
Acceptance of Tender for Council Resealing Programme	Commercial Sensitivity	48(1)(a)(i)
Confirmation of Membership of Upper Waitaki Water Management Zone Committee	To Protect the Privacy of Persons	48(1)(a)(i)
Appointment of Trustees To Mackenzie Tourism and Development Trust	To Protect the Privacy of Persons	48(1)(a)(i)
Appointment to South Canterbury	To Protect the Privacy of	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: *Acceptance of Tender for Council Resealing Programme s7(2)(b)(ii), Confirmation of Membership of Upper Waitaki Water Management Zone Committee, Appointment of Trustees to Mackenzie Tourism and Development Trust and Appointment to South Canterbury Rural Fire Committee s7(2)(a*

XII. CONFIRMATION OF RESOLUTIONS TAKEN WITH THE PUBLIC EXCLUDED

XIII. ADJOURNMENTS

10.30am	Morning Tea
12.30pm	Lunch
3.00pm	Afternoon Tea

XIV. VISITORS

2.30 pm	* Elizabeth Scott who will present the Bruce Scott Memorial Prize
	* Winner of the Mackenzie Residents' Scholarship
3.00 pm	Citizenship Ceremony for Ernst Gabsa
4.00 pm	Pukaki Airport Board Members

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL
SUBJECT: GENERAL ACTIVITIES REPORT
MEETING DATE: 14 DECEMBER 2010
REF: PAD 2/3
FROM: MAYOR

ACTIVITY REPORT

COUNCIL, COMMITTEE AND COMMUNITY BOARD MEETINGS ATTENDED

5 November	Council meeting.
23 November	Finance and Projects and Strategy Committee meetings.
22 November	Twizel & Tekapo Community Boards.
25 November	Planning Committee Meeting.
14 December	Tourism Brief with Phil Brownie. Committee meetings.

OTHER MEETINGS AND ACTIVITIES

8 November	Met with Dermott O'Sullivan. Timaru District Court – JP swearing of Oath. Opened Food & Wine Trail in Timaru.
9 November	Attended Armistice Day service at Albury. Attended Rotary meeting in Timaru.
10 November	Met with Lesley O'Hara – MTDT Chair. Attended meeting at Fox Peak Rd meeting. Met with Elizabeth Brien.
11 November	Met with Grant Keeley regarding Fox Peak Skifield Road. Attended a Projects and Strategy Committee meeting.
16 November	Met with John O'Neill.
17 November	Spoke with Gary Taylor from EDS on the phone. Met with Jan Francis, Executive Officer for Mayors Taskforce for Jobs.
18-19 November	Attended Rural Sector Meeting in Wellington with the CEO.
20 November	Attended the opening of the Fairlie Village Green. Attend BBQ at Balmoral Military Camp in Tekapo.
21 November	Met with High Country Farmers – Maryburn Station, Tekapo.
22 November	Met with Joy Patterson from High Country Health.
23 November	Met with Phil Brownie. In evening attended meeting of the Upper Waitaki Water Zone.
26-27 November	Attended EDS Symposium – Twizel. Also attended Twizel's Mistletoe Market on the

	Saturday.
29 November	Attend AGM of Aoraki Development Trust, Timaru.
30 November	Part 1 of the District Council Tour.
1 December	Solid Waste Workshop.
2 December	Travelled to Greymouth with CEO to attend memorial service for the Pike River miners.
3 December	Attended Meridian Energy gifting of ex Benmore Turbine in Twizel. Attended evening function onboard Te Kaha, Timaru Port.
4 December	Attended Freda Du Faur's Centenary at Mt Cook.
6 December	Met with Sally Rae from Otago Daily Times.
7 December	Part 2 of the District Council Tour.
9 December	Attended Music and Movement's Christmas Party, in morning and attended Mackenzie College's Prizegiving Award Ceremony in evening.
10 December	Attended Twizel Area School Prizegiving Award Ceremony.
13 December	Attended Mayoral Forum in Christchurch. Attended Regional Land Transport Committee Meeting in Christchurch.

Well, it's been a busy six weeks in familiarising myself with the job, the District and getting to know the elected members a little better. I would like to say that I have enjoyed these opportunities and maintain that I am really looking forward to working together with Council to achieve some positive outcomes for our communities.

The two familiarisation tours were very beneficial for us "newbies" and thanks must go to Bernie Haar for his organisation of the trips and to the managers who took time out of their busy schedules to come with us and answer all our questions. I feel so much better acquainted with our water, waste, roads and toilets now!

The EDS Symposium was also a valuable exercise but where it leads to from here is not quite clear in my mind. Jacqui Dean and Nick Smith have both spoken to me about the need to progress further discussions but until we know exactly what the issue is that we are trying to "fix" I believe any further commitment would be premature. I hope to meet with Waitaki DC and Ecan shortly to discuss this matter further.

Glen and I attended the Rural Sector Meeting in Wellington and it seems to me that other rural councils struggle with exactly the same issues that we do, so no surprises there. It was an opportunity to hear first-hand from Central Government representatives in Transport, Environment and Local Government. Due to flight complications Glen and I missed the first half day of presentations but the balance of the time was of great value and the input of other Mayors assists me with a better understanding of my role.

There have been plenty of meetings and social functions to fill the days and a number of discussions with the CEO to bring me up to speed with an array of issues but I feel a lot more confident than I did six weeks ago and am definitely enjoying the challenges this role presents. Thank you, Glen, for your interminable patience.

As this is our last full Council meeting before Christmas I would like to take this opportunity to wish you and your families all the very best for the holiday season and if you would like to

catch up or discuss any issues further I will be around over that period so please don't hesitate to ring or call in and see me.

RECOMMENDATION:

1. That the report be received.

C BARLOW
MAYOR

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL

SUBJECT: INVESTMENT POLICY AND REVENUE AND FINANCING POLICY AMENDMENT

MEETING DATE: 14 DECEMBER 2010

REF: FIN 14

FROM: MANAGER – FINANCE AND ADMINISTRATION

ENDORSED BY: CHIEF EXECUTIVE OFFICER

PURPOSE OF REPORT:

The purpose of this report is to recommend to Council a methodology and level of investment income to be applied to General Rates and for the establishment of a special projects fund to assist with infrastructure projects.

STAFF RECOMMENDATIONS:

1. That the report be received.
2. That the Investment Policy and Revenue & Financing Policy be amended to reflect that the level of investment income be applied to General Rates offset be set at 40% of General Rates.
3. That the following specific income streams be applied to General Rates as the core investment income offset:
 - Ordinary dividends received from Alpine Energy Ltd
 - Rental received from forestry board operations
 - Net internal interest income generated from the operation of Capital reserves
 - Rental income on commercial properties
 - That general interest funds be used to make up the balance to 40% of General Rates.

PAUL MORRIS

GLEN INNES

MANAGER – FINANCE AND ADMINISTRATION

CHIEF EXECUTIVE OFFICER

ATTACHMENTS:

Appendix 1 – Report to Finance Committee 17th February 2009.

Appendix 2 – Council Resolutions.

BACKGROUND:

Council resolved in February 2009 to further investigate amendments to the Investment Policy with a view to fixing the contribution interest and dividends make to rates.

Since the report Council has resolved to amend its Investment Policy and Revenue and Financing Policy to offset investment income against the General Rate rather than the four Works and Services Rates as was the case in the past. Council has investments that produce income streams used to offset rates. These streams are:

- Bond investments
- Cash investments
- Forestry investments
- Equity investments
- Internal investments
- Property investments.

Bond investments

Currently Council has \$5.5m invested in the bond market earning \$417,500. This is an average interest rate of 7.6%. The duration of these investments range from April 2011 through to September 2017.

Cash investments

Council's cash investments currently sit at \$2.237m. The return on these investments is the Official Cash rate (OCR) currently sitting at 3.0%. There is potential to earn \$67,110 assuming interest rates do not change. Each 1% movement in the OCR will generate plus or minus \$22,370.

Forestry investments

Council currently has forestry assets that generate either traditional harvesting revenue over long periods of time or newer Carbon Emission Reduction Units (Carbon Credits).

The forestry activity pays a rental of \$32,000 to investment income. This level is down from \$64,000 two years ago. Council reduced this 'rental' to assist forestry cashflows.

Equity investments

Equity investments consist of Council's investment in Alpine Energy Ltd. Council owns 4.96% of the company and during the financial year ended 30 June 2010, earned \$387,000.

Internal investments

This is the internal financing operation undertaken by Council. Council operates as an internal bank holding deposits on activities that have generated them. Council pays activities that deposit money with it 25 basis points below the OCR and charges 100 basis points above the OCR for activities that it has loaned money to. The net interest income from internal sources for 30 June 2010 is \$127,718.

Property investments

These consist of rentals earned that currently offset General Rates. Rentals from Whitestone depots in Twizel and Tekapo along with rental for The Old Library Café are the items that make up this total. Lease rentals from the source totaled \$19,200 for the year ended 30 June 2010.

The purpose of this paper is to recommend to Council a course of action in setting a level of investment income to offset the General Rate.

POLICY STATUS

There are existing policies covering this under the Revenue & Financing Policy and Investment Policy.

SIGNIFICANCE OF DECISION REQUIRED

This is considered to be a significant decision if approved. Council's policy on significance will apply and the special consultative procedure under Sec 83 of the Local Government Act 2002 applies.

CURRENT ALLOCATION POSITION

Councils policy allows for allocation of all investment income to General Rates. The table below details the effects of this policy (in \$000's).

	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19
General Rate	2,029	2,048	2,097	2,181	2,190	2,215	2,311	2,330	2,396
Investment Offset	873	1,118	1,239	1,506	1,549	1,864	1,872	1,852	1,885
Net General Rates paid by Ratepayers	1,156	930	858	675	641	351	439	478	511

It is expected that over time the General Rates requirement will grow 18.08% (over 8 years) while over the same period investment income will grow 115.92%. Under current policy this will mean the level of General Rates actually paid by the ratepayer will reduce by 55.80%.

The investment income growth is exceptional due to Councils budgeted land rationalization in Tekapo over the 8 year period.

OPTIONS

Council has four options when setting the level of investment income to be applied to rates. These options are:

1. Do nothing
2. Apply a fixed level of investment income to General Rates
3. Apply a percentage of investment income to General Rates

4. A combination of 2 & 3.

Do Nothing

This option means all available investment income is applied to General Rates. As highlighted in the Current Allocation Position table above the General Rate requirement is expected to rise from \$2.029m to \$2.396m over the remaining 9 years of Councils LTCCP. While the rates paid by ratepayers are expected to reduce from \$1.156m to \$0.511m over the same period.

To put it another way, the contribution paid by the users of the services will reduce by \$0.645m while the contribution Council makes increases \$1.012m.

This process artificially lowers the cost of the service to the ratepayer.

By allocating all investment income to the General Rate, it also makes ratepayers vulnerable to fluctuations in investment returns. If we look at June 2008 compared to June 2010, investment income fell from \$1.129m to \$0.937m or \$0.192m. This was required to be funded by ratepayers through increased rates or use of built up reserves to smooth the rate increase.

I do not recommend Option 1 as being sound.

Apply a fixed level of investment income to General Rates

This option has merit as it fixes Councils contribution towards activities. It makes it easier to budget but is not very scientific in its approach. How much should be allocated could become a lottery.

The issue is that not all investment income streams are fixed and there is potential for this option to suffer from the same issues as Option 1 if used in isolation.

Apply a percentage of investment income to General Rates

This option also has merit as it allows Council to apply a variable level of investment income against rates. However the the basis of what level of income to apply needs to be considered and not chosen arbitrarily.

Council has over the past 4 years applied the following levels of investment income to rates:

	Y/E June 2007 (\$000's)	Y/E June 2008 (\$000's)	Y/E June 2009 (\$000's)	Y/E June 2010 (\$000's)	Y/E June 2011 (Projected \$000's)
Investment income offset	1,023	1,129	1,088	937	837
% change		10.36%	-3.63%	-13.88%	10.67%
General Rates	1,797	1,816	1,915	1,951	2,135
% change		1.05%	5.45%	1.88%	9.43%
Investment Income as a % of General Rates	56.92%	62.17%	56.81%	48.02%	39.20%

Council has set its rating level for the 2010/11 year based on receiving 39.20% of its requirement from other income. This level has been accepted by the rate paying public.

Combination of the fixed level of investment income and a percentage of investment income options.

This option allows Council flexibility in its approach to the allocation of investment income. The nature of Council's investment income means that some income streams are ideally suited to the fixed level of investment portion and other streams suit the percentage option.

Council would allocate income on the following basis:

Fixed

Dividend – Alpine Energy Ltd	\$387,000
Property Investment	\$19,200
Forestry Investments	\$32,000
	<u>\$438,200</u>

Council would then decide the level of variable investment income streams it wishes to allocate to make up its total contribution to rates. This can be done on the basis of say 40% of total general rate requirement which for 2010/11 year is \$2.029m.

Total Rate requirement	\$2,029,000
40% requirement	\$811,600
Fixed portion (from fixed sources)	\$438,200
Interest income portion	\$373,400

If we apply this formula to the figures contained in the LTCCP we find the following (\$000's):

	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19
General Rate	2,029	2,048	2,097	2,181	2,190	2,215	2,311	2,330	2,396
40% offset	811.6	819.2	838.8	872.4	876	886	924.4	932	958.4
LTCCP offset	873	1,118	1,239	1,506	1,549	1,864	1,872	1,852	1,885
Difference	61.4	298.8	400.2	633.6	673	978	947.6	920	927

I chose 40% because that is the level currently budgeted for the June 2011 year. Council could choose a different level say based on a 5 year average. By way of example the last 4 years to June 2010 plus the budget year of June 2011 produce an average of 52.62% while removing the high and low result and averaging over 3 years produces 53.91%.

The difference represents surplus investment income that could be put to special projects.

The advantage of using 40% is that for the June 2011 year the current offset is 39.20% which has been used to calculate the rates requirement for the current year. It has been accepted by ratepayers and is a good position from which to move forward.

This method also has the advantage in that the level of investment income is tied to the level of rates requirement not the other way around. It therefore gives a degree of certainty when setting rates and eliminates rates shocks due to reduced investment income levels.

It also solves the issue of reducing rate levels after which the Meridian/Genesis differential is calculated.

Meridian/Genesis currently receive a benefit of 30% of all investment income allocated to General rates. Using the above method effectively caps the level of benefit that Meridian/Genesis currently enjoy.

Applying the new methodology allows Council to acquire discretionary funds to undertake special projects which can be localized to a township/scheme or district wide which will reduce the internal burden and thus the rates burden over time and make these types of projects more affordable.

CONCLUSION

I recommend that Council adopt the fourth option and combine a fixed and variable component to the application of investment income to offset rates and that the level of offset never exceed 40% of the General Rates requirements.

I also recommend that Council create a projects reserve to assist in funding in the first instance infrastructure projects. Policy surrounding this reserve should be developed prior to Annual Plan adoption.

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL
SUBJECT: FINANCE COMMITTEE
MEETING DATE: 17 FEBRUARY 2009
REF: FIN 14
FROM: MANAGER – FINANCE AND ADMINISTRATION
ENDORSED BY: CHIEF EXECUTIVE OFFICER

PURPOSE OF REPORT:

The purpose of the report is to generate debate on whether Council wish to continue to use investment income to subsidize various Works and Services rates levels or start to remove the investment income subsidy of rates.

STAFF RECOMMENDATIONS:

1. That the report be received.
2. That the Investment Policy be amended to incorporate the principles outlined in Option 4 namely the investment income offset attributed to the four Works and Services rating areas be fixed and that any additional investment income form part of a pool to assist with Council special projects.

PAUL MORRIS
MANAGER – FINANCE & ADMINISTRATION

GLEN INNES
CHIEF EXECUTIVE OFFICER

ATTACHMENTS

None.

BACKGROUND:

Council holds various investments and use the income generated by these investments to offset the four Works and Services rates areas. The income generated is allocated in proportion to the Capital Valuation base of each of the four areas. For this year that allocation is as follows.

<i>Works & Services</i>	<i>Capital Value</i>	<i>% of income allocated</i>
Rural	\$1,072,094,531	60.55%
Twizel	\$306,325,416	17.30%
Tekapo	\$288,104,237	16.27%
Fairlie	\$104,036,866	5.88%

The allocation of investment income is made before calculating and applying any Meridian differential to Rural, Twizel and Tekapo Works & Services Rates. Therefore ratepayers lose between 20-40% of investment income to fund the Meridian differential.

POLICY STATUS

There is an existing policy titled 'Investment policy'.

SIGNIFICANCE OF DECISION REQUESTED

This is considered a significant decision and if Council decides to move forward then this decision will be included in the Councils consultation round for its LTCCP for 2009/2019.

ISSUES

Council has at the date of this report various investments producing an income stream that is used to offset various works and services rates. The investments that contribute to the offset of rates are:

- Bond investments
- Cash investments
- Forestry investments
- Equity investments

Currently the bond portfolio is \$4.5 million, cash investment fluctuates in the range of \$2-\$3 million depending upon the day to day requirement. Forestry investments will return \$32,000 to Council for the 2010 year onwards until significant harvesting (or income from Emissions Trading). Currently Council has a 4.96% investment in Alpine Energy Ltd. This returned 18.5cents per share in the 2008/09 year (prior to special dividends).

The investment income is amalgamated and then distributed amongst the four Works and Services rating areas. This reduces the amount of rates required to be collected from ratepayers based on the capital value of the rating area.

The four Work and Services areas are:

Rural
Fairlie
Tekapo
Twizel

This gives the net rates requirement which is either collected through the Meridian differential (if applicable) or other ratepayers.

In the current year budget, this has the following effect:

Works and Services Rates	Total Income Allocation	Meridian Differential	Meridian Benefit	Other Ratepayer benefit
<i>Rural</i>	624,175	40%	249,670	374,505
<i>Fairlie</i>	62,940	0%		62,940
<i>Tekapo</i>	144,079	20%	28,816	115,263
<i>Twizel</i>	174,242	0%		174,247
	\$1,005,436		\$278,486	\$726,950

Within the external mix of income there is a component that is fixed in nature, i.e. the bond investments which are fixed interest over the life of the bond and a component that is variable in nature, being the cash deposits, which fluctuate depending on the Official Cash Rate and the day to day cash requirements of Council. In between these two sit the investment in Alpine Energy Ltd which exhibits characteristics of both fixed and variable but are ultimately decided by the directors of the company.

Councils estimate of its investment income sets the level of rates to be struck in the four rating areas mentioned. However any fluctuations in interest rates, changes in Councils dividend policy from its Commercial Activities (forestry), impact during the year and can produce, as is the case in the current financial year significant shortfalls in funding.

OPTIONS

Option 1 - Status Quo

The first option is to do nothing and keep the status quo. Council will continue to offset all investment income against Works and Services rates. The effect of that is to continue to maintain relatively low levels of Works and Services Rates. The downside is that for every dollar applied to Rural Works and Services, 40c benefits Meridian Energy Ltd and only 60c benefits all other ratepayers. Similarly 20c in each \$1 allocated to Tekapo will benefit Meridian Energy Ltd while only 80c benefits the Tekapo Works and Services ratepayer.

Option 2 – Remove all investment subsidies from rates calculation.

Completely remove from any rates calculation any investment income subsidy. This will have the maximum rates shock in the financial year. Based on 2009 Annual Plan figures, this would require a 61.2% increase in total Works and Services rates or a 20.39% increase in overall rates.

The following table highlights the impact on each area:

Works and Services Rate	Budgeted Rate from 2009 Annual Plan	Add back Investment Income	Paid by Meridian	Paid by other ratepayers	% increase other ratepayers
<i>Rural</i>	480,999	624,175	249,670	374,505	129.77%
<i>Fairlie</i>	246,749	62,940		62,940	25.5%
<i>Tekapo</i>	287,143	144,079	28,816	115,263	47.2%
<i>Twizel</i>	627,875	174,242		174,242	27.7%
	\$1,642,766	\$1,005,736	\$278,486	\$726,950	

Option 3 – Staged removal of investment subsidy

This is a staged removal of investment income from subsidizing the Works and Services rate. Based on current budget figures, if the subsidy were phased out over 10 years this would require an increase in rates as follows:

Works and Services Rate	Annual Rates Rise
Rural	12.97%
Fairlie	2.55%
Tekapo	4.72%
Twizel	2.72%

This option is partially operating by default due to the reduced level of investment income occurring in the June 2009 year and expected to occur in the June 2010 year.

Option 4 – Retain some subsidy but at a fixed level

This option would fix the level of subsidy applied to various Works and Services rates. Any additional investment income earned above the level would be tagged for other project work and not be included in the rates subsidy calculation. This option has appeal in that it does not place any additional burden on rates levels that has arisen from past allocations of income. It does however over time begin to free up discretionary funds as investment returns improve and other capital is added to the investment base.

In practical terms Council can ring-fence investments for the specific purpose of offsetting, the income generated from those investments, against rates. Any other investments created would be tagged as “Special Project” investments to partially fund other projects determined appropriate by Council. The amount used to offset rates would be guaranteed and any shortfall due to the prevailing economic climate would be made good by the “Special Project” fund. This option could be implemented immediately with an initial ceiling of say \$800,000. I have chosen \$800,000 as this is slightly more than the estimated level of investment income we expect to receive in the 2009/2010 year.

It would also be appropriate to transfer to the “Special Project” income the investment income earned from forestry (the per annum royalty currently paid) as this is an internal charge and any reductions in its level are ultimately subsidized by the ratepayer.

CONCLUSION:

Council has an opportunity in this LTCCP round to implement a new strategy over the next ten years. It is clear that the ploughing back of every available dollar of investment income may not be best practice.

Option 4 allows Council most flexibility. By altering the policy it will give Council the beginnings of some discretionary income with which to fund special projects and will place less reliance on investment income fluctuations.

Paul Morris

From: Rosemary Moran
Sent: Monday, 6 December 2010 10:22 a.m.
To: Paul Morris
Subject: Investment policy

Finance Committee 17 Feb 2009

1. INVESTMENT POLICY:

This report from the Manager – Finance and Administration referred to Council's policy regarding the use of investment income.

Resolved that the report be received.

Graham Smith/Graeme Page

Resolved that the implications of the following amendment to the Investment Policy be further investigated:

That the investment income offset attributed to the four Works and Services rating areas be fixed and that any additional investment income form part of a pool to assist with Council special projects.

Graham Smith /Leon O'Sullivan

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL
SUBJECT: INVESTMENT
MEETING DATE: 14 DECEMBER 2010
REF: FIN 9/4/1 & WAS 7/7
FROM: MANAGER – FINANCE AND ADMINISTRATION
ENDORSED BY: CHIEF EXECUTIVE OFFICER

PURPOSE OF REPORT:

For Council to agree to act as an investor on behalf of the Mackenzie County Scholarship Trust and Sherwood Downs Hall Committee.

STAFF RECOMMENDATIONS:

1. That the report be received.
2. That Council agree to receive principal from Mackenzie Scholarship Trust and the Sherwood Downs Hall and invest in Councils bond portfolios.
3. Council agrees to pay an interest rate of 50 basis points less than Council's average interest rate earned on its bond portfolio.

PAUL MORRIS
MANAGER – FINANCE AND ADMINISTRATION

GLEN INNES
CHIEF EXECUTIVE OFFICER

ATTACHMENTS:

None.

BACKGROUND:

With the collapse of South Canterbury Finance Ltd, many organizations who were earning high interest rates have had their principal returned and now find themselves in a market not offering such returns.

Two such organizations are the Mackenzie County Scholarship Trust and the Sherwood Downs Hall Committee.

The Scholarship Trust has approximately \$80,000 while the Hall Committee has approximately \$10,000.

We have been approached by these entities to see if they could leverage off Council and earn better returns than are currently available.

I have indicated that this could be possible but Council approval would be required.

I am proposing to use the money left with Council to invest in our bond portfolio and that the interest rate payable to these entities would be Council's average bond rate minus 50 basis points.

SIGNIFICANCE OF DECISION REQUIRED

The decision required is not considered significant.

ISSUES

Council will need to separately identify each amount invested (this currently happens) and credit interest 6-monthly.

CONCLUSION

Council should offer this facility to these entities to enable them to maximize their returns.

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL
SUBJECT: TWIZEL EARLY LEARNING CENTRE
MEETING DATE: 14 NOVEMBER 2010
REF: Was 7/11
FROM: MANAGER – COMMUNITY FACILITIES
ENDORSED BY: CHIEF EXECUTIVE OFFICER

PURPOSE OF REPORT:

For Council to consider a request for funding from the Twizel Early Learning Centre

STAFF RECOMMENDATIONS:

1. That the report be received.
2. That Council meet the building consent costs associated with this work by way of a grant.
3. That Council enter into a lease arrangement with the Twizel Early Learning Centre whereby in return for a minimal rental, the Twizel Early Learning Centre maintain the building.
4. That Council reviews its policies for providing financial assistance for community organisations by way of grants, concessional rentals or other means.

GARTH NIXON
MANAGER – COMMUNITY FACILITIES

GLEN INNES
CHIEF EXECUTIVE OFFICER

ATTACHMENTS:

Request from the Twizel Early Learning Centre.

BACKGROUND:

The Twizel Early Learning Centre has been in discussions with Finance Manager Paul Morris the building that they currently occupy and the lease arrangement. The lease is currently held by the Twizel Area School. Paul's initial advice to them was that the lease should be reassigned to them to allow Council to work directly with them on this project.

Because of legal issues regarding the lease (see legal considerations) it now is recommended that a fresh lease be negotiated.

The attached letter outlines proposals but is lacking in detail and the supplementary letter outlines the costs associated with the proposed work.

The requests include:

Council to grant the costs of the building consent estimated	\$2,000.00
Contribution to flooring	\$22,414.00
Complete external painting in 2011	estimate \$20,000.00

POLICY STATUS:

We have no policy around the use of community buildings and grants for community based organisations which is something the Council should address. Twizel youth centre could be a comparison whereby they are charged a rental which is paid by the community board. However, they do maintain the building.

Another example is the Twizel Plunket Building where Council leases the Plunket the building for a peppercorn rental and they maintain the building in lieu of rental.

Whilst not policy, it is common for Council to make grants to cover the building consent for community buildings. Recent examples include the Twizel Youth Centre and Twizel Medical Centre alterations.

SIGNIFICANCE OF DECISION REQUESTED:

Considered to be a routine decision

ISSUES AND OPTIONS:

The issues are whether or not Council agrees to contribute to the upgrading of this building and if so how much?

Council also needs to consider how the building should be treated long term.

The two options are:

1. To lease the building as a commercial lease and to maintain the building at an appropriate level.
2. To lease the building at a pepper corn rental and have the Twizel Early Learning Centre maintain the building.

CONSIDERATIONS:

Legal Considerations:

Recent legal advice suggests that the lease of the building to the Twizel Area School never had Ministerial Consent and as such the lease is a nullity. This gives Council the opportunity to negotiate a new lease with the Twizel Early Learning Centre.

Financial Considerations:

We currently have no information about the financial position of the Early learning Centre.

There is no specific funding available for this work though Councils Grants budget could be used to fund the building consent.

The lease with the Twizel Area School which was established in 1990 set the lease at \$100 per annum following the first year. Two years later, the Community Board agreed to waive the rental. Council paid the rates and was responsible for routine maintenance.

If a new lease negotiated at a commercial or semi commercial rate the funds generated from the lease could be used to offset the costs of maintenance of the building.

The alternative to this would be for the lease rental to be a modest sum and the Centre assume responsibility for the maintenance of the building.

Other Considerations:

Council has no funds specifically allocated for the maintenance of or improvements to this building and there is no income stream to offset these costs. The Building was originally part of the gymnasium that was transferred across to the Events Centre.

ASSESSMENTS OF OPTIONS:

Council has no budgeted funds for the requested work.

Council does not support any other educational facilities in this way.

Of the two options my preferred way forward would be for a new lease on the basis that the Twizel Early Learning take responsibility for the upgrading and maintenance of the building for a minimal rental

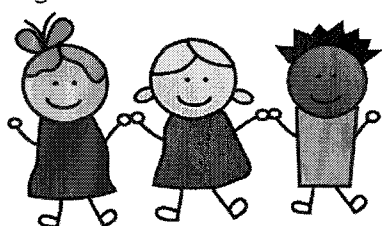
CONCLUSION:

The Early Learning Centre is an Incorporated Society that provides a service to the community and it is worthy of some support.

I believe it is appropriate to meet the costs of the building consent for their proposed work. With regard to their request for assistance for improvements Council should decline this request and determine the outcome following new lease negotiations.

Taking a wider perspective, Council should consider a review of the kinds of assistance it offers to community groups through grants, concessional rentals and the like.

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Twizel Early Learning Centre

p: 03 435 0640

twizelearlylearningcentre@xtra.co.nz m: 021 1155116

Garth Nixon
Chief Executive
Mackenzie District Council
P O Box 52
Fairlie 7949

16 November 2010

Re: Twizel Early Learning Centre December 2010 upgrade/build

Dear Garth,

In response to our recent phone conversation.

I have detailed below a financial breakdown associated with the Twizel Early Learning Centre (TELC) to accompany the proposed request for financial assistance from Mackenzie District Council (MDC).

1. Building Consent: A reduced fee or waivering of the fee
2. Floor Coverings: A financial contribution towards the cost of replacing the current non-compliant/hazardous floor coverings
3. MDC to complete a complete external (including roof) repaint in 2011
4. An allocation of 6 x 5 minute parking in front of TELC
5. In conjunction with Twizel Community Board a foot path from Mt Cook Street and landscaping of the overgrown area on the Market Place side of TELC
6. Refuse removal from Market Place

Detailed below is the breakdown of the builders quote (Steve Mowat). TELC is making a large financial contribution to upgrading and advancing this invaluable community educational service.

Plumbing	9,051.00
Electrical	7,232.00
Stopping	4,725.00
Painting	13,309.00
Floor Covering	22,514.00
Building Materials	30,996.00
Building Labour	32,400.00
PC Sum for hardware, finishing items, kitchen	3,000.00

My split for Stage one as described in your documentation is **\$81,764.00 + GST**.

My split for Stage two is the remaining **\$41,463.00 + GST**

Stage one development is targeted to commence on 17th December 2010. With Stage two scheduled for the July school holidays. (Plans Attached)

If any further clarification or information is needed please do not contact to contact us.

Sincerely,

Paula Ellis

Paula Ellis
TELC Centre Manager

Coralie Reid

Coralie Reid
Chairperson TELC Inc
021 687 482/ 435 0122
Coralie.reid@xtra.co.nz



Garth Nixon
Chief Executive
Mackenzie District Council
P O Box 52
Fairlie 7949

1 November 2010

Re: Twizel Early Learning Centre December 2010 upgrade/build

Dear Garth,

Twizel Early Learning Inc Committee wishes to seek the Council's financial support through available funding to assist with the following for our premises.

The Committee is targeting all available funds from fundraising and savings towards the internal space redevelopment of a dedicated under 2 and over 2 area and the addition of a covered verandah to allow year round outdoor play area for all children. This is vitally important work to allow for better care and education of Twizel's growing preschool population.

Once the work is completed inside to complement and enhance the overall look of building and further future proof, repainting of exterior and Market Place garden frontage redevelopment would complete the package as well as tie into existing upgrade of Market Place and Event Centre entrance.

Please consider the following to allow the completion of work.
We approach Council both as our landlord of the building and the dual interest of providing a complete community asset to Twizel and the wider Mackenzie District.

- Grant to offset building consent costs.
Application covers: internal re layout. Verandah addition.

Twizel Early Learning Centre Inc: Non Profit Early Childhood
Education & Care

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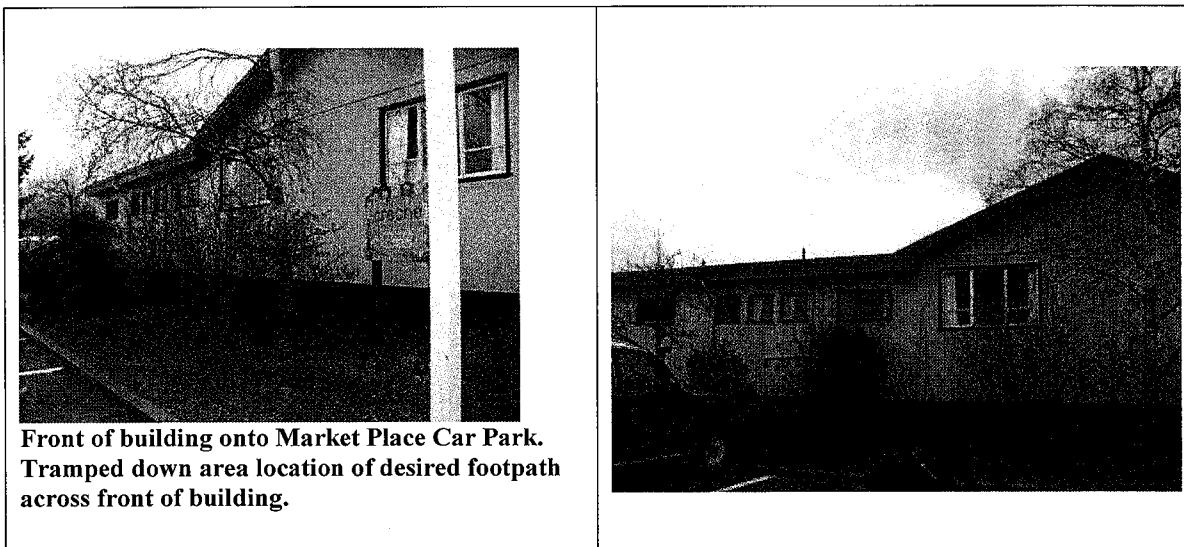


**Twizel
Early
Learning
Centre**

p: 03 435 0640
twizearlylearningcentre@xtra.co.nz m: 021 1155116

- Address issues regarding Market place frontage-footpath (road safety), visual appeal /impact/positive imagery.
The extension of the current foot path from the MT Cook Street/Market Place intersection, connecting into the path leading into TELC, TAS, and Twizel Community Library.

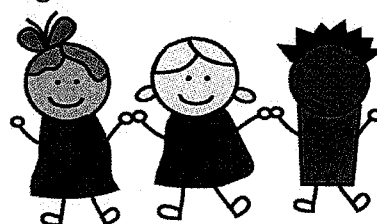
In the present condition this area is an environmental and biological hazard and a risk to public safety. Hazards include: general non-biodegradable refuse, broken alcohol bottles, human bodily waste, over grown foliage
Additionally we would be requesting marked/painted on 5min parks x 6 allowing safer unload/loading of young children.



Twizel Early Learning Centre Inc: Non Profit Early Childhood
Education & Care

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Twizel Early Learning Centre

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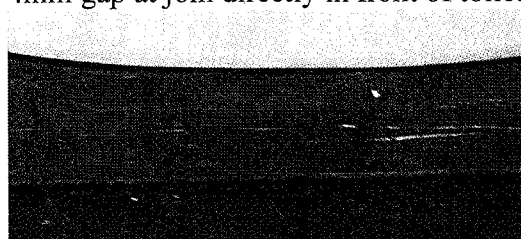
- Flooring replacement of internal space: predominantly vinyl. Carpet stretched; ripples a trip hazard

The existing vinyl is coming away at seams and has been recognized by Ministry of Education as part of our review process as non-compliant. A serious health and safety issue.

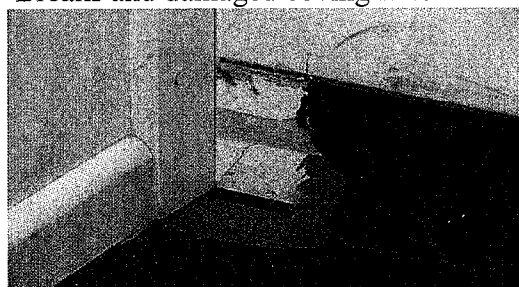
Deep drag marks and unsealed joints



4mm gap at join directly in front of toilet bowl



Breaks and damaged coving in toilet



Twizel Early Learning Centre Inc: Non Profit Early Childhood Education & Care

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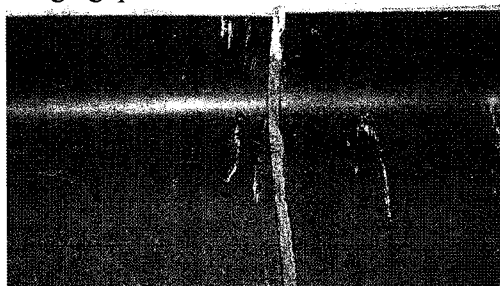
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**Twizel
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Learning
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Large gap under children's sink



Patched with non-compliant joins



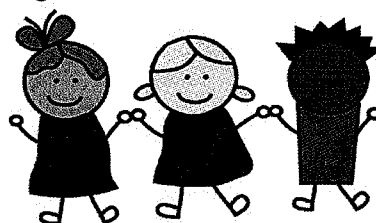
Twizel Early Learning Centre Inc: Non Profit Early Childhood
Education & Care

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- Toilet door frame repairs
The Frame of door is severely damaged and is a safety hazard.



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**Twizel
Early
Learning
Centre**

p: 03 435 0640

twizelearlylearningcentre@xtra.co.nz m: 021 1155116

- Refuse removal from Market Place.
Currently we have to move rubbish to Mt Cook Street.
- Repainting of exterior of premises. TELC has proposed and scheduled a complete repaint of the interior of the premises (at our expense). We are asking that the MDC do a complete exterior repaint.

Please do not hesitate to contact us with any further questions and/or a site visit.

Sincerely,

Paula Ellis

Paula Ellis
TELC Centre Manager

Coralie Reid

Coralie Reid
Chairperson TELC Inc
021 687 482/ 435 0122
Coralie.reid@xtra.co.nz

Twizel Early Learning Centre Inc: Non Profit Early Childhood
Education & Care

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MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL

SUBJECT: REQUEST UNDER SEAL PAST HOUSE POLICY –1830 CLAYTON ROAD

DATE: 14 DECEMBER 2010

REF: WAS 2/27

PURPOSE OF REPORT:

To put to Council a request to seal a 200 metre section of 1830 Clayton Road under the cost sharing arrangement of our “Seal Past Houses Policy”

STAFF RECOMMENDATIONS:

1. That the report be received.
2. That the Council approves the request from Mrs Annette Johnston to seal 200metres of Clayton Road in line with Council policy
3. That the Council’s share be funded from the rural roading reserve.

BERNIE HAAR
ASSET MANAGER

GLEN INNES
CHIEF EXECUTIVE OFFICER

BACKGROUND

6.10.10

1830 Clayton Rd
RD 17.
Fairlie



Mackenzie District Council.

We would like to apply for 200m outside our drive on Clayton Rd to be tarsealed.

The dust from the passing vehicles is a real health issue to us. We have 3 asthmatics in the family and 1 child has allergies, one being to dust mites. We have been living here over 2 years and these conditions have deteriorated.

Clayton Road is a busy road with a lot of heavy vehicles as well as cars passing regular throughout the day.

The dust travels through the

row of trees, over a paddock
 and smother's our house, sitting
 in through any open windows.
 This hangs in the air for up
 to 5 minutes, also coating
 the washing in dust.
 This is a real Health issue
 to us, and I'm sure having
 tar seal outside this area
 would be a great benefit.

We have spoken to Bernie
 Harr, and are aware of the
 Reading Policy.

Many thanks.

Annette Jones

POLICY - SEALING ROADS PAST HOUSES

Mackenzie District Council – Sept 2005

POLICY:

The Council shall carry out sealing past residential dwellings under the following conditions:

1. From 1 July 2006 the Council shall budget \$10,000 per year and carry out one dust seal per year. If more than one application is received they should be prioritised for future years.
- 2 Applications for sealing will be received up to 30 June of each year, to be considered for the following financial year.
- 3 Applications shall be assessed to determine the severity of the nuisance by using indicators like those listed below:
 eye irritations
 respiratory problems
 stress
 appliances breaking down
 inability to have windows open
 extra housework required
 washing soiled on clothes line
 roof water supply contaminated
- 4 The Policy shall apply only to dwellings built or relocated before 2002. The dust nuisance warning placed on LIM reports since that date is considered due diligence by the Council to warn of possible dust problems.
- 5 Preference shall be given to cases where the use of the road has rapidly changed, for example by changed land use.
- 6 In each instance the Council shall contribute to a maximum length of 200m of new seal. Any length required beyond this will be fully funded by the applicant.
- 7 All work that can be justifiably carried out under the subsidised roading programme will be funded this way using already budgeted maintenance funds. The Council will pay the full local share of this work.
- 8 The Council and the applicant will share the cost of all work that is over and above that which can attract a subsidy contribution, on a 50/50 basis.
- 9 The chip seal shall be laid to the Council's sealed road specifications.
- 10 Some flexibility shall be given to repayment options for the private share in cases of genuine financial hardship.
- 11 The Council will take over all ongoing maintenance of the sealed road once it is complete, but reserves the right to seek contributions for any damage from any party where it can be proven, as it does on all roads now.

Note: The Council has approved the trialling of clay-rich wearing course aggregate to ascertain whether it can provide an intermediate type of dust suppressing treatment. If successful this form of treatment will be considered as a lower cost option to sealing.

LOCATION



CONSIDERATIONS

Mrs Johnston came to see me to discuss what could be done to solve the dust problem she is experiencing at her place at 1830 Clayton Rd. I discussed the options and advised her that the only permanent solution was to seal a 200 metre section of Clayton Road past her house. I made her aware of the policy and also advised that the cost would be in the order of \$22,000 of which she would have to contribute half.

Subsequent to that discussion she has made a formal request to avail herself of our policy.

A recent traffic count on that section of road showed an average traffic count of 120 vehicles per day.

SIGNIFICANCE OF THE DECISION REQUIRED

No significant decision is required

FINANCIAL

In line with the policy in previous years, we had budgeted for \$10,000 in unsubsidised roading to cover one request for seal per year. As the opportunity had not been taken up by anyone in the last two years, Council chose not to budget for any requests in the 2010/11 year.

Council now has the option of either declining the request or approving it this financial year even though there is no budget or approving it for next year's programme.

If the work was to proceed this year then it can be funded from the Rural Roding Reserve that has a balance of approximately \$550,000.

CONCLUSION:

This is clearly a case that fits with Council policy and I would recommend that it be approved. I would also suggest that the Council's share be funded from the Rural Roding Reserve so that the applicant can get the most immediate relief. If this is approved we would aim to have the work completed in February or March next year.

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL
SUBJECT: FINANCIAL SUPPORT FOR TWIZEL MEDICAL CENTRE
MEETING DATE: 14 DECEMBER 2010
REF: WAS 10/2 & 10/3
FROM: CHIEF EXECUTIVE OFFICER

PURPOSE OF REPORT:

To consider a request from the Mackenzie Medical Trust for seed funding for the replacement of the medical centre in Twizel with a new building

RECOMMENDATIONS:

1. That the report be received.
2. That the Council indicate to the Mackenzie Medical Trust that it is prepared to support the building of a new medical centre in Twizel in the following ways:-
 - By providing a site for the new centre (either on the existing land or on another piece of Council land)
 - By contributing a capital sum equivalent to the current market value of the buildings on the existing site
 - By lending its support to other fundraising arrangements including community fundraising
 - Meeting the costs of any Council consents required for the project.

GLEN INNES
CHIEF EXECUTIVE OFFICER

ATTACHMENT:

Letter from Mackenzie Medical Trust.

BACKGROUND:

The need for refurbishment/replacement of the existing medical centre has been recognized for some time. The Council assisted in the revitalization of the Mackenzie Medical Trust in order to have a viable vehicle for facilitating improvements in medical services and facilities. It played a key role in co-ordinating the extension of the Fairlie Medical Rooms.

POLICY STATUS:

Council's role in this area is to support the health and welfare of the community. It meshes with the twin ideas of a fit and healthy community and a supportive and contributing community.

Past Council practice has been to provide the 'bricks and mortar' for medical facilities and doctors' housing where required.

It would look to funding from external sources and from community effort to supplement its contribution.

CONSIDERATIONS:

The letter from the Chair of the Trust is self-explanatory.

FINANCIAL CONSIDERATIONS:

The current medical facility has a land value of \$141,000 and a value of improvements of \$189,000.

It is suggested that a contribution of this amount is the minimum in that it represents the stake previous Councils have invested in the facility.

The granting of building and resource consent fees is a minor contribution for which there are several precedents.

LEGAL CONSIDERATIONS:

None.

CONSULTATION REQUIREMENT:

Informal feedback should be invited rather than go through a special consultative procedure.

ISSUES & OPTIONS:

Council is not treading on new territory here as it currently provides bricks and mortar (albeit somewhat aging).

By taking the initiative at an early stage, it may well assist other fundraising efforts.

There is ample precedent in support of the action outlined in the recommendation.

At this stage, we do not need to be specific about the ideal site – that will need further investigation and discussion with the Trust.

CONCLUSION:

This is a worthy cause that deserves Council support.

Code of Conduct - Conflicts of Interest

Elected members of the Mackenzie District Council will:

- maintain a clear separation between their personal interests and their duties as elected members
- ensure they act in such a way that is, and is perceived to be, free from bias
- abide by the requirements of the Local Authorities (Members' Interests) Act 1968 affecting financial interests
- meet other legal requirements concerning non-financial conflicts of interests
- annually make a general declaration of interests held, details of which shall be recorded in a register of interests held by the Council's Chief Executive Officer.

Note:

In cases of doubt as to conflicts of interest, advice should be immediately sought from the CEO. The Audit Office can also be consulted in cases where the member suspects they may have a pecuniary interest. An exemption may be allowed in certain circumstances provided the member obtains it in advance of any action.

Mackenzie Medical Trust
C/- P O Box 36
Fairlie

5-Nov-10

Mackenzie District Council
P O Box 52
Fairlie

Dear Councillors

RE: Support for the development of the Twizel Health Centre building from the incoming council

Earlier in the year the Mackenzie Medical Trust inspected the Twizel Medical Centre. The facility is inadequate for current needs lacking space and providing a poor working environment. In our opinion the centre is in a very poor state and not worth developing.

A long term solution is to build a new facility with minimum dimensions of the plan attached. We believe this plan will develop into something slightly larger, however any development would depend on matching funds available.

Fund raising success would depend on seed funding. We suggest an appropriate start would be for the council to support the project by providing an appropriate site from existing council land and a commitment to sell the existing health centre and transfer the proceeds to the project. With this commitment from council the trust would form a local Twizel fund raising group and a planning group. The process would be controlled by the trust and key milestones identified before each step proceeds.

We ask the council to support this project and give feedback. Once this feedback is given a more detailed plan will be developed. To investigate this proposal thoroughly, some funding will be necessary. The resulting building would be vested in the council.

Ron Joll



Chairman
Mackenzie Medical Trust

MACKENZIE DISTRICT COUNCIL

REPORT TO: PLANNING COMMITTEE

SUBJECT: MACKENZIE PROPERTIES LTD – RIGHT OF WAY REQUEST,
OSTLER ROAD, TWIZEL

MEETING DATE: 25 NOVEMBER 2010

REF: RM100044

FROM: MANAGER – PLANNING AND REGULATIONS

ENDORSED BY: CHIEF EXECUTIVE OFFICER

PURPOSE OF REPORT:

For the Committee to consider a request from Mackenzie Properties Ltd for a right-of-way easement over Council owned Rec-P land in Twizel.

STAFF RECOMMENDATIONS:

1. That the report be received.
2. That the Committee declines the request for a right-of-way easement, and
3. That the Committee declines to grant any lease to occupy the land, or
4. That the Committee grants a limited term lease instead of a right-of-way easement, subject to an appropriate lease agreement being signed.

NATHAN HOLE
MANAGER – PLANNING & REGULATIONS

GLEN INNES
CHIEF EXECUTIVE
OFFICER

ATTACHMENTS:

- The original right-of-way application to the Twizel Community Board.
- The staff report to the Twizel Community Board
- The resource consent decision for land access across Rec-P zoned land

BACKGROUND:

On 23 March 2010 the Twizel Community Board considered a report from staff regarding a proposal from Mackenzie Properties Ltd (MPL) to obtain a right-of-way easement across Council owned land. The report from staff explained to the Board that both an easement and a land use consent would be required. The Board resolved at that meeting to support MPL's application for a right-of-way easement.

Since that time MPL has applied and obtained resource consent to form an accessway across the Rec-P land. As detailed in the Commissioner's decision (attached), the scope of what could be considered by that decision was limited by the provisions in the District Plan. For example, there was no scope to consider the effects of an additional commercial centre on Market Place.

As MPL has now obtained resource consent a decision is sought from the Council (as the land owner) as to whether or not an easement or a right to occupy will be granted.

POLICY STATUS:

I am not aware of a policy in this area.

SIGNIFICANCE OF DECISION REQUESTED:

If a decision is made to grant a right-of-way across the Rec-P land then that right will be in perpetuity.

A limited term lease would be limited to the term. However, granting of either option conveys a right over Council owned land.

CONSIDERATIONS

It is important for the Council to know that it is not limited in regard to the matters that it can consider in determining this proposal.

The Council should note this accessway is not required to provide legal access to the commercial area. Rather, it is an additional entrance that the land owner is seeking to enhance their development.

It is my view that the development of the new commercial centre does have the potential to have a negative impact on Market Place, or that there is certainly no evidence to suggest that it will not. While this application is for an easement or a lease for a new accessway, this

new road will facilitate the development of the commercial area that it serves, which may be to the detriment of the Market Place commercial area. This is the key matter the Council needs to consider.

As a right-of-way easement would convey a right over Council owned land in perpetuity. I would advise against this as the Council does not know the intended long term use of the land. I would suggest that a limited term lease would be more appropriate. This would allow the Council to reassess the use of the land at the time of the lease renewal.

If a lease or easement is granted, the Council should also turn its mind to an appropriate fee for that right as the agreement would convey a right of exclusive occupation for that term.

The resource consent that was granted 11 November 2010 was granted for a term of 25 years. I would suggest that any term of a lease should not exceed the term of the resource consent.

CONCLUSION:

This is potentially a complex issue. Resource consent has been granted, but the Commissioner was limited in what he could consider in that the potential impact on Market Place was unable to be taken into account. The Council has scope to consider all matters of interest when determining the current proposal.

I consider that a right-of-way easement is not appropriate given that it would be in perpetuity. However, a lease maybe, but the term of the agreement is important.

The commercial area is not “land locked” rather the additional accessway off Ostler Road will facilitate its development.

MACKENZIE DISTRICT COUNCIL

REPORT TO: TWIZEL COMMUNITY BOARD

SUBJECT: MACKENZIE PROPERTIES LTD – RIGHT OF WAY ACCESS
OVER COUNCIL REC P RESERVE LAND

MEETING DATE: 29 MARCH 2010

REF: LAN 10

FROM: MANAGER – PLANNING AND REGULATIONS

ENDORSED BY: CHIEF EXECUTIVE OFFICER

PURPOSE OF REPORT:

To report to the Community Board the planning implications of Mackenzie Properties Ltd's proposal to apply to Council for right-of-way access across Council owned land, zoned REC-P.

STAFF RECOMMENDATIONS:

1. That the report be received.

NATHAN HOLE
MANAGER – PLANNING & REGULATIONS

GLEN INNES
CHIEF EXECUTIVE
OFFICER

ATTACHMENTS:

Mackenzie Properties Ltd's proposal to the Twizel Community Board.

BACKGROUND:

I have been requested by the Community Board to provide a planning report on Mackenzie Properties proposal for access off Ostler Road.

POLICY STATUS:

N/A

SIGNIFICANCE OF DECISION REQUESTED:

No decision is required.

ISSUES AND OPTIONS:

N/A

CONSIDERATIONS:

Firstly I will explain what is required. Two authorisations from Council will be required before physical and legal access can be obtained across the subject land.

To obtain legal access, a right-of-way easement would be required, or alternatively the land could be surveyed off and sold to the applicant. An easement would be the simplest option. To obtain a right-of-way easement, the Council would have to grant this under section 348 of the Local Government 1974.

In addition to obtaining legal access, the District Plan states that the establishment of vehicle access over REC-P land is a discretionary activity. This means that a resource consent would be required, and being a discretionary activity the Council has the discretion to either grant or decline consent.

My preliminary view without predetermining any application is that the Council would need to consider quite carefully whether public notification of such an application was required. The reason being is that the proposal involves land that is freely available for the public to use in accordance with the provisions of the REC-P zoning. Any application that would derogate from those provisions, should potentially be put to the public to allow them to have an input into that process.

In terms of the two processes (right-of-way approval application, and resource consent), my recommendation to Council would be that no determination on the right-of-way was made until such time that resource consent had been obtained, as the physical effects of the proposal should be considered ahead of providing any legal authorisation.

CONCLUSION:

A resource consent and an approval under section 348 of the LGA 1974 are required for this proposal. It is quite possible that the Council would publicly notify a resource consent application due to the wider effects on the community of creating vehicle access across land zoned for passive recreation.

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL
SUBJECT: REGISTER OF MEMBER'S INTERESTS
MEETING DATE: 14 DECEMBER 2010
REF: STA 9/1
FROM: CHIEF EXECUTIVE OFFICER

PURPOSE OF REPORT:

To provide the Council the opportunity to consider whether or not to adopt a Register of Members' Interests.

RECOMMENDATIONS:

1. That the report be received.
2. **Either** That elected members provide details of their declared business interests and that of their spouses/partners for inclusion in a Mackenzie District Council Register of Members' Interests.
3. **Or** The Council declines to establish such a register and amends its Code of Conduct to delete any reference to such a register.

GLEN INNES
CHIEF EXECUTIVE OFFICER

BACKGROUND:

The issue was debated at the Council meeting on 5 November when a decision was deferred pending legal clarification of Council's obligations to make such information publicly available. Advice on this aspect is attached.

Since the Council meeting, the Fairlie Community Board decided to adopt such a register. The other two boards deferred any decision awaiting Council's deliberations.

CONSIDERATIONS:

This issue has been well debated and I do not think I can add further to the advice already presented to Council.

The arguments for and against can be summarized as follows:

For

- A register has been recommended to the Council by the Controller and Auditor-General several times.
- It is regarded as good local government practice and has not caused problems in other Councils.
- Its use is mandated in Council's Code of Conduct.
- Previous Councils have had such a register.

Against

- It is perceived as an intrusion into members' personal circumstances.
- It is not legally required.

APPENDICES:

1. Extract from Code of Conduct.
2. Advice from Lane Neave.

Code of Conduct - Conflicts of Interest

Elected members of the Mackenzie District Council will:

- maintain a clear separation between their personal interests and their duties as elected members
- ensure they act in such a way that is, and is perceived to be, free from bias
- abide by the requirements of the Local Authorities (Members' Interests) Act 1968 affecting financial interests
- meet other legal requirements concerning non-financial conflicts of interests
- annually make a general declaration of interests held, details of which shall be recorded in a register of interests held by the Council's Chief Executive Officer.

Note:

In cases of doubt as to conflicts of interest, advice should be immediately sought from the CEO. The Audit Office can also be consulted in cases where the member suspects they may have a pecuniary interest. An exemption may be allowed in certain circumstances provided the member obtains it in advance of any action.

8 December 2010

The Chief Executive Officer
Mackenzie District Council
PO Box 52
Fairlie 7949

Attention: Glen Innes

Level 15
PricewaterhouseCoopers Centre
119 Armagh Street, Christchurch 8011
PO Box 13149, Christchurch 8141
New Zealand

TEL +64 3 379 3720
FAX +64 3 379 8370

CHRISTCHURCH
QUEENSTOWN
www.laneneave.co.nz

Dear Sir

LGOIMA & the Member's Interests Register

1. We refer to our attendance at the Council meeting of 5 November 2010.
2. You have asked us to look into the concerns raised by some of the Councillors as to whether the information they provide to the CEO for the Register of Member's Interests (**the Register**) may be made available to the public under an official information request pursuant to the Local Government Official Information and Meetings Act 1987 (**the Act**).

Executive Summary

3. Official information requests in relation to Register of Member's Interests are something of a grey area. Official information requests are determined on their own facts. However, our investigations to date show that there have been no complaints to the Ombudsman regarding local authorities withholding information held in a register of interests. We have also researched the practices of other councils. There are a range of practices employed throughout the country. We do note that most councils which wish to keep its member's interests information confidential have an explicit policy setting out the terms on which the information is supplied and is to be held.
4. There will remain a risk, albeit perhaps a small one, that such information will need to be made available.
5. There are however, steps that the Council can undertake to reduce this risk. If these steps are undertaken, we consider the risk can be sufficiently minimised. Overall, we consider that the benefits of having a Register, which we outlined to the Council at our meeting on 5 November, outweigh the risk of that information being made public under an official information request.

Analysis

6. Official information is broadly defined in the Act as any information held by a local authority. It excludes information held by libraries or museums, information which is held by a local authority solely as an agent or for the sole purpose of safe custody, or information containing any correspondence or communication that has taken place between the office of the Ombudsmen and any local authority that relates to an investigation.
7. The Act contains a principle of availability (section 5). The principle is that information should be made available unless there is good reason for withholding it.
8. The Act provides conclusive reasons for withholding official information where making it available would likely: prejudice the maintenance of law including the prevention, investigation and detection of offences, and the right to a fair trial or endanger the safety of any person.

9. The Act provides a number of other reasons for withholding official information. These are provided in section 7.
10. Where section 7 applies, good reason for withholding official information exists unless, in the circumstances of the particular case, the withholding of that information is outweighed by other considerations which render it desirable, in the public interest, to make that information available.
11. Information can be withheld if the withholding is necessary to:
 - (a) Protect the privacy of natural persons;
 - (b) Protect information where the making available of that information would disclose a trade secret, or would be likely unreasonably to prejudice the commercial position of the person supplying the information, or; relevantly;
 - (c) To protect information which is subject to an obligation of confidence and the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied (section 7(2)(c)).
12. We consider that withholding the information under section 7(2)(c) to be one of the stronger grounds for withholding information on the Register.
13. Section 7(2)(c) of the Act applies if, and only if, the withholding of information is necessary to:

“Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information-

 - (i) Would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied; or*
 - (ii) Would be likely otherwise to damage the public interest....”*
14. In order to establish that information is subject to an obligation of confidence, there must generally be a mutual understanding between the supplier of the information and the person receiving the information that it is subject to an obligation of confidence.
15. A simple declaration that the information is confidential will be insufficient. It needs to be clear that the information is both being supplied and received on a confidential basis. Similarly, an obligation of confidence will not exist simply because an agency unilaterally imposes an obligation of confidence upon itself and promises confidentiality to a supplier of information. Either the supplier must have required or, at the very least, implicitly relied on such a promise when providing the information in question, to the extent that the information would either have not been given or would have been given in a different format had no such undertaking been given.
16. The fact that information is disclosed to certain third parties (ie certain members of the Council staff) for a limited purpose does not waive confidentiality. Anyone who has access to the information will therefore be bound by an obligation not to use or disclose the information for any other purpose, or to any other person, beyond that for which the information was imparted.
17. If a request was made and for a refusal to be successful, the Council would need to assess whether the disclosure would be likely to prejudice the supply of similar information. We assume from our discussions at the meeting that most Councillors would agree that if they knew the information was to be made public, then that would deter them from providing the information again. On that basis, we consider it likely that Council could satisfy this part of the test.

18. The next question the Council should ask if a request is made is whether it is in the public interest that the Councillors continue to supply the information for the Register to the CEO, or whether disclosure of the information would be likely to otherwise damage the public interest.
19. We again consider that it is likely that both parts of this test can be satisfied. It is in our view appropriate to have a Register. This is considered to be good practice by the Office for the Auditor General. Accordingly, in our opinion, it is in the public interest that such information continue to be provided, and to be given in confidence.
20. We recommend that Council draft an express policy for the Register setting out the terms on which the information is to be supplied, what is being supplied, who has access to that information, and for what purposes they are to access it. We are happy to assist in the drafting of this policy.

Other grounds for withholding information

21. While we have not undertaken a detailed analysis of the other grounds for a refusal to provide information, we consider that a number of them may be relevant.

Obligations different than to members of parliament

22. As an aside we note that members of local authorities are subject to different obligations and duties than members of parliament. From 2006, members of parliament are now required to register their financial interests under Appendix B of the Standing Orders of the House of Representatives. The Registrar of Pecuniary Interests of Members of Parliament is published each year.

Conclusion and recommendations

23. As discussed we consider that overall Council should have a Member's Interests Register, but that it would be appropriate for a specific policy to be drafted in this regard.
24. We are happy to assist in drafting this policy if required.

Yours faithfully

Lane Neave



David Caldwell / Jane Laming
Partner / Solicitor

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Direct Dial: 03 364 6454

Phone: 03 379 3720

Fax: 03 379 8370

Mobile: 021 229 9663

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL

SUBJECT: IMPLEMENTATION OF THE UTILITIES ACCESS ACT 2010

DATE: 6 DECEMBER 2010

REF: WAS 1/5/1

PURPOSE OF REPORT:

To introduce the Utilities Access Act 2010 and discuss requirements and ramifications.

STAFF RECOMMENDATIONS:

1. That the report be received.
2. That Council note the requirements of the Utilities Access Act 2010 and its impact upon Council as a road controlling authority.
3. That Council consider in March 2011 a recommended fee structure and options for managing Council's compliance with the act.

NICK FROUDE
ASSET TECHNICAL ASSISTANT

GLEN INNES
CHIEF EXECUTIVE OFFICER

BACKGROUND

On 8 August 2010 the Utilities Access Act 2010 came into effect. The Act states that all RCAs (Road Controlling Authorities) must manage any access to the road corridor by utility providers, as directed by the National Code of Practice for Utilities Access to Road Corridors.

Until now Utility Providers (e.g. power and telecommunications) have had a legislated right to lay underground services in road corridors, but RCAs have had little ability to control work scheduling, location, or quality.

The Utilities Access Act has been developed to ensure that there is a national standard for handling road access requests, and to introduce a best practice for reinstatement. It also incorporates a two year warranty period for the works.

While the Act has been ratified, the Code of Practice to which it refers is still in draft form and is expected to be confirmed early in 2011. Very minor deviation, if any, is expected from the Code in its current form.

As a process it is very similar to applying for a Building Consent and is comprised of application, approval with conditions, inspection/s, and a completion notice.

The code requires the RCA to appoint a Corridor Manager who undertakes the following:

- Process Corridor Access Requests within timeframe
- Issue Works Approval Notice with conditions and TMP authorisation if required
- Process Works Completion Notice, inspect works if necessary
- Coordinate work by utility providers to minimise impact to transport and the quality of the network, and reduce risk of damage to existing utilities installations
- Establish and maintain formal and informal communications with all other parties, and participate actively in liaison meetings
- File as built plans on completion of work to enable an overview of all utilities within the road reserve

The Code also states that for the purposes of the Act, RCAs who undertake work in the road reserve are considered Utility Providers and must comply with the requirements of the code.

SIGNIFICANCE OF THE DECISION REQUIRED

No significant decision is required at this time.

CONSIDERATIONS

1. It is expected that implementing new procedures to comply with the code will involve a bedding down period. We have adopted the 'best practice' component of the code to give an opportunity to develop procedures, and get an idea of costs and resources required before full implementation.

2. The Code gives provision for RCAs to recover any costs of the corridor management from the utility providers, i.e. causer pays.
3. There are penalties for non compliance with the Code, including fines of up to \$200,000. These penalties may also apply to an RCA that does not adopt policies and procedures as outlined in the Code.
4. Mackenzie District Council has two options – appoint an in house Corridor Manager or outsource the work, either by combining with other RCAs to have a central coordinator, or by employing a specialist agency.

We have had preliminary discussions with our neighbours to see if there is any way we can share ideas and/or resources to implement this.

CONCLUSION:

Once the code is finalised it will have to be adopted by Council as policy. At that time we will bring to council a full report detailing the process for implementing and a proposed fee structure along with the code for adoption.

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL

SUBJECT: SPARC RURAL TRAVEL FUND 2011

MEETING DATE: 14 DECEMBER 2010

REF: FIN 9/4/4

FROM: COMMUNITY FACILITIES MANAGER

ENDORSED BY: CHIEF EXECUTIVE OFFICER

PURPOSE OF REPORT:

To appoint an assessment group and delegate authority to allocate grants from the SPARC Rural Travel Fund of approximately \$9,500.00 for 2011

STAFF RECOMMENDATIONS:

1. That the report be received.
2. That, subject to their approval, Rit Fisher (Albury), Lynne Frost (Lake Tekapo), Wayne Dixon (Fairlie), Dene Madden (Twizel) and Andrea Adams (Maori Community) be invited to be members of the Council's Assessment Group for the SPARC Rural Travel Fund for 2012.
3. That the SPARC Rural Travel Fund Assessment Group be delegated the authority to allocate grants from the Rural Travel Fund to eligible organisations for 2011.

GARTH NIXON
COMMUNITY FACILITIES MANAGER

GLEN INNES
CHIEF EXECUTIVE OFFICER

ATTACHMENTS:

Nil.

BACKGROUND:

Sport and Recreation New Zealand (SPARC) was established in 2003 as the government agency with a mandate to promote, encourage and support sport and recreation in New Zealand.

SPARC has made available a Rural Travel Fund for distribution to rural sports clubs and rural school teams with young people aged between 5 and 19 years who require subsidies to assist with transport expenses to local sporting competitions. The Rural Travel Fund was developed in response to concerns raised by councils about the lack of participation in sport by young people living in rural communities. Geographical isolation was identified as one of the barriers to participation in sport.

POLICY STATUS:

Each territorial authority can decide its own process for assessing applications for grants from Rural Travel Fund.

The Mackenzie District Council has traditionally appointed an assessment group made up of representatives from the four main townships in the District and the Maori community.

SIGNIFICANCE OF DECISION REQUESTED:

The decision is not significant in terms of the Council's Policy on Significance.

ISSUES AND OPTIONS:

The allocation of grants from the Rural Travel Fund could be made by:

- a committee of Council, or
- a group of community representatives.

CONSIDERATIONS:

Legal Considerations:

Not applicable

Financial Considerations:

Not applicable

Other Considerations:

The Assessment Group for last year comprised:

- Wayne Dixon (Fairlie)
- Lynne Frost (Lake Tekapo)
- Kiri Bishop (Maori Community)
- Rit Fisher (Albury)
- Dene Madden (Twizel)

ASSESSMENTS OF OPTIONS:

For many years the Council has been involved in the allocating grants to sports and recreation organisations for projects which promote participation in sporting and recreational activities through the former Hillary Commission fund and the current Rural Travel Fund. It has traditionally appointed a group of interested community representatives to do this.

The task has always been carried out successfully and accountability reports indicate that grants have been made to eligible organisations whose applications meet the required criteria.

CONCLUSION:

The Rural Travel Fund is an ongoing and important source of support for junior teams in the Mackenzie District to take part in local sporting competitions. The allocation of grants by a Council appointed community group is a long established practice and the Council can be confident that this process has successfully achieved the required outcomes and will continue to do so.

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL
SUBJECT: REMUNERATION OF ELECTED MEMBERS
MEETING DATE: 14 DECEMBER 2010
REF: STA 9/2
FROM: CHIEF EXECUTIVE OFFICER

PURPOSE OF REPORT:

To advise Council that it should now advise the Remuneration Authority of the agreed division of the remuneration pool.

RECOMMENDATIONS:

1. That the report be received.
2. That the Council advise the Remuneration Authority that the following division of its remuneration pool has been agreed to by Council and its three Community Boards without dissent:

Councillor salary	\$15,634pa
Community Board Member Salary	\$1,562pa
Community Board Chair Salary	\$3,908pa

GLEN INNES
CHIEF EXECUTIVE OFFICER

BACKGROUND:

This issue was debated on 5th November 2010 and at the Community Board meetings.

Twizel opted to change its arrangements and now wishes to provide extra remuneration to its Chair.

The next step is to advise the Remuneration Authority who will approve the allocation.

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL
SUBJECT: RULES FOR THE REIMBURSEMENT OF EXPENSES BY
ELECTED MEMBERS
MEETING DATE: 14 DECEMBER 2010
REF: STA 9/2
FROM: CHIEF EXECUTIVE OFFICER

PURPOSE OF REPORT:

To adopt new expense rules for Council in line with changes made by the Remuneration Authority.

RECOMMENDATIONS:

1. That the report be received.
2. That the Council adopts the attached expenses rules and forwards them to the Remuneration Authority for approval.

GLEN INNES
CHIEF EXECUTIVE OFFICER

BACKGROUND:

We are required to adopt rules for reimbursing elected members expenses that have to be endorsed by the Remuneration Authority.

On 5 November, Council agreed these needed further consideration.

The revised rules incorporate changes made by the Authority in its recent determination.

A 30km threshold now applies to mileage claims.

A new travel time allowance of \$15/hr is introduced but this has a threshold of two hours per trip so will only apply for out of District travel. This only applies to those that cannot be properly regarded as being a full-time member.

The new communications allowance is designed to cover monthly internet charges and differs according to the most effective type of connection chosen.

RULES FOR THE REIMBURSEMENT OF EXPENSES BY ELECTED MEMBERS

1. Introduction

Remuneration of members of local authorities, including community boards is determined by the Remuneration Authority, an independent body set up under its own Act of Parliament.

The Authority is empowered to set rules for reimbursing expenses incurred by elected members under the Local Government Act 2002. The approach taken by the Authority is to invite local authorities to draft their own rules for it to consider and, if thought fit, approve.

2. Background

Any Council rules for the reimbursement of expenses are required to be approved by the Remuneration Authority. These rules replace those adopted by Council in the last triennium and, following Council endorsement, will be submitted to the Remuneration Authority for its formal approval.

3. Vehicle Mileage Allowance

Councillors generally incur expense in traveling to and from Fairlie for Council meetings, workshops and on other official business. In addition, the Mayor will incur other travel costs in undertaking duties outside of regular meetings. Such expense is reimbursable by way of a vehicle mileage allowance:

- Council will pay a vehicle mileage allowance of 70c/km for travel on Council related business above a threshold of thirty kilometers for any one event. The maximum annual reimbursement to any one elected member at the 70c/km rate will be based on 5,000km claimed. Because of size and location of the District, claims above 5,000 kms will be allowed but these will be reimbursed at the lower rate of 35c/km.
- Detailed claims should be submitted as regularly as practicable to Casey Pridham, the Payments Officer.
- To minimise the net cost to the ratepayers of the District, Councillors should arrange to share transport wherever practical.
- Where meetings are held at Tekapo and Twizel, Council vehicles will normally be used to transport members to and from Fairlie and points in between.

4. Travel Time allowance

Elected members will often travel outside the District on Council business.

Travel time in excess of two hours for any event will be paid for at \$15/hr.

The maximum amount claimable by any elected member will be set at 100hrs per year.

5. Conference and course attendance

The following rules will apply:

- Attendance at conferences and courses will be authorised by way of a formal Council resolution.

- Council will arrange for the enrolment, registration fees, booking of accommodation and flight reservations if applicable. This will be arranged by Julie Hadfield or Catherine Johnson, PAs to the Mayor and CEO.
- Wherever possible, payment will be made in advance by the Council or through the use of the Council credit card at the time. This is to reduce the number of instances where elected members have to incur expense out of their own pockets and then seek reimbursement from the Council.
- Reimbursement claims should be supported by appropriate GST receipts.
- Where the venue is within reasonable driving distance (say less than six hours travel time), Council will endeavour to arrange for a Council vehicle to be made available. If that is not possible, mileage may be claimed, but sharing of vehicles is also encouraged in such circumstances.
- For North Island venues, flying will be the most cost effective means of travel.
- Meal expenses are reimbursable but wherever possible such expenses should be added to the accommodation bill.
- Councillors are expected to meet their own personal expenses such as liquor and mini bar expenses.
- Councillors may wish to stay privately while attending courses and conferences. This is fine, but bear in mind that there is value in participating in informal networking sessions outside the normal conference sessions. Your ability to participate in these may be somewhat limited if you make your own arrangements. In such cases, a daily allowance of \$50 is available when elected members do stay privately.
- Many conferences, including the annual conference of Local Government New Zealand, make provision for the attendance of spouses and partners. Such attendance has value and should not be regarded as a mere perk. The Council position is that it will meet any spouse's/partner's registration fees for such conferences or courses. No additional accommodation cost is normally involved. Councillors will be responsible for the airfares of their spouse or partner and any additional costs of meals.

6. Other Out of Pocket Expenses

Mayoral Telephone Expenses

The Council provides the Mayor with a PDA as a convenient means of communication.

General

Council endeavours to minimise the amount of reimbursement required by meeting most expenses directly from its own coffers. However, there may still be some instances where out of pocket expenses are incurred and that is fine. These may include meals on the road and consumables for faxes and computers. It is essential for all Councillors to be contacted readily by either fax or e-mail or both. Past practice has been to either supply some consumables such as fax rolls or toner or to reimburse Councillors for such expense. Work related toll calls and call minder facilities are able to be reimbursed. It is proposed to continue these practices.

7. Computers and internet connections

The Council provides a laptop and multi-function printer (if required) for the Mayor and each Councillor. Laser printers are favoured because of their modest capital outlay and very low running costs. The laptops will be fitted with a basic webcam to allow informal communication between meetings. This equipment will remain the property of the Council.

The Council will also arrange for the Mayor and each Councillor to have the most appropriate form of broadband internet connection depending on the coverage in their area. Council will meet the costs of this by way of an allowance to allow elected members flexibility in meeting their personal needs. This allowance is discretionary and any member can choose not to accept this allowance due to them already having an adequate broadband connection.

For the period to 30 June 2011, the following allowances will be paid to cover broadband internet connection costs:

Cr Williams	\$350 (with Council to meet the \$150 installation costs for Rural Inzone)
Crs Smith, Page & Bishop and Mayor Barlow	\$300
Crs Money & Maxwell	\$250

Those figures are based on the cost of T-Sticks, Rural Inzone and home broadband over a six-month period following investigation by Council's IT Manager.

The figures will be reviewed in June 2011.

Consumables relating to Council use will be reimbursed as required on a reasonable basis.

8. Application of these rules

These rules shall apply to the Mayor, Councillors, appointed members of Council Committees and to Community Board members with effect from the date they are approved by the Remuneration Authority.

Glen Innes
Chief Executive Officer

8 December 2010.

PUKAKI AIRPORT BOARD

CHAIRMAN'S REPORT – 28th November 2010

Overview

Since the last report we have undertaken a broad advertising campaign to try to generate more section sales with disappointing results. We negotiated for four months over one unsuccessful section sale and have another under consideration at present.

The lack of building activity is holding back sales.

We are very pleased to report the installation of the fuel facility was completed with a net cost well under budget.

The visiting aircraft park is completed and grass is becoming established.

Annual revenue from aviation activity and rentals is steadily increasing, but it would be good to see more aviation activity develop.

Under the current subdued economic times we will need to be patient. Our focus is to make more sales and to try to attract more activity. The airport and subdivision infrastructure is completed to a very high standard. The only work to complete at some time in the future is a grass cross-wind runway.

In these times it is good to have a business with no debt, very strong capital reserves, and a large future land sale capital resource which requires no further expenditure.

Stages 1-4

One deposit paid sale has not yet been completed.

Sewage

Seven second payments from section owners have not been paid. We will be taking action regarding this.

Fuel Facility

We, working with BP have completed the construction of this excellent new facility. The complexity of planning and negotiations, and resource consent issues has involved higher expense than we planned but an airfield without fuel would have a bleak future. Our first discussion on fuel began over 3 years ago so it is a relief to see this part of the project completed and finally commissioned and aviation notices issued. This facility has generated more revenue and was completed well under budget.

Subdivision Sales

Sales are more difficult and in spite of a trickle of enquiry we have made no further sales since our last report to Council. This situation is not un-typical of subdivision developments in New Zealand at this time, and a number are in receivership. We have advertised in a number of publications which stimulated some enquiries but no sales. We have one contract under consideration at this time.

Crosswind Runway

The Board propose that this grass runway is completed in the Autumn for use by light aircraft, (especially tail wheel aircraft). These aircraft have trouble with the easterly crosswind.

Finance

REVISED FINANCIAL FORECAST PROJECTIONS - 28th November 2010

	June 09/10	20010/2011
Opening Balance	+\$660,171	+\$450,000
Revenue Statement		
Revenue:		
Capital Revenue-land sales (stages1-4)		\$165,000
Rebate Fuel installation		\$73,000
Charges (stages 1-4)	\$34,000	\$14,000
Capital Revenue-land sales(stage 5 & 6)		
Aviation, Rental Revenue, topsoil	\$19,870	\$13,000
Interest	\$10,000	\$10,000
Total Land Sales and Revenue	+\$63,870	+\$274,000
Less Expenses:		
Running Expenses	\$57,375	\$45,000
Runway Re-seal		
Capital Subdivision Expenses		
Stockpile, bund, topsoil,& shingle	\$52,472	
Payment to Council – Airport & Land		
Sewage to Twizel	\$10,695	
Retentions		\$5000
Crosswind Runway		\$35,000
Power installation		
Telephone installation		
Fuel Installation	\$114,497	
Council Sewage & Reserves		
Aircraft Park	\$11,471	
Planning/Survey/RM compliance	\$24,911	
Legal	\$2,620	
Interest		
Total Expenses	-\$274,041	-\$85,000
Net Surplus/(Deficit)	-\$210,171	+\$189,000
Airport Reserve Balances	+\$450,000	+\$639,000
Closing Balance	+\$450,000	+\$639,000

Please note the 2011 forecast assumes no further sales but the completion of a contract and the collection of sewage connection debts.

Hangar

At the last meeting between the Board and Council we were authorized to proceed to investigate plans for a hanger to be built by the Board. Investigations show that we can build a very good hanger with access and tank water supply for around \$200,000. We will present details to Council on the 14th of December. No allowance is made for this project in the forecast figures above.

Future

The financial performance of the airport in the near term will be dependent on future real estate sales, airport revenue from landing fees and rents, and interest rates received. We are pleased that in spite of the real estate section sale market being very subdued, the Board will continue with a capital account in credit, and a public Airport which at this point in time has no rate payer money invested. We have future sales opportunity of approximately \$2.5 million which will occur when the market recovers.

At the present time the site looks somewhat deserted and some people have the impression that it is a failed enterprise.

Building activity will stimulate more interest in the subdivision and we along with Council consider the construction of a hangar will stimulate this activity.

Many developers around the nation are finding that they need to complete some building activity on their own account to promote section sales. I have spoken to developers in Wanaka, Invercargill, and Tauranga who have launched their own building programs to successfully stimulate sales.

Aircraft activity has been muted this year but the Helicopter Line base at the airport has been good for them and us. We are regularly approached with commercial enquiries about the airfield, but in line with Lot sales we are finding the global recession has made business people very cautious.

We have developed a solid rental revenue flow which we will try to expand.

Website:

The Board has completed the first stage of development of the website for Pukaki Airport.

The address is www.airportpukaki.co.nz

The website has three components- a history of aviation in the area and the airfields development, aviation information including a real time display of the met service data from the airfield, and development information on the subdivision.

The last mentioned will assist in providing prospective purchasers with information on sections, District Plan rules and service information.

Feedback to the board has been very positive.

The Board

Simon McDermott made a sound contribution to our Board we thank him for his input. We welcome John Bishop and look forward to working with him.

I record our special thanks to Rick Ramsay who deals with much day to day activity which a manager would normally attend to. Amongst other activities Rick orchestrated our new website which has received many compliments since its launch.

Derek Kirke

Chairman Pukaki Airport Board

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL

SUBJECT: COMMON SEAL AND AUTHORISED SIGNATURES

MEETING DATE: 14 DECEMBER 2010

REF: PAD 15/7

FROM: COMMITTEE CLERK

ENDORSED BY: CHIEF EXECUTIVE OFFICER

PURPOSE OF REPORT:

To advise of the documents signed under the Common Seal from 2 November 2010 to 9 December 2010.

STAFF RECOMMENDATIONS:

1. That the report be received.
2. That the affixing of the Common Seal to document numbers 695 to 697 be endorsed.

ROSEMARY MORAN
COMMITTEE CLERK

Number	Detail of Document	Date Signed & Sealed
695	Deed of Assignment of Lease – John Geoffrey Gilbert (Assignor) and Alexandrina Trust (Assignee) and Mackenzie District Council Hut Site No 55 Lake Alexandrina Outlet Settlement	9 November 2011
696	Telecommunications Licence – Mackenzie District Council and Chorus (a division of Telecom New Zealand Limited)	6 December 2010
697	Deed of Assignment of Lease – Betty Beryl Price (Assignor) and Christopher Darrell Price (Assignee) and Mackenzie District Council (lessor) Hut Site No 53 Lake Alexandrina, South End Settlement	7 December 2010

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL
SUBJECT: GENERAL ACTIVITIES REPORT
MEETING DATE: 14 DECEMBER 2010
REF: PAD 2/3
FROM: CHIEF EXECUTIVE OFFICER

ACTIVITY REPORT

COUNCIL, COMMITTEE AND BOARD MEETINGS

22 November	Twizel & Tekapo Community Boards.
23 November	Finance & Projects and Strategy Committee Meetings.
24 November	Fairlie Community Board.
25 November	Planning Committee Meeting.
14 December	Council Meeting.

OTHER MEETINGS AND ACTIVITIES

8 November	Attended a conference call with Bernie Haar and Genesis and Meridian Energy regarding Hayman Road. Management meeting.
12 November	Met with Mayor and Chair re Projects and Strategy Committee Meeting.
17 November	Attended staff meeting by Civic Assurance regarding Kiwisaver. Met with Charles Anderson regarding a road legalisation issue.
18-19 November	Attended the Rural Sector Meeting in Wellington with the Mayor.
23 November	Attended Fairlie meeting for explanation of Opihi zone etc.
26-27 November	Attended EDS Symposium – Twizel.
29 November	Attended Canterbury Water Management Strategy meeting in Christchurch.
1 December	Solid Waste Workshop.
3 December	Courtesy visit from Sue Davidson & Dan Bonifant from Morrison Lowe. Attended Meridian Energy gifting of ex Benmore Turbine in Twizel. Attend evening function with Mayor on board Te Kaha, Timaru port.
13 December	Attended Mayoral Forum and Civil Defence meeting in Christchurch with Mayor. Attended Regional Land Transport Committee

	Meeting in Christchurch.
15 December	Catch up meeting with Bernie Haar.
16 December	Catch up meeting with Nathan Hole.
17 December	Staff Christmas party.
22 December	Catch up meeting with Paul Morris.
23 December	Catch up meeting with Garth Nixon.

Hayman Road

We have received confirmation of a combined grant of \$25,000 from Meridian and Genesis Energy towards remedial work on Hayman Road. This sum, when combined with NZTA subsidy, should cover the immediate remedial work and satisfy the Council's condition under which it was prepared to take over the road. We can now move on to the legal technicalities to complete the deal.

Environmental Defence Society Seminar on the Mackenzie

Following the seminar, we have been approached by the Minister for the Environment and the local MP who are keen to develop a collaborative approach to land and environmental issues affecting the Mackenzie and Omarama basins. They suggest this should be driven by the three Councils (ourselves, Waitaki and the Regional Council) with some financial support from the government. This needs careful consideration as it is not immediately clear 1, the nature of the problem that needs to be solved and 2, that it lies outside more traditional methods of resolution.

The first step, which the Mayor is pursuing, is to seek a face to face meeting with the other Councils to flesh out what is proposed and then present a discussion paper early in the New Year for council consideration.

Audit of Council's Annual Report

Work on this is reaching the final stages. Some reservations were expressed as to the quality and robustness of Council's non- financial performance measures. While these are being worked through, it is clear that more work will be needed in the future to strengthen these.

Rural and Provincial Sector Meeting

Disruptions to travel plans with Timaru airport closed meant that the Mayor and I missed the first two sessions of this two day meeting. Despite that, there were valuable overviews of important issues from Eugene Bowen and Lawrence Yule from LGNZ. The key messages were that the recent amendments to the legislation dealing with transparency, accountability and financial management have now been enacted but there is uncertainty as to whether they will deliver substantial benefits to the community. Minister Hyde, who addressed the meeting, is now about to embark on a significant review of the role of and rationale for local government which has turned in to a far more ambitious exercise than local government expected.

RECOMMENDATION:

1. That the report be received.

GLEN INNES
CHIEF EXECUTIVE OFFICER

MACKENZIE DISTRICT COUNCIL

MINUTES OF A MEETING OF THE FINANCE COMMITTEE HELD IN THE COUNCIL CHAMBERS, FAIRLIE, ON TUESDAY 23 NOVEMBER 2010 AT 9.40 AM

PRESENT:

Graham Smith (Chairman)
 Claire Barlow (Mayor)
 John Bishop
 Peter Maxwell
 Annette Money
 Graeme Page

IN ATTENDANCE:

Glen Innes (Chief Executive Officer)
 Paul Morris (Manager – Finance and Administration)
 Garth Nixon (Community Facilities Manager) for parts of the meeting
 Bernie Haar (Asset Manager) for parts of the meeting
 Rosemary Moran (Committee Clerk)

I APOLOGY:

Resolved that an apology be received from Evan Williams.

Graeme Page/John Bishop

PIKE RIVER MINE DISASTER:

Resolved that a letter be sent to the Grey District Council expressing hope and support for the community as it deals with the disaster at the Pike River Mine.

Graeme Page/Annette Money

II MINUTES

The Minutes of the previous meeting of the Finance Committee held on 10 September 2010 were confirmed as the correct record on the recommendation of the former Mayor and the Chief Executive Officer.

MATTERS UNDER ACTION:

Alps to Ocean Cycleway

The Chief Executive Officer advised that a verbal agreement had been reached with the Chief Executive Officer of the Waitaki District Council regarding the proportion of individual financial liability for each of the Mackenzie and Waitaki District Councils with regard to the \$2.75m construction funding. He said that agreement was to be formalised in writing.

III REPORTS:

3. MACKENZIE TOURISM AND DEVELOPMENT TRUST – QUARTERLY REPORT:

The Chairman welcomed Philip Brownie, General Manager – Destination Mount Cook Mackenzie, who attended to present the quarterly report of the Mackenzie Tourism and Development Trust.

Mr Brownie spoke to the report and answered questions. He referred in particular to the Winter Marketing Campaign, the targeted rating regime as it applied to ski fields, the intention to review the targeted rating system and the Twizel Information Centre.

In response to a question regarding the deficit from the previous year and strategies the Trust had developed to deal with it given that the anticipated surplus had been reduced, Mr Brownie said it was important to note that the Trustees were not looking to Council to fund the deficit; rather the Trust wanted to trade its way out of it. He advised that he was currently developing documentation to support changes to address anomalies in the targeted rating structure. He said he was confident both the Tekapo and Pukaki information centres would return a surplus, the marketing budget was manageable and he was comfortable that the Twizel Information Centre would break even.

He noted that the surplus had been revised a figure of \$20,000 and he would be reluctant to forecast a higher level given the costs involved in the operation of the Lake Tekapo i-SITE such as rent and power – costs which were not incurred in the operation of the Pukaki Visitor Information Centre.

The Chairman expressed his appreciation of the update from Mr Brownie and his hope that the Council would be made aware of any issues earlier rather than later.

Cr Page attempted to distribute to Councillors copies of an email and ask Mr Brownie for his comments.

The Chairman ruled that the matter was out of order.

He thanked Mr Brownie for his report and Mr Brownie left the meeting at 10.30 am

The meeting was adjourned at 10.30 am for morning tea and reconvened at 10.50 am.

1. FINANCIAL REPORT – JULY 2010:

This report from the Manager – Finance and Administration was accompanied by the financial reports for the period to July 2010.

The Manager – Finance and Administration provided an overview of the Council's financial structure and accounts and then spoke to his report.

Resolved that the reports be received.

Graeme Page/Peter Maxwell

2. BANCORP QUARTERLY REPORT:

This report was the Quarterly Portfolio Report for the three months ending 30 September 2010 for the Mackenzie District Council prepared by Bancorp Treasury Services Limited.

Resolved that the report be received.

Graeme Page/Annette Money

4 FOX PEAK ROAD

This report from the Asset Manager presented a request from the Fox Peak Ski Club for a review of the Council's decision to only pay part of the invoice for the work carried out on Fox Peak Road in May 2010.

The Chairman asked why the Council had been asked to reconsider the issue.

The Chief Executive Officer advised that the Fox Peak Ski Club had appealed the Council's previous decision and asked for it to be reviewed.

Resolved that the report be received.

Peter Maxwell/Claire Barlow

Resolved that Council does not pay the extra \$2,605 as claimed.

Graeme Page/John Bishop

The meeting was adjourned at 12.30 pm for lunch and reconvened at 1.00 pm.

5. MACKENZIE RETIREMENT VILLAS CARPORTS – UNBUDGETED EXPENDITURE:

This report from the Community Facilities Manager referred to an increase in the cost of constructing carports at the Mackenzie Retirement Villas because the total engineering fees and the cost of guttering had not been included in the original estimate. The report proposed a new funding regime which included the contribution of \$11,270 from the Mackenzie Aged Persons Welfare Association, a grant from the Council to cover the cost of GST and consent fees and a contribution from the Fairlie Lions Club of \$2,480.00.

Resolved that the report be received.

Graeme Page/Annette Money

Resolved:

1. That Council approves unbudgeted expenditure of approximately \$3,442.00 being the cost of GST and resource consent fees for the carports at the Mackenzie Retirement Villas.

2. That the Fairlie Lions be requested to fund the balance of the unbudgeted expenditure, viz \$2,480.00.

Peter Maxwell/Annette Money

IV PUBLIC EXCLUDED:

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
1 Property Matters	Commercial Sensitivity	48(1)(a)(i)
2. Mackenzie Medical Trust	To protect the privacy of 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: *Property Matters* section 7(2)(b)(ii) and *Mackenzie Medical Trust* section 7(2)(a).

Annette Money/Peter Maxwell

The Committee continued in Open Meeting

**THERE BEING NO FURTHER BUSINESS THE
CHAIRMAN DECLARED THE MEETING CLOSED AT 2.10 PM**

CHAIRMAN: _____

DATE: _____

MACKENZIE DISTRICT COUNCIL

MINUTES OF A MEETING OF THE PROJECTS AND STRATEGIES COMMITTEE HELD IN THE COUNCIL CHAMBERS, FAIRLIE, ON TUESDAY 23 NOVEMBER 2010 AT 2.20 PM

PRESENT:

Graeme Page (Chairman)
 Claire Barlow (Mayor)
 Crs John Bishop
 Peter Maxwell
 Annette Money
 Graham Smith

IN ATTENDANCE:

Glen Innes (Chief Executive Officer)
 Bernie Haar (Asset Manager)
 John O'Connor (Utilities Engineer) for part of the meeting
 Frank Ledingham (Manage – Roading) for part of the meeting
 Carl MacKay (Solid Waste Manager) for part of the meeting
 Rosemary Moran (Committee Clerk)

I APOLOGY:

Resolved that an apology be received from Cr Williams.

Claire Barlow /Annette Money

II MINUTES:

The Minutes of the meeting of the Operations Committee held on 10 September 2010 were confirmed as the correct record on the recommendation of the former Mayor and the Chief Executive Officer.

IV REPORTS:

1. TERMS OF REFERENCE – PROJECTS AND STRATEGIES COMMITTEE:

This report from the Chief Executive Officer was accompanied by Draft Terms of Reference for the Projects and Strategies Committee.

Resolved that the report be received.

Annette Money/Claire Barlow

Resolved that the following terms of reference for the Projects and Strategies Committee be adopted for a trial period:

Terms of Reference for the Projects and Strategies Committee

The Projects and Strategies Committee has the overall aim of ensuring progress in the provision of high quality services and infrastructure for its community. Adequate progress in completing projects has been a significant source of concern to the previous Council.

The Committee needs to take a strategic view, focus on the big issues and not be bogged down in detail that may be better left to management. Depending on Council decision, its scope may cross boundaries of divisions of Council and be serviced by different members of the management team according to the projects and strategies it is dealing with.

The first task for the Council is to decide upon the priorities that it wishes to set itself for the next three years. What strategic directions need to be decided upon and what projects need to be seen through to completion in that time? From there, the Council needs to determine which of these need to be dealt with by this Committee, which by others and which by the full Council itself.

The roles of the Committee will be

- To advance those key priorities and projects for the next three years that Council has determined should be best dealt with by this Committee
- To agree appropriate strategies to advance those priorities.
- To agree appropriate timetables to take the agreed projects through to completion.
- To monitor the achievement of the work programme against pre-set milestones.
- To receive Asset Management reports.

To ensure that the Committee keeps its focus on its major tasks, care needs to be taken not to clog the agenda with more routine items. For example, routine acceptance of tenders could easily be dealt with by the Finance Committee. Other less strategic items may be best directed through community boards or handled by full Council.

Graham Smith/John Bishop

2. BRIEFING PAPERS:

The Asset Manager distributed an updated copy of the briefing paper on Asset Management. The briefing paper regarding Community Facilities was included in the Agenda and the briefing papers for the Planning and Regulatory and Finance and Administration Activities had been distributed previously.

The Asset Manager answered questions on his briefing paper.

The Chief Executive Officer guided the meeting through the briefings on the Community Facilities, Planning and Regulations and Finance and Administration activities.

3. ASSET MANAGER'S MONTHLY REPORT:

This report from the Asset Manager referred to the Ashwick/Opuha Stock Water Race, Twizel Oxidation Ponds, Twizel Water Consent, Twizel Water Supply, Manuka Terrace Water Supply, Revaluation of District's Infrastructural Assets, Review of Resource Consents, NZTA, Bridge Replacement, Lake Ruataniwha Picnic Area, Roding, Bridge Repairs, Minor Improvements, Unsealed Road Metalling, Unsealed Road Grading and Reseals 2010/2011.

Resolved:

1. That the report be received.
2. That the Safety Footpath in Fairlie through the Reserve be added to the list of Minor Improvements Projects.

Graham Smith/Annette Money

4. TWIZEL WATER SUPPLY:

This report from the Asset Manager advised of the Medical Officer of Health's increasing concerns that the Twizel Water Supply remained untreated.

Resolved that the report be received.

Claire Barlow/John Bishop

Serious concerns were expressed about the safety of the untreated Twizel water supply particularly in terms of it serving the District's largest town which is heavily dependent on tourism and in light of the advent of the Alps to Ocean Cycleway and international rowing events which are held in Twizel.

Resolved that in light of concerns expressed by Medical Officer of Health, the Projects and Strategies Committee urges the Twizel Community Board to progress the disinfection of the Twizel water supply.

Annette Money/Peter Maxwell

3 ASSET MANAGER'S MONTHLY REPORT (Continued):

Solid Waste:

The Committee considered the report from the Solid Waste Manager which referred to key strategies for the Solid Waste Activity for the future.

The Asset Manager advised that the stocks of black bags used for disposing of residual rubbish were running out. The Solid Waste Manager had suggested that use been made of the redundant green bags previously used to dispose of putrescibles.

Resolved:

1. That the green bags no longer used to collect putrescible waste, be used for the collection of residual waste.

2. That an appropriate education programme be undertaken regarding the use of the green bags for collection of residual waste

Graham Smith/Annette Money

V PUBLIC EXCLUDED:

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

1. Road Reseals 2010/2011

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

Commercial Sensitivity

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: *Road Reseals*– section 7(2)(b)(ii)

Graham Smith/Peter Maxwell

The Committee continued in Open Meeting.

CONFIRMATION OF RESOLUTIONS TAKEN WITH THE PUBLIC EXCLUDED:

ROAD RESEALS:

Resolved that the following decisions made with the Public Excluded be confirmed:

1. That the tender of Blacktop Construction Limited for the sum of \$499,421.43 be provisionally accepted by Council subject to an acceptable negotiated contract being completed.
2. That staff negotiate with Blacktop to achieve a contract schedule and price that is acceptable to Community Boards and Council.
3. That any renegotiated contract be reported to the Council meeting of 14 December for final acceptance.

Graham Smith /John Bishop

**THERE BEING NO FURTHER BUSINESS THE
CHAIRMAN DECLARED THE MEETING CLOSED AT 4.20 PM**

CHAIRMAN: _____

DATE: _____

MACKENZIE DISTRICT COUNCIL

MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD IN THE COUNCIL CHAMBERS, FAIRLIE, ON TUESDAY 25 NOVEMBER 2010 AT 9.50 AM

PRESENT:

John Bishop (Chairman)
Claire Barlow (Mayor)
Annette Money
Peter Maxwell
Graeme Page
Evan Williams
Graham Smith

IN ATTENDANCE:

Glen Innes (Chief Executive Officer)
Nathan Hole (Manager – Planning and Regulations)
Toni Morrison (Senior Planner)
Rosemary Moran (Committee Clerk)

II DECLARATIONS OF INTEREST:

Cr Page declared his interest in the *Mackenzie Properties Ltd – Right of Way Request, Ostler Road, Twizel* report.

The Chairman John Bishop noted his earlier involvement in the *Mackenzie Properties Ltd – Right of Way Request, Ostler Road, Twizel* report. He said that although he had been a member of the Twizel Community Board which had resolved to support the application by Mackenzie Properties Ltd for right of way access across Council owned land zoned REC P, for traffic management purposes, he did not have a pecuniary interest in the matter on which he considered he retained an open mind.

The Chief Executive Officer advised that if Cr Bishop chose to take part in the Committee's consideration of the report it could call into question the validity of any Council decision because of his earlier public declaration of support for the application as a member of the Twizel Community Board. He noted that it was up to the individual elected members to take responsibility for the judgements that they made on such matters. He advised that with regard to matters of pecuniary interest there was the potential for individual consequences for elected members if they failed to comply with the Local Government (Members' Interests) Act 1968; with respect to non-financial matters, failure to declare an interest could leave a Council decision open to challenge. He suggested it would be appropriate for Cr Bishop to vacate the Chair and for the Deputy Chairman to take over while the Committee considered the report.

Cr Bishop said that while he had been party to the Community Board's decision which had expressed a definite view, he would gain no advantage in the matter. He announced that he would remain in the Chair when the Committee considered the report and would decide at the time whether he would vote.

Cr Maxwell declared his interest in the report *Tekapo Eco Café*. He said the issue had been considered by the Tekapo Community Board of which he was a member.

II MINUTES:

The Minutes of the previous meeting of the Planning Committee held on 10 September 2010, including such parts as were taken with the Public Excluded, were confirmed as the correct record on the recommendation of the former Mayor and the Chief Executive Officer.

IV REPORTS:

8. MACKENZIE PROPERTIES LIMITED – RIGHT OF WAY REQUEST, OSTLER ROAD, TWIZEL

The Chairman welcomed Andrew Hocken and invited him to address the Committee regarding his request for right of way access across Council owned land in Twizel.

Mr Hocken distributed copies of a letter he had written to the Chairman of the Planning Committee dated 25 November 2010 which was accompanied by five attachments relating to his application.

He addressed the points he had made in his letter and explained the attachments.

The Chairman thanked Mr Hocken. He advised him that the Committee would consider the issue later in the day. Mr Hocken left the meeting at 9.50 am.

1. DRAFT REGIONAL POLICY STATEMENT:

This report from the Senior Planner advised the Committee about the draft Regional Policy Statement (RPS) for Canterbury and sought comment on any feedback to be made to Environment Canterbury on the draft document. Two maps of the Canterbury Region were distributed. The first identified Outstanding Natural Landscapes in the Region and the District. The second identified the different types of Outstanding Natural Landscapes.

Resolved that the report be received.

Graeme Page/Evan Williams

The Senior Planner referred to her document dated 25 November 2010 which accompanied the report. She guided the Committee through the document, answered questions and provided clarification as requested.

The meeting was adjourned at 10.40 am for morning tea and reconvened at 10.55 am.

VI VISITORS:

The Chairman welcomed Rob Hand, South Canterbury Principal Rural Fire Officer, and Alistair Munro, Chairman of the South Canterbury Rural Fire Committee.

The Manager – Planning and Regulations said that in light of the Council's responsibility to make an appointment to the South Canterbury Rural Fire Committee, he had felt it would be useful for the Committee to meet with Messrs Hand and Munro.

Mr Munro gave a brief outline of how the South Canterbury Rural Fire Committee had come to be established. He explained the makeup of the Committee and its roles and responsibilities.

Mr Hand presented a power point presentation on the *how* and *why* of the Rural Fire Structure.

A copy of the presentation is attached to this record as Appendix A.

The visitors left the meeting at 11.45 am.

IV REPORTS:

1. DRAFT REGIONAL POLICY STATEMENT (Continued):

The Senior Planner continued her presentation.

Resolved that the Committee submits feedback to Environment Canterbury in the form of submission to the Draft Regional Statement.

Graham Smith/Evan Williams

The Senior Planner undertook to circulate a draft submission to the Committee members for approval.

2. APPLICATIONS TO HERITAGE PROTECTION FUND:

This report from the Manager – Planning and Regulations was accompanied by an application from the Burkes Pass Heritage Trust, invoices for work undertaken on the Mt Nessing homestead entrance gates and a copy of the Council's Heritage Fund policy.

Resolved that the report be received.

Annette Money/Claire Barlow

Resolved:

1. That the Committee allocates Burkes Pass Heritage Trust \$2,500.00 from the Heritage Protection Fund to contribute to the reinstatement of leadlight windows for St Patricks Church.
2. That the Committee allocates Peter Simpson of Mt Nessing Station \$2,411.93 from the Heritage Protection Fund to contribute to the restoration of Mt Nessing homestead entrance gates.

Annette Money/Graeme Page

3. DELEGATION TO APPOINT HEARING COMMISSIONERS:

This report from the Manager – Planning and Regulations sought the approval of a specific delegation to enable the appointment of a hearing commissioner or a hearing panel to hear and decide notified resource consent applications.

Resolved that the report be received.

Peter Maxwell/Evan Williams

Resolved that the pursuant to section 34A of the Resource Management Act 1990, the Committee delegates the authority to the Planning Committee Chairman and the Mayor to jointly appoint a hearing commissioner or hearing panel to hear and decide notified resource consent applications. In the absence of the Committee Chairman or the Mayor, their deputies or another elected member may fulfil the role.

Annette Money/Graham Smith

4. PROPOSED TWIZEL DOG POUND SITE:

This report from the Manager – Planning and Regulations sought the approval of a new dog pound site in Twizel.

Resolved that the report be received.

John Bishop/Claire Barlow

Resolved that the Committee agrees to the relocation of the Twizel dog pound to a new site at the eastern end of the Twizel Resource Recovery Park.

Annette Money/Claire Barlow

5. PROPOSED ECO-CAFÉ TEKAPO DOMAIN:

This report from the Manager – Planning and Regulations referred to a proposal by Anthony Alderson to occupy a site within the Tekapo Domain on land zoned VC2 to operate a mobile café for a period of three months over summer.

Resolved that the report be received.

Graeme Page/Graham Smith

Resolved that the Committee declines Anthony Alderson's proposal to occupy land within the Tekapo Domain on land zoned VC2 to operate a mobile café for a period of three months over summer.

Graham Page/Graeme Smith

The meeting was adjourned at 12.57 pm for lunch and reconvened at 1.30 pm.

6. DELEGATION TO ALLOW PLANNING MANAGER TO DECIDE MACKENZIE LIFESTYLE LTD LAND USE CONSENT APPLICATION:

This report from the Manager – Planning and Regulations sought specific delegation to enable the Manager – Planning and Regulations to determine the land use consent application for Mackenzie Lifestyle Ltd (RM 100013).

Resolved that the report be received.

Graham Smith /Graeme Page

Resolved that pursuant to Section 43a of the Resource Management Act 1990 authority be delegated to the Manager – Planning and Regulations to decide resource consent RM 100013.

Graeme Page /Evan Williams

7. EVERSLEY RESERVE SEWER CONNECTION CHARGE:

This report from the Manager – Planning and Regulations sought a decision on the charge to be made to residents for obtaining a building consent to physically connect to the Eversley Reserve sewer.

Resolved that the report be received.

Evan Williams/Claire Barlow

Resolved that a fixed building consent fee of \$150.00 be charged for the building consent required for individual properties to connect to the Eversley Reserve reticulated sewer.

Graham Smith /Annette Money

8. MACKENZIE PROPERTIES LIMITED – RIGHT OF WAY REQUEST, OSTLER ROAD, TWIZEL (Continued):

This report from the Manager – Planning and Regulations sought consideration of a request from Mackenzie Properties Ltd for a right of way easement over Council owned REC P land in Twizel.

Resolved that the report be received.

Peter Maxwell/Evan Williams

The Manager – Planning and Regulations noted that some of the comments made by Mr Hocken when he spoke earlier in the meeting were not accurate.

The Manager – Planning and Regulations said the Industrial zoning on the land enabled most uses. He noted that Plan Change 15 had proposed rules for that parcel of land to avoid developments that would have detrimental effects on Market Place. Plan Change 15 would not address the problem of current developments, but could capture future developments. He said that part of Plan Change 15 had been the subject of an appeal by Mackenzie Properties Ltd which meant there was no guarantee that it would become part of the final decision.

The Manager – Planning and Regulations said expert advice had been sought from Matt Bonis of Planit Associates during the drafting of Plan Change 15. In developing his recommendations, Mr Bonis had applied a model based on Turangi, a very similar small town to Twizel. He noted that while Mr Hocken was entitled to have his point of view regarding the effect on Market Place of development on the land, his views were not supported by the professional advice Council had received. No contrary professional advice been received.

The Manager – Planning and Regulations said it was over to the Council to consider all the options in granting or not granting the access. In terms of the REC P zoning, a resource consent was required to form an access way and this had been granted. The Hearing Commissioner had been able to consider only what was provided for in the District Plan. He had not been able to take into account the commercial issues which were the subject of Matt Bonis' advice.

He said that while Mr Hocken had cited a couple of examples where rights of way had been granted under section 348 of the Resource Management Act 1991, they were rights in perpetuity. The Manager – Planning and Regulations said that a right in perpetuity might not be an issue as long as the land was being used for the current proposed purposes; however Council's intentions in the future were unknown. He said the resource consent was for a period of 25 years; if the Council was of a mind to grant an easement for a right of way, he considered a lease for a term no greater than 25 years could be an appropriate instrument. A lease would enable a fee to be charged which would recognise that the Council had relinquished control of the land and could recover the associated costs.

In response to a question from Cr Williams, the Manager – Planning and Regulations clarified that it was in order for the Council to take into account the effect on Market Place of granting of a right of way over the land. Council as landowner didn't have to provide reasons for declining the application.

Cr Maxwell noted that the Twizel Community Board had supported the application. He noted that when asked, Mr Hocken had advised that development of the site had begun in 2006;

obviously in the knowledge of the access ways to the site.

The Manager – Planning and Regulations said the proposed right of way would enhance access to the Mackenzie Properties Ltd site and would be to the advantage of the company. Despite there being no opposition to the resource consent application, the Council still needed to consider the impact of the proposal on Market Place; advice was that it would have a negative impact.

In response to a question from Cr Smith, the Manager – Planning and Regulations said that the land was part of the REC P land set aside for Twizel's greenways network. It was not land that would be developed by the Council. Cr Smith noted again that there was alternative access to the Mackenzie Properties Ltd site.

Resolved that a decision on the request from Mackenzie Properties Ltd for a right-of-way easement over Council owned REC P land in Twizel be deferred until the Committee members had inspected the site.

Graham Smith /Evan Williams

**THERE BEING NO FURTHER BUSINESS
THE CHAIRMAN DECLARED THE MEETING CLOSED AT 2.20 PM**

CHAIRMAN

DATE

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL

FROM: CHIEF EXECUTIVE OFFICER

SUBJECT: COMMUNITY BOARD RECOMMENDATIONS

MEETING DATE: 14 DECEMBER 2010

REF: PAD 5

PURPOSE OF REPORT:

To consider recommendations made by the Community Boards.

RECOMMENDATIONS:

1. That the report be received.

TWIZEL COMMUNITY BOARD

2. **Road Marking:**
That the Council accepts the Twizel Community Board's recommendation that road marking for the 2009/2010 year which had been invoiced after the end of the year, be funded from reserves.
3. **Standing Orders:**
That Council notes that the Twizel Community Board had adopted New Zealand Standard Model Standing Orders NZS 9202:2003 with the following amendment:
 - a) has a deliberative vote; and*
 - b) in the case of an equality of votes has a casting vote.*
4. **Meetings Schedule 2011:**
That the Council notes that the Twizel Community Board has adopted the following schedule of meetings for 2011:
(Starting at 3.00 pm in the summer and 4.00 pm in May, June, July and August)
 - Monday 14 February 2011
 - Monday 28 March 2011 (including consideration of budgets for 2011/2012)
 - Monday 9 May 2011
 - Monday 27 June 2011
 - Monday 8 August 2011
 - Monday 12 September 2011
 - Tuesday 25 October 2011 (to avoid Labour Day)
 - Monday 12 December 2011
5. **Roles of Community Boards:**
That the Council notes that the Twizel Community Board has adopted the discussion document *Roles of Community Boards* detailing how Council and Community Boards would fulfill their respective roles.

6 Remuneration of Elected Members:

That the Council notes that the Twizel Community Board has:

- Noted the interim determination of the Remuneration Authority that the following annual salaries be paid to elected members:
 - Mayor \$52,900
 - Councillors \$12,500
 - Community Board Members \$1,500
- Endorsed the Council's decision to divide the indicative pool of remuneration of \$106,699 for the period ending 30 June 2011 as follows:
 - Councillor's salary \$15,634pa
 - Community Board Chairs \$3,908pa
 - Community Board Members \$1,562pa
- Noted that the Council instructed the Chief Executive Officer to revise the Council's expenses rules to provide for a mileage allowance threshold of 30km per trip and a travel time allowance of \$15 per hour for work related travel and that further consideration was to be given to the payment of a communications allowance.

7. Twizel Early Learning Centre:

That the Council notes that the Twizel Community Board has deferred any consideration of financial assistance for the Centre until the assignment of the lease from the Twizel Area School to the Centre has been completed

8. Twizel Early Learning Centre – Parking:

That the Council accepts that the garden in front of the Early Learning Centre is to be cleared to provide 1200mm of hardstand area for a footpath and that four 30 Minute car parks are to be established.

9. Mistletoe Market:

That the Community Board resolved to provide rubbish bins for the Mistletoe Market.

10 Traffic Issues:

That a working party of the Asset Manager, Community Facilities Manager and Community Board members Phil Rive and Kieran Walsh is to review the traffic issues in Twizel with the power to implement any changes required

11. Twizel Dog Pound Site:

That the Council notes that the Community Board has endorsed the relocation of the Twizel dog pound to a new site at the eastern end of the Twizel Resource Recovery Park.

12. Biodiversity Mosaics:

That the Council notes that authority has been delegated to Phil Rive to confirm the permanent siting of three or four of the mosaics created to celebrate the International Year of Biodiversity.

TEKAPO COMMUNITY BOARD:

13 Recycling Bins:

- That the Council accepts that the Tekapo Community Board has resolved to replace the existing recycle stations with larger recycling stations at a cost of \$4,500 per station,
- That Board members are to be advised of the funding source for the new recycling stations, and
- That, as an initial measure, a glass disposal skip is to be located in the public car park as soon as possible, and further discussions be held regarding a more appropriate, permanent location.

14 **Standing Orders:**

That Council notes that the Tekapo Community Board had adopted New Zealand Standard Model Standing Orders NZS 9202:2003 with the following amendment:

That the Mayor or Chairperson or other person presiding at the meeting

- c) has a deliberative vote; and*
- d) in the case of an equality of votes has a casting vote.*

15 **Meetings Schedule 2011:**

That the Council notes that the Tekapo Community Board has adopted the following schedule of meetings for 2011:

(Starting at 7.00 pm in the summer and 7.30 pm in May, June, July and August)

- Monday 14 February 2011
- Tuesday 28 March 2011 (including consideration of budgets for 2011/2012)
- Monday 9 May 2011
- Monday 27 June 2011
- Monday 8 August 2011
- Monday 12 September 2011
- Tuesday 25 October 2011 (to avoid Labour Day)
- Monday 12 December 2011

16 **Roles of Community Boards:**

That the Council notes that the Tekapo Community Board has adopted the discussion document *Roles of Community Boards* detailing how Council and Community Boards would fulfill their respective roles.

17 **Remuneration of Elected Members:**

That the Council notes that the Tekapo Community Board has:

- Noted the interim determination of the Remuneration Authority that the following annual salaries be paid to elected members:
 - Mayor \$52,900
 - Councillors \$12,500
 - Community Board Members \$1,500
- Endorsed the Council's decision to divide the indicative pool of remuneration of \$106,699 for the period ending 30 June 2011 as follows:
 - Councillor's salary \$15,634pa
 - Community Board Chairs \$3,908pa
 - Community Board Members \$1,562pa
- Noted that the Council instructed the Chief Executive Officer to revise the Council's expenses rules to provide for a mileage allowance threshold of 30km per trip and a travel time allowance of \$15 per hour for work related travel and that further consideration was to be given to the payment of a communications allowance.

18. **Local Authorities (Members' Interests) Act 1968 – Register Of Members' Interests:**

That the Council notes that the Tekapo Community Board Members deferred any decision to be included in a Register of Members' Interests until more information became available regarding the public availability of information in a register of members' interests.

19 **Proposed Eco Café Tekapo Domain:**

That the Council notes that the Tekapo Community Board opposed Anthony Alderson's proposal to occupy land within the Tekapo Domain on land zoned VC2, to operate a mobile café for a period of three months over summer.

20 **Community Updates:**

That the Council notes that the Tekapo Community Board Chairman is to liaise with Council's IT Officer regarding the development and maintenance of a Tekapo page on Council's website.

FAIRLIE COMMUNITY BOARD:

21. **Town Walkabout**

That the Council notes that the Fairlie Community Board members have decided to have a town walkabout at 5.30 pm before the next Community Board meeting on 16 February 2010.

22 **Mackenzie Community Centre User Group**

That the Council notes that Julia Bremner has been appointed as the Fairlie Community Board's representative on the Mackenzie Community Centre User Group.

23. **Standing Orders:**

That Council notes that the Fairlie Community Board had adopted New Zealand Standard Model Standing Orders NZS 9202:2003 with the following amendment:

That the Mayor or Chairperson or other person presiding at the meeting

a. has a deliberative vote; and

b. in the case of an equality of votes has a casting vote.

24. **Meetings Schedule 2011:**

That the Council notes that the Fairlie Community Board has adopted the following schedule of meetings for 2011:

(Starting at 7.00 pm)

Wednesday 16 February 2011

Wednesday 30 March 2010 (including consideration of budgets for 2010/2011)

Wednesday 11 May 2011

Wednesday 22 June 2011

Wednesday 3 August 2011

Wednesday 14 September 2011

Wednesday 26 October 2011

Wednesday 7 December 2011

25 **Roles of Community Boards:**

That the Council notes that the Fairlie Community Board has adopted the discussion document *Roles of Community Boards* detailing how Council and Community Boards would fulfill their respective roles.

26 **Remuneration of Elected Members:**

That the Council notes that the Fairlie Community Board has:

- Noted the interim determination of the Remuneration Authority that the following annual salaries be paid to elected members:
 - Mayor \$52,900
 - Councillors \$12,500
 - Community Board Members \$1,500
- Endorsed the Council's decision to divide the indicative pool of remuneration of \$106,699 for the period ending 30 June 2011 as follows:
 - Councillor's salary \$15,634pa
 - Community Board Chairs \$3,908pa
 - Community Board Members \$1,562pa

- Noted that the Council instructed the Chief Executive Officer to revise the Council's expenses rules to provide for a mileage allowance threshold of 30km per trip and a travel time allowance of \$15 per hour for work related travel and that further consideration was to be given to the payment of a communications allowance.
27. **Local Authorities (Members' Interests) Act 1968 – Register Of Members' Interests:**
That the Council notes that the Fairlie Community Board members have resolved to provide details of their declared business interests and spouse/partner declared business interests for inclusion in a Mackenzie District Council Register of Members' Interests.
28. **Safety Footpath SH 8**
That the Council accepts that the Fairlie Community Board has endorsed the construction of a 400 metre length of safety footpath along the frontages of houses on SH 8 in the Reserve, utilising subsidy available from the Minor Improvements budget.
29. **Fairlie Water Supply – Renewal Of Trunk Main Break From The Pressure Tank To Fairlie**
- That the Council accepts the Fairlie Community Board's resolution that the design capacity of the Trunk Main Renewal be confirmed at approximately 50 litres per second and
 - That, notwithstanding the previous resolution, that the Asset Manager has been instructed to prepare contract documents for tenders for the Fairlie Trunk Main Renewal covering the following two scenarios:
 - 50 l/sec design flow
 - 30 l/sec design flow
 in order that the cost implications for the preferred flow can be accurately assessed.
30. **Gall Street Footpath:**
- That the Council notes the request from St Joseph's School for the installation of a footpath on the west side of Gall Street was noted and that further investigation is to be made by staff into the safety concerns which had been raised.
 - That the letter from St Joseph's School is to be responded to with an invitation for representatives of the School to meet onsite with Community Board members during the township walkabout.
31. **Fairlie Swimming Club – Application for Grant:**
- That the Council accepts that the Fairlie Community Board will make the Strathconan Swimming Pool available to the Mackenzie Swimming Club for its competitive swimming nights at a reduced rate of \$14.00 per hour.
 - That the Stroke Correction Programme is to be granted the same subsidy while acknowledging the additional cost of a Life Guard.
 - That the Learn to Swim classes will continue to be granted free pool hire but be required to meet the cost of a Life Guard.
 - That the Fairlie Community Board is to fund the concessions from its grants budget for 2010/11 and that the level of support should be provided for in the budgets for 2011/12.

GLEN INNES
CHIEF EXECUTIVE OFFICER

ATTACHMENTS:

The minutes of the meetings of the Twizel and Tekapo Community Boards held on 22 November 2010, and the Fairlie Community Board held on 24 November 2010.

BACKGROUND:

The Community Boards have made a number of recommendations for the Council to 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.

MACKENZIE DISTRICT COUNCIL

MINUTES OF THE MEETING OF THE TWIZEL COMMUNITY BOARD HELD IN THE SERVICE CENTRE TWIZEL ON MONDAY 22 NOVEMBER 2010 AT 4.00 PM

PRESENT:

Peter Bell (Chairman)
Cr John Bishop
Elaine Curin
Phil Rive
Kieran Walsh

IN ATTENDANCE:

Claire Barlow (Mayor)
Cr Annette Money
Glen Innes (Chief Executive Officer)
Garth Nixon (Community Facilities Manager)
Bernie Haar (Asset Manager)
Paul Morris (Manager – Finance and Administration)
Rosemary Moran (Committee Clerk)

I

OPENING:

The Chairman welcomed new Community Board members Elaine Curin and Kieran Walsh, Mayor Claire Barlow and Pukaki Ward Member John Bishop, who had been appointed as Council's representative on the Community Board.

II

MINUTES:

The Minutes of the meeting of the Twizel Community Board held on 13 September 2010 were confirmed as the correct record on the recommendation of the former Chairman of the Twizel Community Board and the Chief Executive Officer.

Resolved that the Minutes of the meeting of the Twizel Community Board held on 21 October 2010 be confirmed and adopted as the correct record of the meeting.

John Bishop/Phil Rive

ACTION POINTS:

1. Erection of Anniversary Poem

The Community Facilities Manager undertook to confirm that the project had been completed.

2. Events Centre Entrance:

The Community Facilities Manager reported that tree plantings had yet to be carried out at the entrance to the Twizel Events Centre.

III **REPORTS:**

1. **FINANCIAL REPORT – JULY 2010:**

This report from the Manager – Finance and Administration provided an update for Board members on the financial performance of the Twizel Community for the period to September 2010.

Resolved that the report be received.

Phil Rive/Elaine Curin

Road Marking:

Resolved that road marking for the 2009/2010 year which had been invoiced after the end of the year, be funded from reserves.

Phil Rive/Kieran Walsh

2. **STANDING ORDERS:**

This report from the Chief Executive Officer referred to the requirement for the Community Board to adopt a set of standing orders

Resolved that the report be received.

Kieran Walsh/Elaine Curin

Resolved:

1. That the report be received.
2. That New Zealand Standard Model Standing Orders NZS 9202:2003 be adopted with the following amendment:
That the Mayor or Chairperson or other person presiding at the meeting
 - a) *has a deliberative vote; and*
 - b) *in the case of an equality of votes has a casting vote.*

Phil Rive/John Bishop

3. **MEETINGS SCHEDULE 2011:**

This report from the Chief Executive Officer was accompanied by a proposed meeting schedule for 2011.

Resolved that the report be received.

Kieran Walsh/Phil Rive

Resolved that the following schedule of meetings for the Twizel Community Board for 2011 be confirmed:

(Starting at 4.00 pm in the summer and 3.00 pm in May, June, July and August)

- Monday 14 February 2011

- Monday 28 March 2011 (including consideration of budgets for 2011/2012)
- Monday 9 May 2011
- Monday 27 June 2011
- Monday 8 August 2011
- Monday 12 September 2011
- Tuesday 25 October 2011 (*to avoid Labour Day*)
- Monday 12 December 2011

Elaine Curin/Phil Rive

The Chairman said he intended to convene an informal meeting early in February 2011 to consider issues and projects for the 2011/12 budgets.

4. ROLES OF COMMUNITY BOARDS:

This report from the Chief Executive Officer was accompanied by a discussion paper detailing how Council and Community Boards would fulfil their respective roles.

Resolved:

1. That the report and the discussion paper *Roles of Community Boards* be received.
2. That the discussion document detailing how Council and Community Boards will fulfil their respective roles be adopted.

Kieran Walsh/Phil Rive

5. REMUNERATION OF ELECTED MEMBERS:

This report from the Chief Executive Officer advised of the new rules governing elected members' remuneration so that Council and Community Boards could jointly agree on the pool of remuneration to be divided.

Cr Bishop, as previous Board Chairman, agreed with the suggestion in the report that Twizel provide additional remuneration for the Chairman rather than dividing remuneration equally among the four elected members. The other Board members concurred.

Resolved:

1. That the report be received.
2. That the Twizel Community Boards notes the interim determination of the Remuneration Authority that the following annual salaries be paid to elected members:

▪ Mayor	\$52,900
▪ Councillors	\$12,500
▪ Community Board Members	\$1,500

3. That the Twizel Community Board endorses the Council's decision to divide the indicative pool of remuneration of \$106,699 for the period ending 30 June 2011 as follows:

- Councillor's salary \$15,634pa
- Community Board Chairs \$3,908pa
- Community Board Members \$1,562pa

3. That the Twizel Community Board notes that the Council instructed the Chief Executive Officer to revise the Council's expenses rules to provide for a mileage allowance threshold of 30km per trip and a travel time allowance of \$15 per hour for work related travel.

5. That the Twizel Community Board notes that further consideration was to be given to the payment of a communications allowance.

John Bishop/Phil Rive

6. LOCAL AUTHORITIES (MEMBERS' INTERESTS) ACT 1968 –
REGISTER OF MEMBERS' INTERESTS:

This report from the Chief Executive Officer provided information about the *Local Authorities (Members' Interests) Act 1968* and in particular about good practice regarding compliance with the Act.

Resolved that the report be received.

John Bishop/Phil Rive

7. MAJOR ISSUES FOR TWIZEL THIS TRIENNIUM:

This report from the Chief Executive Officer advised the Community Board of the major issues for Twizel in the current triennium.

Resolved that the report be received.

Phil Rive /Elaine Curin

8. BRIEFING PAPERS:

These papers from the Manager – Finance and Administration, Asset Manager, Community Facilities Manager and Manager – Planning and Regulations provided information on the projects being undertaken in the Twizel community.

Resolved that the report be received.

Kieran Walsh/Phil Rive

9. NOMINATION FOR NEW ZEALAND COMMUNITY BOARDS
EXECUTIVE COMMITTEE:

This report was a call from Local Government New Zealand for nominations for the Elections for the New Zealand Community Boards' Executive Committee.

No Board members expressed interest in being nominated.

Resolved that the report be received.

Kieran Walsh/Phil Rive

10. CREATIVE COMMUNITIES NEW ZEALAND SCHEME – REVIEW:

This report from the Community Facilities Manager referred to a recent review of the Creative Communities Scheme. It was accompanied by a report which had been considered by the Council at its meeting on 5 November 2010. The Council had resolved to seek the views of the Community Boards regarding the appointment of elected members to the Creative Communities Scheme Assessment Committee.

No Board members expressed interest in being part of the Assessment Committee.

Resolved that the report be received.

Phil Rive/Elaine Curin

11. COMMUNITY WORKER'S REPORT:

This was the report from the Twizel Community Worker for the period 4 October 2010 to 26 October 2010.

Resolved that the report be received.

Kieran Walsh /John Bishop

12. TWIZEL RIVER RESERVE – LETTER FROM LINDSAY BROWN:

This letter referred to the Twizel River Reserve Group's proposal for the walkway along the Fraser River and sought reassurance on issues including Security, Fencing, Weed Control, Earth Works, Litter, Motor Bikes and Funding.

For the benefit of the Board members, the Chairman outlined the proposal to establish the walkway and referred to legal and other considerations involved. He said the issues which Mr Brown had raised would be addressed and noted that the Department of Conservation had also offered to liaise with the affected persons.

The Manager – Planning and Regulations explained the marginal strip provisions in the Conservation Act which applied to the area.

Elaine Curin declared her interest in the issue. She sought direction on how best to make her views known. The Chairman suggested that Ms Curin forward any additional comments to those which had already been made about the proposal, to the Twizel River Reserve Group.

Resolved:

1. That the report be received.
2. That the Community Facilities Manager respond to Mr Brown's letter.
Phil Rive/Kieran Walsh

13. GREENWAYS PROJECTS UPDATE:

This report from the Community Facilities Manager provided an update on the Greenways Projects being undertaken by the Community Board.

Resolved that the report be received.

Phil Rive/Kieran Walsh

14. TWIZEL EARLY LEARNING CENTRE:

This report from the Community Facilities Manager was accompanied by a request from the Twizel Early Learning Centre for assistance with the upgrade of the building the Centre occupies, a proposed floor plan and financial information.

Resolved:

1. That the report be received.
2. That any consideration of financial assistance for the Centre await the assignment of the lease from the Twizel Area School to the Centre.

John Bishop /Phil Rive

15. TWIZEL EARLY LEARNING CENTRE – PARKING:

This report from the Asset Manager referred to the request for the conversion of four extra parks in Market Place adjacent to the Twizel Early Learning Centre from unlimited parking to a five minute parking restriction.

In response to a suggestion that a footpath be constructed, the Asset Manager suggested the proposal be considered along with other traffic issues which were the subject of a later report.

Resolved:

1. That the report be received.
2. That garden in front of the Early Learning Centre be cleared to provide 1200mm of hardstand area for a footpath and that four 30 Minute car parks, be established.

Phil Rive/Kieran Walsh

16. MISTLETOE MARKET:

This letter from the Mistletoe Market Coordinator requested that rubbish bins be provided for the Mistletoe Market to be held on 27 November 2010.

Resolved that rubbish bins be provided for the Mistletoe Market.

John Bishop /Phil Rive

17. TRAFFIC ISSUES:

This report from the Asset Manager was accompanied by a letter from Phil Rive which referred to:

- access to skate park and swimming pool via grassed area off Mackenzie Four Square supermarket right of way,
- vehicle parking along Mackenzie Drive between Ruataniwha Rd and Tasman Rd, and
- wrong-way traffic in the Market Place supermarket parking area

Resolved:

1. That the report be received.
2. That a working party of the Asset Manager, Community Facilities Manager and Community Board members Phil Rive and Kieran Walsh review the traffic issues with the power to implement any changes required
Elaine Curin/Kieran Walsh

18. TWIZEL DOG POUND SITE:

This report from the Manager – Planning and Regulations sought the approval of a new dog pound site in Twizel. It was accompanied by an aerial photograph showing the approximate location of the proposed site.

Resolved:

1. That the report be received.
2. That the Community Board endorses the relocation of the Twizel dog pound to a new site at the eastern end of the Twizel resource recovery park.

John Bishop /Phil Rive

19. TWIZEL WATER SUPPLY:

This report from the Asset Manager was accompanied by a letter from the Medical Officer of Health advising of his increasing concerns that the Twizel water supply remained untreated and that the drinking water reservoir was open to the risk of contamination from a variety of sources. Responses from the Chief Executive Officer and the Asset Manager accompanied the report.

Resolved that the report be received.

Kieran Walsh Phil Rive

20 APPRECIATION – GARTH HARRAWAY:

This letter from Mr Harraway expressed his appreciation that a tree which had been shading his property had been removed.

Resolved that the letter be received.

Phil Rive/Kieran Walsh

21 WARD MEMBER’S REPORT:

Cr Bishop reported on the first meeting of the Council which had been concerned with procedural matters and appointments.

IV GENERAL:

1. OPENING FOR TWIZEL EVENTS CENTRE ENTRANCE::

The Community Facilities Manager said he would advise the Chairman regarding the timing of the installation of the lights and trees. Cr Bishop undertook to look into the construction of a barrier fence for the grassed area.

The Chairman undertook to arrange an appropriate opening celebration when the project was completed. Cr Bishop offered to host a BBQ for Board members following the opening ceremony.

2. A STRATEGY TO KEEP RATEPAYERS INFORMED ABOUT TWIZEL:

The Chief Executive Officer advised that the Chairman of the Tekapo Community Board had proposed that a township page be included in the Council’s website to assist with the dissemination of community information, especially to non-resident ratepayers. The Twizel Community Board members supported the concept.

3. 2011 NEW ZEALAND COMMUNITY BOARDS’ AND LOCAL BOARDS’ CONFERENCE:

The Chairman noted that the conference was to be held in Rotorua in May 2011.

4. PARKLANDS CAMPING GROUND:

The Community Board considered a letter from David and Jull Quigley which referred to their concern that rubbish along the back of the Parklands Camping Ground property in Twizel posed a fire risk for the camping ground.

The Community Facilities Manager advised that he had instructed Whitestone Contracting to remove the rubbish. He had also advised Mr and Mrs Quigley of the action that had been taken.

Resolved that the letter be received and the action taken subsequently by the Community Facilities Manager be noted.

Phil Rive/Kieran Walsh

5. BIODIVERSITY MOSAICS:

The Community Board considered an email from Kiersten McKinley regarding the siting of biodiversity mosaics which had been created as part of the week-long celebrations for the International Year of Biodiversity.

Phil Rive said he had viewed the mosaics, the quality of which had which exceeded his expectations. After some discussion as to where they might be placed, it had been suggested that, as a theme, they should be in their 'natural' habitats. He noted that there were a number of suitable areas in Market Place and suggested that when the seating was constructed for the entrance to the Twizel Events Centre, some mosaics could be incorporated into the seats and/or garden beds.

Resolved that authority be delegated to Phil Rive confirm the permanent siting of three or four of the mosaics created to celebrate the International Year of Biodiversity.

John Bishop/Kieran Walsh

6. REQUEST FOR GRANT FROM TWIZEL AREA SCHOOL:

The Community Board considered a request from the Principal of the Twizel Area School for a cash donation towards the purchase of prizes for students at the End-Of-Year Assembly and Prizegiving.

Resolved that a grant of \$100 be made to the Twizel Area School the purchase of prizes for students at the End-Of-Year Assembly and Prizegiving.

John Bishop/Phil Rive

**THERE BEING NO FURTHER BUSINESS THE
CHAIRMAN DECLARED THE MEETING CLOSED AT 6.27 PM**

CHAIRMAN: _____

DATE: _____

MACKENZIE DISTRICT COUNCIL

MINUTES OF THE MEETING OF THE TEKAPO COMMUNITY BOARD HELD IN THE LAKE TEKAPO COMMUNITY HALL ON MONDAY 22 NOVEMBER 2010 AT 7.30 PM

PRESENT:

Murray Cox (Chairman)
Alan Hayman
Peter Maxwell
Peter Munro
Ian Radford

IN ATTENDANCE:

Claire Barlow (Mayor)
Glen Innes (Chief Executive Officer)
Garth Nixon (Community Facilities Manager)
Bernie Haar (Asset Manager)
Nathan Hole (Manager – Planning and Regulations)
Paul Morris (Manager – Finance and Administration)
Rosemary Moran (Committee Clerk)

The Chairman welcomed everyone to the first meeting of the new triennium. He congratulated Peter Maxell on his election to the Council, Ian Radford as a new Community Board member and Alan Hayman and Peter Munro on their re-election to the Community Board.

II MINUTES:

The Minutes of the meeting of the Tekapo Community Board held on 13 September 2010 were confirmed as the correct record on the recommendation of the former Chairman of the Tekapo Community Board and the Chief Executive Officer.

Civil Defence:

The Asset Manager referred to a proposal to establish an emergency management committee for Lake Tekapo and suggested that the Community Board could act in that capacity in liaison with Council staff and the Lake Tekapo emergency services.

The Chairman undertook to arrange a meeting with representatives of the Police and the Fire Brigade and also to check that the emergency radio telephone had been relocated from the school to the fire station.

Resolved that the Minutes of the meeting of the Tekapo Community Board held on 21 October 2010 be confirmed and adopted as the correct record of the meeting.

Peter Maxwell/Alan Hayman

ACTION POINTS:

1. Removal of Willows:

The Community Facilities Manager advised that the regrowth was to be poisoned. He sought direction from the Board on how to dispose of the slash which had been piled up on the foreshore.

It was agreed that the Fire Brigade be requested to burn the pile as soon as possible. It was also proposed that the slash from the Lions clean-up of the Bruce

Scott Walkway could be carted to the lakeside and burned at the same time. The Community Facilities Manager undertook to liaise with the Chief Fire Officer.

2. Request to Remove Trees:

The Community Facilities Manager advised that it appeared the action against the Council had been halted and that a negotiated settlement would be reached.

3. Playground:

The Community Facilities Manager advised that he attended the meetings of the Playground Committee. He suggested it would be appropriate for a Community Board member to attend as well. The Chairman undertook to go to the next meeting. It was advised that a resource consent would not be required for the playground. The Licence to Occupy had yet to be completed.

4. Maintenance of Lochinver Verges:

The Chairman said that some verges were being mown by the adjacent property owners and that as houses were built the Whitestone contractor stopped mowing the verges; efforts were being made to encourage the owners to mow them. The Chairman said that a local contractor had undertaken to approach non-resident property owners with an offer to mow their verges.

5. Recycling Bins:

Resolved:

1. That the existing recycling stations be replaced with larger recycling stations at a cost of \$4,500 per station.
2. That Board members be advised of the funding source for the new recycling stations.
3. That, as an initial measure, a glass disposal skip be located in the public car park as soon as possible, and that further discussions be held regarding a more appropriate, permanent location.

Alan Hayman/Ian Radford

6. Wardens to Monitor Litter and the Camping on Roadways and Reserves Bylaw:

The Chief Executive Officer undertook to have the warrants printed. Peter Maxwell offered to distribute information about the *Camping on Roadways and Reserves Bylaw* to the warrant holders.

7. Outdoor Burning:

It was noted that publication in the Accessible of the Environment Canterbury fact sheet on *Outdoor Burning* was pending.

IV REPORTS:

1. FINANCIAL REPORT:

This report from the Manager – Finance and Administration provided an update for Board members on the financial performance of the Tekapo Community for the period to September 2010.

Resolved that the report be received.

Peter Maxwell/Ian Radford

2. STANDING ORDERS:

This report from the Chief Executive Officer referred to the requirement for the Community Board to adopt a set of Standing Orders.

Resolved:

1. That the report be received.
2. That New Zealand Model Standing Orders NZS 9202:2003 be adopted with the following amendment:
That the Mayor or Chairperson or other person presiding at the meeting:
 - *has a deliberative vote; and*
 - *in the case of an equality of votes, has a casting vote.*

Peter Munro/Peter Maxwell

3. MEETINGS SCHEDULE:

This report from the Chief Executive Officer was accompanied by a proposed meeting schedule for 2011.

Resolved:

1. That the report be received.
2. That the following schedule of meetings for the Tekapo Community Board for 2011 be confirmed:
(Starting at 7.30 pm in the summer and 7.00 pm in May, June, July and August)
 - Monday 14 February 2011
 - Tuesday 29 March 2011 (including consideration of budgets for 2011/2012)
 - Monday 9 May 2011
 - Monday 27 June 2011
 - Monday 8 August 2011
 - Monday 12 September 2011
 - Tuesday 25 October 2011 (to avoid Labour Day)
 - Monday 12 December 2011

Peter Maxwell/Ian Radford

4. ROLES OF COMMUNITY BOARDS:

This report from the Chief Executive Officer was accompanied by a discussion paper detailing how Council and Community Boards will fulfil their respective roles.

Resolved:

1. That the report and attached discussion paper be received.

2. That the discussion document detailing how Council and Community Boards will fulfil their respective roles be adopted.

Peter Maxwell/Ian Radford

5. REMUNERATION OF ELECTED MEMBERS:

This report from the Chief Executive Officer advised of the new rules governing elected members' remuneration so that Council and Community Boards could jointly agree on the pool of remuneration to be divided.

Resolved:

1. That the report be received.
2. That the Community Boards note the interim determination of the Remuneration Authority that the following annual salaries be paid to elected members:

▪ Mayor	\$52,900
▪ Councillors	\$12,500
▪ Community Board Members	\$1,500
3. That the Community Boards endorse the Council's decision to divide the indicative pool of remuneration of \$106,699 for the period ending 30 June 2011 as follows:

• Councillor's salary	\$15,634pa
• Community Board Chairs	\$3,908pa
• Community Board Members	\$1,562pa
3. That the Community Boards note that the Council instructed the Chief Executive Officer to revise the Council's expenses rules to provide for a mileage allowance threshold of 30km per trip and a travel time allowance of \$15 per hour for work related travel.
5. That the Community Boards note that further consideration was to be given to the payment of a communications allowance.

Ian Radford/Alan Hayman

6. LOCAL AUTHORITIES (MEMBERS' INTERESTS) ACT 1968 – REGISTER OF MEMBERS' INTERESTS:

This report from the Chief Executive Officer provided information about the *Local Authorities (Members' Interests) Act 1968* and in particular about good practice regarding compliance with the Act.

Resolved that the report be received and any decision deferred until more information is available regarding the public availability of information in an register of members' interests.

Peter Maxwell/Alan Hayman

7. MAJOR ISSUES FOR LAKE TEKAPO THIS TRIENNium:

This report from the Chief Executive Officer advised the Community Board of the major issues for Lake Tekapo in the current Triennium.

Resolved that the report be received.

Alan Hayman/Ian Radford

8. BRIEFING PAPERS:

These papers from the Manager – Finance and Administration, Asset Manager, Community Facilities Manager and Manager – Planning and Regulations provided information on the projects being undertaken in the Lake Tekapo community.

The need was noted for a review of the public toilets facilities at Lake Tekapo.

Resolved that the report be received.

Ian Radford/Peter Maxwell

9. NOMINATION FOR NEW ZEALAND COMMUNITY BOARDS EXECUTIVE COMMITTEE:

This report was a call from Local Government New Zealand for nominations for the Elections for the New Zealand Community Boards' Executive Committee.

No Board member expressed interest in being nominated.

Resolved that the report be received.

Peter Munro/Alan Hayman

10. CREATIVE COMMUNITIES NEW ZEALAND SCHEME – REVIEW:

This report from the Community Facilities Manager referred to a recent review of the Creative Communities Scheme. It was accompanied by a report which had been considered by the Council at its meeting on 5 November 2010. The Council had resolved to seek the views of the Community Boards regarding the appointment of elected members to the Creative Communities Scheme Assessment Committee.

No Board member expressed interest in taking up a position on the Assessment Committee.

Resolved that the report be received.

Ian Radford/Alan Hayman

11. CAMPING AT LAKE TEKAPO – LETTER FROM MACKENZIE TOURISM AND DEVELOPMENT TRUST:

This letter from the Chairman of the Mackenzie Tourism and Development Trust referred to freedom camping and the demand for accommodation in the District. It asked the Community Board to consider introducing an additional camping ground at Lake Tekapo and to encourage the use of designated camping areas.

Resolved that the letter be received.

Peter Maxwell/Alan Hayman

12. PROPOSED ECO CAFÉ TEKAPO DOMAIN:

This report from the Manager – Planning and Regulations was accompanied by a proposal from Anthony Alderson to occupy a site within the Tekapo Domain on land zoned VC2, to operate a mobile café for a period of three months over summer.

Resolved:

1. That the report be received.
2. That the Community Board opposes Anthony Alderson's proposal to occupy land within the Tekapo Domain on land zoned VC2, to operate a mobile café for a period of three months over summer.

Ian Radford /Alan Hayman

13. WARD MEMBER'S REPORT:

Cr Maxwell advised that one Council meeting had been held at which a number of formalities and appointments were attended to. He said the Finance, Projects and Strategies and Planning Committees were to meet during the week. He noted that he had been appointed, along with the Mayor, to represent the Council at the Canterbury Water Management Strategy Upper Waitaki Zone selection group meeting.

14. REPORTS FROM MEMBERS WHO REPRESENT THE BOARD ON THEIR COMMITTEES:

Murray Cox reported that the car park and public toilets at the Regional Park were due to open. Signs were being produced and irrigation would be the next project.

V GENERAL:

1. COMMUNITY UPDATES:

The Chairman referred to the need to develop a strategy to keep ratepayers informed about Tekapo and his suggestion that a Tekapo page be included on Council's website. He also requested that draft Community Board minutes be put on the website as soon as possible following meetings.

Resolved that the Chairman liaise with Council's IT Officer regarding the development and maintenance of a Tekapo page on Council's website.

Peter Maxwell/Peter Munro

2. BUS STOP SIGNS – CHURCH OF THE GOOD SHEPHERD:

Cr Maxwell asked the Asset Manager for *Bus Stop 9.30 am to 3.30 pm* signs for the Church of the Good Shepherd.

3. ROCK SCULPTURE AT COMMUNITY HALL:

Cr Maxwell referred to the rock sculpture which had been located at the community hall for the Art Exhibition in July 2010. RMS Law in Timaru had commissioned a work from the same artist to be erected on the Bay Hill in Timaru. His information was that the work could be valued at \$11,000. The artist had suggested to Edward Sullivan of RSM Law that if the Tekapo Community wanted to retain the sculpture it could be made available at a discounted price. Mr Sullivan had suggested that the Community Board make an offer of \$1,500 for the work, and if the Community wanted to pay half, RMS Law would pay the balance.

The Community Board decided to defer making a decision in the meantime.

4. WALKING AND CYCLING STRATEGY FOR THE MACKENZIE:

Mr Munro reported that Tekapo Promotions had been discussing the development of a Walking and Cycling strategy for the District. He said it seemed that if funding for the activities was to be attracted a strategy needed to be in place. He undertook to prepare a draft strategy for consideration at the next meeting of the Community Board.

The Asset Manager said he and the Community Facilities Manager would be happy to work with Mr Munro, and involve the Phil Brownie (General Manger DMCM).

5. BUDGETS FOR 2011/2012:

The Chairman undertook to convene one or two informal workshops before the next Community Board meeting on 14 February 2011 to consider township issues and projects which could be included on the budget for 2011/2012.

**THERE BEING NO FURTHER BUSINESS THE
CHAIRMAN DECLARED THE MEETING CLOSED AT 9.53 PM**

CHAIRMAN: _____

DATE: _____

MACKENZIE DISTRICT COUNCIL

MINUTES OF THE MEETING OF THE FAIRLIE COMMUNITY BOARD HELD IN THE COUNCIL CHAMBERS, FAIRLIE, ON WEDNESDAY 24 NOVEMBER 2010 AT 7.00 PM

PRESENT:

Owen Hunter (Chairman)
Julia Bremner
Ron Joll
Graeme Page
Ashley Shore

IN ATTENDANCE

Claire Barlow (Mayor)
Glen Innes (Chief Executive Officer)
Paul Morris (Manager – Finance and Administration)
Bernie Haar (Asset Manager)
Garth Nixon (Community Facilities Manager)
John O'Connor (Utilities Engineer)
Rosemary Moran (Committee Clerk)

II DECLARATIONS

Owen Hunter and Ron Joll made and attested their declarations to faithfully and impartially, and according to the best of their skill and judgement, execute and perform in the best interest of the Fairlie Community, the powers, authorities and duties vested in or imposed upon them as members of the Fairlie Community Board, by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987 or any other Act. Their declarations were witnessed by the Mayor.

I COMMUNITY FORUM:

The Chairman welcomed members of the Mackenzie Community Centre User Group who attended to speak to their request for the Community Board to address issues of concern regarding the upkeep and cleaning of the facility.

Anne Thomson spoke on behalf of the Group, reminding the Community Board members of the history of the project and the extent of volunteer effort and community funding which had been invested in the Centre which had been built in 1986. She said there was disappointment about the shabby condition of the building, furniture and fittings.

The Chairman suggested that the Community Board appoint a representative to the User Group. He noted that there was budget provision for the operation and maintenance of the Community Centre and also that a claim had been made for the repair of earthquake damage to the exterior cladding.

The Community Facilities Manager said any support to help operate the facility would be welcomed and he would be happy to work alongside the User Group. It was noted that a number of the issues raised by the Group had already been attended to. He

undertook to provide that information along with a list of what remained to be done and the funds available for the work.

Mrs Thomson said it was intended that the User Group would meet every two months; the next meeting was scheduled for the third week of December 2010. She asked that a copy of the budget for the Community Centre be available for that meeting.

Pike River Mine Disaster

Ms Thomson requested that the Board observe a minute's silence in respect of the men who had lost their lives in the Pike River mine disaster. She also asked the Community Board to send a message of condolences to the community affected by the tragedy.

Those present stood in silence as a mark of respect to those who had died in the Pike River Mine.

The Chairman thanked the visitors for attending and they left the meeting at 7.20 pm.

III MINUTES:

The Minutes of the meeting of the Fairlie Community Board held on 15 September 2010 were confirmed on the recommendation of the Chairman and the Chief Executive Officer.

Resolved that the Minutes of the meeting of the Fairlie Community Board held on 21 October 2010 be confirmed and adopted as the correct record of the meeting.

Ron Joll/Graeme Page

ACTION POINTS:

1. Car Ports at Mackenzie Retirement Villas:

The Community Facilities Manager said Council had approved payment of unbudgeted expenditure of approximately \$3,442 for the carports and had requested that the Fairlie Lions Club fund the balance of the unbudgeted expenditure, viz \$2,480.

2. SH 79 Signs

Mr Joll referred again to his suggestion that the Fairlie Community Board, in consultation with NZTA and Whitestone Contracting Ltd, develop a design to tidy up and beautify the SH79 entrance to Fairlie and promote it as a community project. He considered it was unlikely to involve significant cost.

3. Fairlie Western Catchments

Chairman provided a brief update on the history of the Fairlie Western Catchments project for the benefit of new Community Board members.

4. Town Walkabout

Resolved that a town walkabout be held at 5.30 pm before the next Community Board meeting on 16 February 2010.

Ron Joll/Graeme Page

V REPORTS:

1. MACKENZIE COMMUNITY CENTRE USER GROUP

This report from the Community Facilities Manager was accompanied by a letter from the convenor of the Mackenzie Community Centre User Group which referred to concerns about the upkeep of the Community Centre, and the Minutes of a meeting of the Community Centre User Group held on 28 October 2010.

Resolved that Julia Bremner be appointed as the Fairlie Community Board's representative on the Mackenzie Community Centre User Group.

Graeme Page/Ron Joll

The Community Facilities Manager undertook to advise the User Group that Mrs Bremner had been appointed.

Mrs Bremner advised that the cleaning of seating upholstery in the Community Centre could be carried out at little cost.

2. FINANCIAL REPORT :

This report from the Manager – Finance and Administration provided an update of the cost centres under the jurisdiction of the Fairlie Community Board to September 2010.

The Manager – Finance and Administration explained how the community funded its activities - water, sewerage, roading, township operation and maintenance - and spoke to his report.

Resolved that the report be received.

Ron Joll/Julia Bremner

3. STANDING ORDERS:

This report from the Chief Executive Officer referred to the requirement for the Community Board to adopt a set of standing orders

Resolved:

1. That the report be received.
2. That New Zealand Standard Model Standing Orders NZS 9202:2003 be adopted with the following amendment:
That the Mayor or Chairperson or other person presiding at the meeting
 - a) *has a deliberative vote; and*
 - b) *in the case of an equality of votes has a casting vote.*

Ron Joll/Graeme Page

3. MEETINGS SCHEDULE 2011:

This report from the Chief Executive Officer was accompanied by a proposed meeting schedule for 2011.

Resolved:

1. That the report be received.
2. That the following schedule of meetings for the Fairlie Community Board for 2011 be adopted:
(Starting at 7.00 pm)
 Wednesday 16 February 2011
 Wednesday 30 March 2010 (including consideration of budgets for 2010/2011)
 Wednesday 11 May 2011
 Wednesday 22 June 2011
 Wednesday 3 August 2011
 Wednesday 14 September 2011
 Wednesday 26 October 2011
 Wednesday 7 December 2011

Graeme Page/ Ron Joll

4. ROLES OF COMMUNITY BOARDS:

This report from the Chief Executive Officer was accompanied by a discussion paper detailing how Council and Community Boards would fulfil their respective roles.

Resolved:

1. That the report and discussion paper *Roles of Community Boards* be received.
2. That the discussion document *Roles of Community Boards* detailing how Council and Community Boards would fulfil their respective roles be adopted.

Ron Joll/Julia Bremner

5 REMUNERATION OF ELECTED MEMBERS:

This report from the Chief Executive Officer advised of the new rules governing elected members' remuneration so that Council and Community Boards could jointly agree on the pool of remuneration to be divided.

Resolved:

1. That the report be received.
2. That the Community Boards note the interim determination of the Remuneration Authority that the following annual salaries be paid to elected members:

▪ Mayor	\$52,900
▪ Councillors	\$12,500
▪ Community Board Members	\$1,500
3. That the Community Boards endorse the Council's decision to divide the indicative pool of remuneration of \$106,699 for the period ending 30 June 2011 as follows:

• Councillor's salary	\$15,634pa
• Community Board Chairs	\$3,908pa

- Community Board Members \$1,562pa

4. That the Community Boards note that the Council instructed the Chief Executive Officer to revise the Council's expenses rules to provide for a mileage allowance threshold of 30km per trip and a travel time allowance of \$15 per hour for work related travel.
5. That the Community Boards note that further consideration was to be given to the payment of a communications allowance.

Ashley Shore/Ron Joll

6. LOCAL AUTHORITIES (MEMBERS' INTERESTS) ACT 1968 – REGISTER OF MEMBERS' INTERESTS:

This report from the Chief Executive Officer provided information about the *Local Authorities (Members' Interests) Act 1968* and in particular about good practice regarding compliance with the Act.

Resolved that the report be received and that the Fairlie Community Board members provide details of their declared business interests and spouse/partner declared business interests for inclusion in a Mackenzie District Council Register of Members' Interests.

Ashley Shore/Julia Bremner

7. MAJOR ISSUES FOR FAIRLIE THIS TRIENNIUM:

This report from the Chief Executive Officer advised the Community Board of the major issues for Fairlie in the current Triennium.

Resolved that the report be received.

Julia Bremner/Ron Joll

8. BRIEFING PAPERS:

These papers from the Manager – Finance and Administration, Asset Manager, Community Facilities Manager and Manager – Planning and Regulations provided information on the projects being undertaken in, or affecting the Fairlie community.

Resolved that the report be received.

Ron Joll/Graeme Page

Safety Footpath SH 8

Resolved that the Fairlie Community Board endorses the construction of a 400 metre length of safety footpath along the frontages of houses on SH 8 in the Reserve, utilising subsidy available from the Minor Improvements budget.

Owen Hunter/Ron Joll

9. NOMINATION FOR NEW ZEALAND COMMUNITY BOARDS EXECUTIVE COMMITTEE:

This report was a call from Local Government New Zealand for nominations for the elections for the New Zealand Community Boards' Executive Committee.

No Board member expressed interest in being nominated.

Resolved that the report be received.

Julia Brenmer/Ron Joll

10 CREATIVE COMMUNITIES NEW ZEALAND SCHEME – REVIEW:

This report from the Community Facilities Manager referred to a recent review of the Creative Communities Scheme. It was accompanied by a report which had been considered by the Council at its meeting on 5 November 2010. The Council had resolved to seek the views of the Community Boards regarding the appointment of elected members to the Creative Communities Scheme Assessment Committee.

No Board member expressed interest in being part of the assessment committee.

Resolved that the report be received.

Ashley Shore/Graeme Page

12. FAIRLIE WATER SUPPLY – RENEWAL OF TRUNK MAIN BREAK FROM THE PRESSURE TANK TO FAIRLIE:

This report from the Utilities Engineer referred to the need to determine the size of the new pipe to replace the existing 200mm diameter concrete pipe trunk main between the break pressure tank and Alloway Street. (The Utilities Engineer noted the correction to be made to his report – viz that the trunk main in question was between the break pressure tank and Alloway Street (not Eversley Reserve.) The size of the pipe chosen would determine the flow that could be delivered to each property. Earlier work had made assumptions about the future population to be serviced and had presumed a considerable reduction in usage per person. The means of providing for extra capacity and the costs of doing so were widely debated by Board members.

Resolved:

1. That the report be received.
2. That the design capacity of the Trunk Main Renewal be confirmed at approximately 50 litres per second.

Owen Hunter/Ron Joll

Resolved that, notwithstanding the previous resolution, the Asset Manager be instructed to prepare contract documents for tenders for the Fairlie Trunk Main Renewal covering the following two scenarios:

- 50 l/sec design flow
- 30 l/sec design flow

in order that the cost implications for the preferred flow can be accurately assessed.

Owen Hunter/Ron Joll

13. GALL STREET FOOTPATH:

This report from the Asset Manager was accompanied by a request from St Joseph's School for the installation of a footpath on the west side of Gall Street.

Resolved that the report be received.

Ron Joll/Graeme Page

The Asset Manager undertook to inspect the traffic safety issues at St Joseph's School which had been referred to in the letter.

It was agreed that the site be included for inspection on the township walkabout.

Resolved:

1. That the request from St Joseph's School for the installation of a footpath on the west side of Gall Street be noted.
2. That further investigation be made by staff into the safety concerns which had been raised.
3. That the letter from St Joseph's School be responded to with an invitation for representatives of the School to meet onsite with Community Board members during the township walkabout.

Ron Joll/Julia Bremner

14. FAIRLIE SWIMMING CLUB – APPLICATION FOR GRANT:

This report from the Community Facilities Manager was accompanied by a request from the Mackenzie Swimming Club for a concession for pool use and to consider grants for the Learn to Swim Programme.

Resolved:

1. That the report be received.
2. That the Fairlie Community Board makes the Strathconan Swimming Pool available to the Mackenzie Swimming Club for its competitive swimming nights at a reduced rate of \$14.00 per hour.
3. That the Stroke Correction Programme be granted the same subsidy while acknowledging there is an additional cost of a Life Guard.
4. That the Learn to Swim classes continue to be granted free pool hire but be required to meet the cost of a Life Guard.
5. That the Fairlie Community Board funds these concessions from its grants budget for 2010/11.
6. That this level of support be provided for in the budgets for 2011/12.

Ron Joll/Julia Bremner

15. WARD MEMBER'S REPORT:

Cr Page reported that the Council was undertaking a review of its solid waste activity.

16. REPORTS FROM MEMBERS WHO REPRESENT THE BOARD ON OTHER COMMITTEES:

The Chairman said there had been an official opening of the Village Green on Saturday 20 November 2010. He also reported that the Mackenzie Aged Persons Welfare Association had resolved to go into recess when the car ports project at the Mackenzie Retirement Villas had been completed.

V GENERAL:

1. A STRATEGY TO KEEP RATEPAYERS INFORMED ABOUT FAIRLIE:

The Chief Executive Officer advised that the Chairman of the Tekapo Community Board had proposed that a township page be included in the Council's website to assist with the dissemination of community information, especially to non-resident ratepayers.

The Fairlie Community Board members supported the concept and the Chairman undertook to liaise with the IT Officer regarding a Fairlie Township page on Council's website.

2. 2011 NEW ZEALAND COMMUNITY BOARDS' AND LOCAL BOARDS' CONFERENCE:

It was advised that the Conference was to be held in Rotorua in May 2011. Anyone interested in attending could contact the Chairman.

**THERE BEING NO FURTHER BUSINESS
THE CHAIRMAN DECLARED THE MEETING CLOSED AT 10.22 PM**

CHAIRMAN: _____

DATE: _____

MACKENZIE DISTRICT COUNCIL

MINUTES OF A MEETING OF THE MACKENZIE DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBERS, FAIRLIE, ON FRIDAY 5 NOVEMBER 2010 AT 10.15 AM

PRESENT:

Claire Barlow (Mayor)
Crs John Bishop
Peter Maxwell
Annette Money
Graeme Page
Graham Smith
Evan Williams

IN ATTENDANCE:

Glen Innes (Chief Executive Officer)
Bernie Haar (Asset Manager)
Nathan Hole (Manager – Planning and Regulations)
Paul Morris (Manager – Finance and Administration)
Rosemary Moran (Committee Clerk)

I OPENING:

The Mayor welcomed everyone to the first ordinary meeting of the triennium. She expressed her hope that the Council would operate as a team, in a climate of openness and honesty. She asked Councillors to make her aware of any issues or problems and noted it was her intention to rely on the expertise which they brought to the Council table. She reiterated her commitment to making herself available to ratepayers and to improving community consultation.

V MAYORAL REPORT:

This was the report of Mayoral activities since her election.

Resolved that the report be received.

Claire Barlow/Annette Money

VI REPORTS REQUIRING COUNCIL DECISIONS:

1. MEETINGS SCHEDULE:

This report from the Chief Executive Officer sought to confirm a schedule of Council, Committees and Community Board meetings for the balance of 2010 and 2011.

Resolved that the report be received.

Graham Smith/Peter Maxwell

Resolved;

1. That the following Council and Committee meeting dates for the balance of 2010 be confirmed:
 - **Mackenzie District Council Ordinary Meeting**
To be held in the Council Chambers Fairlie on Tuesday 14 December 2010, starting at 9.30 am.
 - **Committees**
To be held in the Council Chambers, Fairlie, on Tuesday 23 November 2010 starting at 9.30 am.
2. That the following schedule of meetings for the Council and Committees for 2011 be confirmed:

Mackenzie District Council Ordinary Meetings
To be held at 9.30 am in the Council Chambers Fairlie, unless otherwise noted
 Tuesday 25 January 2010
 Tuesday 8 March 2011
 Tuesday 19 April 2011 (*in Twizel*)
 Tuesday 31 May 2011
 Tuesday 12 July 2011
 Tuesday 23 August 2011 (*in Twizel*)
 Tuesday 4 October 2011
 Tuesday 15 November 2011

Special Council Meetings:
 Tuesday 14 June 2011 Hearing of Submissions to Annual Plan
 Tuesday 28 June 2011 Adopt Annual Plan

Committees
To be held in the Council Chambers, Fairlie at 9.30 am
 Tuesday 1 March 2011
 Tuesday 12 April 2011
 Tuesday 24 May 2011
 Tuesday 5 July 2011
 Tuesday 16 August 2011
 Tuesday 27 September 2011
 Tuesday 8 November 2011
 (*Formal planning hearings will be programmed to comply with statutory timeframes.*)
3. That the proposed Schedule of Community Board meetings for 2011 be referred to the respective Community Boards for adoption.

Graham Smith /John Bishop

The Chief Executive Officer advised that the Tour of the District would be held on Tuesday 30 November 2010 and 7 December 2010. He undertook to advise everyone of the programme for the Tour in due course.

2. ROLES OF COMMUNITY BOARDS

This report from the Chief Executive Officer was accompanied by a discussion paper detailing how Council and community boards would fulfil their respective roles.

Resolved that the report be received.

Claire Barlow/Annette Money

The Mayor noted the need to ensure that the flow of communication between the community boards and Council was maintained.

There was some discussion as to how the community boards could ensure that consultation with their communities could be undertaken in the most effective manner. The Council noted the expectation that the community boards would consult their communities to ensure that their advocacy to Council was soundly based, in particular the need to take care to canvas the views of non-resident ratepayers, especially when they comprised a sizeable proportion of the community.

Motion:

That, in the interests of the performance of elected members' duties in an honest, open and transparent manner, and the provision of user-friendly consultation opportunities for ratepayers by community boards, the Chief Executive Officer be directed to prepare a set of guidelines for improving consultation with the community.

Annette Money/Claire Barlow

The motion was put and defeated.

Resolved:

1. That the Council endorses the discussion document detailing how Council and community boards would fulfil their respective roles and recommends it to the Community Boards for adoption.
2. That the Council endorses the previous delegation to Community Boards as follows:
That the Fairlie, Tekapo and Twizel Community Boards be delegated the following responsibilities:
 - *The ability to consider requests from local organisations 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 organisations within the community board area and other organizations where local representation is requested.*
 - *The ability to authorise, 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.*

Evan Williams/Graham Smith

3. CREATIVE COMMUNITIES SCHEME:

This report from the Community Facilities Manager advised of the outcome of a review of the Creative Communities Scheme.

Resolved that the report be received.

Graeme Page /Graham Smith

Resolved:

1. That an Assessment Committee of seven members be established for the Creative Communities Scheme for a term of three years.
2. That the local Iwi and the Twizel Community Arts Council each be invited to recommend a member for the Assessment Committee.
3. That, if it chooses to be represented, Council appoints no more than two elected councillors or community board members to the Assessment Committee.
4. That the balance of the Assessment Committee be community representatives elected following a public nomination process.

Annette Money/Evan Williams

Resolved that input be sought from the Twizel, Tekapo and Fairlie Community Boards regarding the appointment of elected members to the Creative Communities Scheme Assessment Committee.

Peter Maxwell/Annette Money4. STANDING ORDERS:

This report referred to the requirement to adopt a set of standing orders to apply to Council, committees and community boards.

Resolved that the report be received.

Peter Maxwell/ Annette Money

Resolved that New Zealand Standard Model Standing Orders NZS 9202:2003 be adopted with the following amendment:

That the Mayor or Chairperson or other person presiding at the meeting

- a) *has a deliberative vote; and*
- b) *in the case of an equality of votes has a casting vote.*

Graham Smith/Annette Money5. CANTERBURY WATER MANAGEMENT STRATEGY:

This report from the Chief Executive Officer referred to the Terms of Reference for the Upper Waitaki Water Management Zone and the appointment of representatives on the Upper Waitaki Water Management Zone Committee and the Selection Group for the Zone Committee.

Resolved that the report be received.

Evan Williams/Graeme PageResolved:

1. That the Terms of Reference for the Upper Water Management Zone Committee be adopted.
2. That an elected member be appointed to the Upper Waitaki Water Management Zone Committee.

3. That two elected members be appointed to the Selection Working Group for the Upper Waitaki Water Management Zone Committee.

Annette Money/Peter Maxwell

6. COMMITTEES AND APPOINTMENTS:

This report from the Mayor referred to the establishment of Council Committees and appointments to a range of organisations.

Resolved:

1. That the report be received.
2. That Committees of the Whole be established, and Chairs and Vice Chairs be appointed as follows:
 - a) Finance Committee
 - Chairman – Graham Smith
 - Vice Chairman - Peter Maxwell
 - b) Planning Committee
 - Chairman - John Bishop
 - Vice Chairman - Graham Smith
 - c) Projects and Strategies Committee
 - Chairman – Graeme Page
 - Vice Chairman – Annette Money
3. That the following appointments be made to:
 - a) **Mackenzie Forestry Board**
Graeme Page, Evan Williams, Annette Money and Graham Smith
Chairman – Graeme Page
Vice Chairman - Graeme Smith
 - b) **Pukaki Airport Board**
John Bishop, Derek Kirke, Rick Ramsay and Bruce Anderson
 - c) **Mackenzie Tourism and Development Trust**
Lesley O'Hara, Denis Callesen, Graeme Murray, Peter Maxwell and **The** Mayor Claire Barlow
 - d) **Mackenzie Medical Trust**
Annette Money
 - e) **Mackenzie Scholarship Trust**
Graeme Page
 - f) **Aoraki Foundation**
John Bishop
 - g) **Regional Land Transport Committee**
Evan Williams
 - h) **South Canterbury Road Safety Trust and South Canterbury Road Safety Coordinating Committee**
Evan Williams

- i) **Canterbury Waste Joint Standing Committee**
Mayor Claire Barlow
 - j) **Waitaki Shoreline Authorities Committee**
Annette Money
 - k) **Waitaki Lakes and Rivers Group**
Annette Money
 - l) **Downlands Water Supply Committee**
Graham Smith
 - m) **South Canterbury Irrigation Trust**
One Council appointee to be considered later
 - n) **Opihi Catchment Committee**
One Council appointee to be considered later
 - o) **Upper Waitaki Water Management Zone Committee**
Mayor Claire Barlow
 - p) **Upper Waitaki Water Management Zone Committee Selection Working Group**
Mayor Claire Barlow and Peter Maxwell
 - q) **Opihi/Opuha/Pareora Water Management Zone Committee**
Evan Williams
 - r) **Opihi/Opuha/Pareora Water Management Zone Committee Selection Working Group**
Evan Williams and Graeme Smith
 - s) **South Canterbury Rural Fire Authority**
One Council appointee to be considered later
4. That the following Rural Water Supply Committees be confirmed:
- a) **Allandale Water Supply Committee**
N Campbell (Chairman), Stephen Whittaker, Tony Habraken, Ken Fraser, Evan Williams, Quentin Mitchell (Ashwick/Opuha Representative) and Stephen Adams (Spur Road Water Representative).
 - b) **The Ashwick/Opuha Water Races Ratepayers Committee**
C McCarthy (Chairman), John O'Connor, Stephen Whittaker, Quentin Mitchell, Paul Gallagher, Brian Tiffen, Stephen Gallagher, Chris Bennett, Ron Smith and Ross Jones
 - c) **The Kimbell Rural Water Supply**
Richard Davis (Chairman) plus all consumers
 - d) **School Road Water Race Ratepayers Committee**
Keith Stanley (Chairman) plus all ratepayers
5. That the Mayor (or, in her absence, the Deputy Mayor) represent the Council at:
- The Canterbury Mayoral Forum
 - Zone 5 of Local Government New Zealand
 - Regional Civil Defence and Emergency Management Group
 - Meetings of Alpine Energy Shareholders

Claire Barlow /Graham Smith

It was requested that the establishment of Rural Roads and Waste Committees be considered at a meeting of the Projects and Strategies Committee.

7. ELECTED MEMBERS REMUNERATION:

This report from the Chief Executive Officer advised of the new rules governing elected members' remuneration.

Resolved:

1. That the report be received.
2. That the Council note the interim determination of the Remuneration Authority that the following annual salaries be paid to elected members:

Mayor	\$52,900
Councillors	\$12,500
Community Board Member	\$1,500

Peter Maxwell/Evan Williams

Resolved that the Council divide the indicative pool of remuneration of \$106,699 for the period ending 30 June 2011 as follows:

No change to be made to existing relativities apart from inviting the Twizel Community Board to consider providing an additional allowance for its Chair in line with the other Community Boards, ie:

- Councillor's salary \$15,634pa
- Community Board Chairs \$3,908pa
- Community Board Members \$1,562pa

Graeme Page/Graham Smith

Resolved:

1. That the Council instructs the Chief Executive Officer to revise the Council's expenses rules to provide for a mileage allowance threshold of 30km per trip and a travel time allowance of \$15 per hour for work related travel.
2. That further consideration be given to the payment of a communications allowance.

Annette Money/Graham Smith

VII INFORMATION REPORTS:

1. COMMON SEAL:

This report from the Committee Clerk advised of the document signed under the Common Seal from 25 September to 1 November 2010.

Resolved:

1. That the report be received.
2. That the affixing of the Common Seal to the document 687 and 694 to be endorsed.

Graham Smith /Graeme Page

2. CHIEF EXECUTIVE OFFICER'S REPORT:

This report from the Chief Executive Officer referred to the meetings he had attended, and other activities. The report also referred the new Council and Staffing.

Resolved that the report be received.

Annette Money/Peter Maxwell

3. MANAGEMENT TEAM BRIEFING PAPERS:

The Chief Executive Officer advised that copies of briefing papers from the Management Team were to be circulated and would be included on the Agendas for the next round of Committee meetings.

4. HERITAGE ITEM 8.34 – BURKES PASS – MAURI AND LIZ ANGELO:

This was a letter from Mauri and Liz Angelo which thanked the Council for the Heritage Fund Grant made towards the cost of work needed on their heritage building at Burkes Pass. The letter also requested that the heritage status of the building in the District Plan be upgraded from category Z to category X because of its importance to the District.

Resolved that the letter be received and that a review of the heritage status of the building be noted for inclusion in the next suite of amendments to be made to the Mackenzie District Plan.

Graeme Page/John Bishop

The Mayor undertook arrange with Mr and Mrs Angelo to have a Council meeting in the Stone House at Burkes Pass.

XI ADJOURNMENT:

The meeting was adjourned at 12.00 pm for lunch and reconvened at 12.42 pm

VIII CONFIRMATION OF MINUTES:

It was noted the Minutes of the meeting of the District Council held on 1 October 2010, including such parts as were taken with the Public Excluded, had been confirmed as the correct record of the meeting by the previous Mayor and the Chief Executive Officer.

Resolved that the Minutes of the Mackenzie District Council meeting held on 21 October 2010 be confirmed and adopted as the correct record of the meeting.

Graham Smith/Annette Money

ACTION POINTS:

This was a list of action points arising from previous Council meetings and their current status.

Resolved that the report be received and the information noted.

Claire Barlow /Annette Money

XIII VISITORS:

The Mayor welcomed David Caldwell and Jane Lamming of Lane Neave Lawyers who attended to discuss Members' Interests and the role of elected members as decision and policy makers under the Resource Management Act 1990.

Mr Caldwell introduced a power point presentation *Conflict of Interests - A Summary of Your Duty*, a copy of which is attached to this record as Appendix A.

After the presentation, Mr Caldwell commented on a variety of related issues and answered questions.

- Once resolutions have been adopted they are Council decisions and as such warrant the support of all Councillors regardless of their vote in favour of or against the resolution.
- He referred to Resource Management Act 1990 training and in particular the status of an officer's report on a resource consent process. He said such a report could sometimes be perceived as the view of a council when in fact it did not represent council's position but rather was the expert advice of a council officer.
- In response to some concern about the establishment of a Register of Members' Interests, he explained that councillors had important roles to play and such rules were in place for very good reasons. He said that while such a register was not compulsory it was very good practice.
- In response to a concern about the availability to the press of a Register of Members' Interests, Mr Caldwell undertook to find out if a council would need to release information from a register to the public.
- Mr Caldwell said that the same responsibilities about Members' Interests applied to community boards. Cr Maxwell suggested that copies of Mr Caldwell's presentation be made available to the boards.

Cr Page said that he did not intend to provide details of his interests. He explained that he was a shareholder in a family company but he knew very little about, and was not involved in its dealings.

The Chief Executive Officer referred to the real risks of councillors unwittingly contravening the provisions of the Act, citing the company example Cr Page had given. He said staff were delegated authority to let contracts and there was the potential for, say, the Asset Manager to let six contracts of \$5,000 each in one year to the company in question without the elected member's knowledge. The outcome could be that, if such a situation became known, the councillor would be disqualified from holding office with the attendant adverse publicity. He suggested that elected members either follow good practice or not. He noted that they had adopted a Code of Conduct which required that Register of Members' Interests be maintained. This had not been upheld. He said if the Council had no will or desire to have a register and was fundamentally opposed to it, it needed to amend the Code of Conduct.

He acknowledged that some councillors might feel uncomfortable that information about their interests could be made widely available. He said recent discussions with four fellow Chief Executive Officers had revealed that while they all held registers of their elected members' interests only one could recall ever having to consult it.

Mr Caldwell said that in his experience most councils held Registers of Members' Interests.

The Mayor commented that the Council had a number of important issues before it and she did not like to think that its decisions could be at risk or overturned because an interest had not been acknowledged. She said the existence of a Register of Members' Interests could be important in situations where there was perception of conflict. She emphasised that there was no desire to put the interests of elected members in the public domain, rather the register would provide a safeguard if Council was challenged; it could then prove it had followed 'best practice'. She hoped that if Council found itself making controversial decisions, they would not be overturned because of this relatively insignificant issue.

Cr Smith suggested that because councillors took oaths to act responsibly, they should be able to make their own decisions about interests, not the Chief Executive Officer. He asked what a Register of Interests would achieve.

Mr Caldwell explained that it was not up to a Chief Executive Officer to make such calls; it was up to elected members themselves.

Cr Money commented that the point of the register was to provide a safeguard for the Council.

The Chief Executive Officer said he had no desire to act as a policeman, only to ensure that the Council did not trip itself up. He emphasised that no one should suggest a councillor had a conflict of interest – that would be for individual councillors to declare. However if a wrong decision were to be made, the consequences were serious. In the case of a non-pecuniary matter that might affect a planning decision, there was the risk of spoiling a decision and costing the Council dearly.

Cr Williams referred to the status of family trusts. Mr Caldwell said that it would depend on the terms of a trust and was a matter that would need to be considered carefully.

The Mayor said that from her perspective it would be prudent to establish a Register of Members' Interests and that she looked forward to receiving legal advice from Mr Caldwell on the issue of public availability of the information it contained.

VI REPORTS REQUIRING COUNCIL DECISIONS (Continued):

8. LOCAL AUTHORITIES (MEMBERS' INTERESTS) ACT 1968 – REGISTER OF MEMBERS' INTERESTS:

This report from the Chief Executive Officer provided information about the Local Authorities (Members' Interests) Act 1968 and in particular about good practice regarding compliance with the Act.

Resolved:

1. That the report be received.
2. That a decision about the establishment of Register of Members' Interests be deferred until further advice was received from David Caldwell of Lane Neave Lawyers regarding Council's obligations to make the information in it publicly available.

Claire Barlow/Peter Maxwell

The Mayor thanked Mr David Caldwell and Ms Laming who left the meeting at 2.00 pm.

XI PUBLIC EXCLUDED:

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

1. Public Excluded Minutes of the Mackenzie District Council meeting held on 1 October 2010
2. Request for Support for Nomination for National Honours
3. Issues Requiring Correction or Monitoring

<u>General subject of each matter to be considered</u>	<u>Reason for passing this resolution in relation to each matter</u>	<u>Ground(s) under Section 48(1) for the passing of this resolution</u>
Public Excluded Minutes of Council meeting of 1 October 2010		48(1)(a)(i)
Request for Support for Nomination for National Honours	To Protect the Privacy of of Persons	48(19(a)(i)
Appendix to Chief Executive Officer's Report – Issues Requiring Correction or Monitoring	Commercial Sensitivity	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: *Appendix to Chief Executive Officer's Report s7(2)(b)(ii)* and *Request for Support for Nomination for National Honours s7(2)(a)*.

Graham Smith/Annette Money

The Council continued in open meeting.

**THERE BEING NO FURTHER BUSINESS THE
MAYOR DECLARED THE MEETING CLOSED AT 2.45 PM.**

MAYOR: _____

DATE: _____

MATTERS UNDER ACTION

ASSET MANAGER

17.2.10

Fairlie Western Catchments

Promote Meeting with Opihi River Management Committee re management of Fairlie Creek bed.

A site visit to confirm the details of a maintenance and monitoring regime is still to be arranged.

1 October 2010

Road closure:

Inspections of Spur Road be undertaken before and after the Car Club's event on 19 February 2011 to ensure that any damage beyond that covered by normal grading would be remedied by the organisers.

MANAGER – FINANCE AND ADMINISTRATION

Debenture with High Country Health

1. Enter into new loan with High Country Health Ltd incorporating the existing outstanding debenture and capitalising all outstanding interest.
2. That terms of the loan would require the new loan to be paid off over 20 years with interest for the first 10 years suspended and written off as long as High Country Health Ltd make the monthly principal repayments on time. The interest rate of the loan will be the Official Cash Rate plus 4%.
3. Put in place a structure whereby money is secured and an agreement be put in place for payment of the rental.

Draft documentation received – yet to be forwarded to HCH Directors for signing.

28 May 2010

Sale of Property to Twizel Early Learning Centre:

Have met with Twizel Early Learning Centre – they don't need to buy the buildings now so are looking for a long term lease.

A report is on the Agenda for the Council meeting on 14 December 2010.

CHIEF EXECUTIVE OFFICER

5 March 2010

Purchase of Land for Twizel Sewerage Purposes

Resume negotiations with John Lyons for the purchase of land for the Twizel Sewerage purposes once his land use consent is finalised.

27 August 2010

Ombudsman Complaint – Opuha Driver Access Via Gudex Road:

Correspondence with the Ombudsman's Office is ongoing. Legal difficulties in pursuing Council's solution.

MANAGER – PLANNING AND REGULATIONS

Twizel Transformer

Seek to recover from the developer the amount to have a transformer installed for a two lot subdivision in Twizel which was not fully covered by the terms of the resource consent.

Contact has been made with the developer and the cost recovery is being pursued.

COMMUNITY FACILITIES MANAGER***1 October 2010*****Fairlie Medical Centre**

The suggestion that the rental rate for the Fairlie Medical Centre be reviewed is yet to be actioned.