



*380th MEETING OF THE
MACKENZIE DISTRICT COUNCIL*

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

MEMBERSHIP OF THE COUNCIL

John O'Neill (Mayor)

Simon McDermott

Graeme Page

David Pullen

Leon O'Sullivan

Graham Smith

Evan Williams

*Notice is given of the meeting of the Mackenzie District Council
to be held on Friday 16 July 2010 at 9.30am*

VENUE: Mackenzie District Council Chambers, Fairlie

BUSINESS: As per Agenda attached

**GLEN INNES
CHIEF EXECUTIVE OFFICER**

9 July 2010



AGENDA FOR FRIDAY 16 JULY 2010 AT 9.30 AM

I. OPENING

II. APOLOGIES

III. DECLARATIONS OF INTEREST

IV. BEREAVEMENTS

V. MAYORAL REPORT

VI. REPORTS REQUIRING COUNCIL DECISION

1. Local Authorities (Members' Interests Act) 1968 – Register of Members' Interests
2. Local Government New Zealand AGM – Confirmation of Registration
3. The Acquisition of the Tekapo A Intake Shed Land and the Granting of Tunnel Easements
4. Motor Vehicle Policy

VII. INFORMATION REPORTS

1. Common Seal
2. Chief Executive Officer's Activities
3. District Wide Roding Maintenance Contracts Update (verbal report)

VIII. COMMITTEES

Adopt the Minutes of the Finance, Operations and Planning Committee Meetings held on held on 11 June 2010.

IX. COMMUNITY BOARD RECOMMENDATIONS

X. CONFIRMATION OF MINUTES

Confirm and adopt the Minutes of the Mackenzie District Council Meetings held on 28 May 2010 and 25 June 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 Finance Committee meeting held on 11 June 2010.

Reason for passing

Ground(s) under

General subject of each matter to be considered	this resolution in relation to each matter	Section 48(1) for the passing of this resolution
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Public Excluded Minutes of the
Finance Committee meeting
held on 11 June 2010

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:

XII. CONFIRMATION OF RESOLUTIONS TAKEN WITH THE PUBLIC EXCLUDED

XIII. ELECTED MEMBER'S TIME

XIV. ADJOURNMENTS

10.30 am	Morning Tea
12.30 pm	Lunch
3.00 pm	Afternoon Tea

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL
SUBJECT: GENERAL ACTIVITIES REPORT
MEETING DATE: 16 JULY 2010
REF: PAD 2/3
FROM: MAYOR

ACTIVITY REPORT

COUNCIL, COMMITTEE AND COMMUNITY BOARD MEETINGS ATTENDED

11 June	Attended Finance, Operations and Planning Committee meetings
25 June	Special Council Meeting – Annual Plan Submissions
16 July	Council Meeting

OTHER MEETINGS AND ACTIVITIES

2 June	Met with Meridian Energy (Dave Herrick & Roseanne Hohepa) and Genesis (Tracey Hickman & Rebecca Larking) & Paul Morris, Garth Nixon & Bernie Haar.
3 June	Met with High Country Health with all Councillors, Rosemary Moran, Paul Morris & Garth Nixon.
10 June	Met with Phil Brownie regarding Tourism Trust.
17 June	Attended Conference call for the Tekapo Property Group. Attended the Fairlie Lions Change of Officers evening.
23 June	Marg & I attended Ballet (Carmen) in Christchurch as a guest of Meridian Energy.
29 June	Follow up meeting with Meridian & Genesis Energy Ltd (Dave Herrick) and Garth Nixon, Paul Morris, Bernie Haar and the CEO.
1 July	Attended the Canterbury Mayoral Forum in Christchurch.
3 July	Conducted interview with Andrew Scott – Young Farmer of the Year candidate with Ryan O’Sullivan, Graeme Page and Don McFarlane.
5 July	Attended Public Meeting for the Canterbury Water Management Strategy in Timaru.
6 July	Met with Jim Speedy over development of camping ground – the CEO and Paul Morris attended also.
7 July	Attended SC Irrigation Trust meeting.
9 July	Attended Waterways Centre for Freshwater Management Presentation in Christchurch by Dr Rod Carr.

13 July	Meet with Chris Evans, Lynley Fletcher & Sarah Dawson from Meridian Energy regarding new Pukaki Hydro Project, the CEO and Nathan Hole attended also.
14 July	Attended Public Meeting for the Canterbury Water Management Strategy in Twizel.

RECOMMENDATION:

1. That the report be received.

J O'NEILL
MAYOR

MACKENZIE DISTRICT COUNCIL

REPORT TO: THE MAYOR, COUNCILLORS AND COMMUNITY BOARD
MEMBERS

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

FROM: MANAGER – FINANCE AND ADMINISTRATION

DATE: 23 JUNE 2010

REF: STA 9/1

PURPOSE OF REPORT:

To provide information about the *Local Authorities (Members' Interests) Act 1968* and in particular about good practice regarding compliance with the Act.

RECOMMENDATION:

1. That the report be received.
2. That the elected 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.

PAUL MORRIS
MANAGER – FINANCE AND ADMINISTRATION

ATTACHMENT:

- Sample of a Register of Members' Interests from Wellington City Council.
- Guidance for members of local authorities about the law on conflicts of interest

BACKGROUND:

The *Local Authorities (Members' Interests) Act 1968* provides rules about members discussing or voting on matters in which they have a pecuniary (financial) interest and about contracts between members and the Council.

This Act stipulates that any member who has "...directly or indirectly any pecuniary interest other than an interest in common with the public" in any matter being dealt with by the Council shall not vote on the matter or take part in its discussion.

Instances where a member is deemed to have a pecuniary interest are set out in Section 6. In particular, the interest of a spouse is deemed to be the interest of the member for the purposes of the Act.

Section 6 also identifies situations that are deemed not to create a pecuniary interest.

Section 3 of the Act limits the extent to which a member may act as a contractor [or subcontractor] to the Council. Any member who earns more than \$25,000 in a year from Contracts with the Council is automatically disqualified from office unless Audit Office approval to the excess is obtained.

Audit approval is likely for specific contracts if:

- The contract was put out to public tender and the member submitted the best price; and
- Approval is sought (and obtained) before the contract is entered into

Audit approval may be less likely if not sought until after the disqualifying contract has been entered into.

Attached is guidance about the law on conflicts of interest in the form of Frequently Asked Questions.

GOOD PRACTICE:

When making decisions elected members must be aware of the 'perception of bias'. If there is any suggestion that an elected member might not have an open mind when approaching a decision, he or she should declare their interest to the Chief Executive Officer and Mayor/Chairman and be prepared to stand back from the decision making process.

The 'rule of bias' says that 'no one may be judge of their own cause'. In their advice on the Members' Interests Act the Office of the Auditor General noted that this rule exists to ensure that people who exercise power from positions of authority carry out their duties free from bias.

Local authorities are encouraged to establish a register of members' interests to facilitate compliance with the Act and to update it regularly.

Staff with delegated authority to approve purchases should be aware of the existence and content of the register of business interests so that they can recognise situations where contracts should not be entered into without seeking prior approval from the Office of the Auditor General.

Conflict Of Interest Register of Members Interests

Elected Members' Interests:

Name	Last Update	Councillor Declared Business Interest	Spouse/Partner Declared Business Interests
Mayor Prendergast		<ul style="list-style-type: none"> • Jointly or through family trust have interests in various companies owning and operating Comfort and Quality Hotels and associated businesses at 203-237 Cuba St (Approx 22% owner) • Surveylab and Surveylab Group Ltd (Approx 22% owner) • Wellington City Council-appointed director of Wellington International Airport Ltd (WIAL). WCC has a 33% ownership interest in WIAL; Infratil owns the rest. (Director -earning \$37,500 per annum) • International Festival of the Arts (Trustee - no remuneration) • International Jazz Festival (Trustee - no remuneration) • Joe Aspell Trust (Trustee - no remuneration) • Katherine Mansfield Birthplace Society (Patron - no remuneration) 	<ul style="list-style-type: none"> • Jointly or through family trust have interests in various companies owning and operating Comfort and Quality Hotels and associated businesses at 203-237 Cuba St (Approx 22% owner) • Surveylab and Surveylab Group Ltd (Approx 22% owner)

As at 8 April 2010

Conflict Of Interest Register of Members Interests

Name	Last Update	Councillor Declared Business Interest	Spouse/Partner Declared Business Interests
Ray Ahipene-Mercer	14/10/09	<ul style="list-style-type: none"> • WWL (Director) • Toi Whakaari (Board Member) 	<ul style="list-style-type: none"> • Nil
Ngairi Best	16/03/10	<ul style="list-style-type: none"> • 4a Rewa Terrace, Tawa (Owner) • Tawa Progressive Ratepayers Association (Member) 	<ul style="list-style-type: none"> • 4a Rewa Terrace, Tawa (Owner)
Stephanie Cook	13/10/09	<ul style="list-style-type: none"> • St James Theatre Trust (Trustee) 	<ul style="list-style-type: none"> • Nil
Jo Coughlan	02/11/09	<ul style="list-style-type: none"> • Nil 	<ul style="list-style-type: none"> • Nil
Andy Foster	19/11/09	<ul style="list-style-type: none"> • Capacity Infrastructure Services (Director) • Karori Sanctuary Trust (Guardian) 	<ul style="list-style-type: none"> • Nil
Leonie Gill	15/10/09	<ul style="list-style-type: none"> • Show Off Fancy Dress Hire Business (Owned by brother in law) 	<ul style="list-style-type: none"> • Nil
Rob Goulden	13/10/09	<ul style="list-style-type: none"> • Local Sports Clubs and Social Clubs (Member) • Oriental Rongotai Football Club (Member) • RSA (Member) 	

Conflict Of Interest Register of Members Interests

Name	Last Update	Councillor Declared Business Interest	Spouse/Partner Declared Business Interests
Ilan McKinnon	13/10/09	<ul style="list-style-type: none"> • Victoria University of Wellington (Council Member/ Chancellor) • St Johns in the City (Member) • The Wellington Club (Member) • Herbert Gardens (186 The Terrace) (Shareholder) • Nikau Trust (Trustee) 	<ul style="list-style-type: none"> • Herbert Gardens (186 The Terrace) (Shareholder)
John Morrison		<ul style="list-style-type: none"> • Basin Reserve Trust (Trustee) • Westpac Stadium (Trustee) • Radio Network (Contractee) • ACN Telecommunications (Business Partnership) • Diligent Board Member Services (Shareholder) 	<ul style="list-style-type: none"> • ACN Telecommunications (Business Relationship)
Iona Pannett	16/03/10	<ul style="list-style-type: none"> • Private Home in Mt Victoria (Owner) 	<ul style="list-style-type: none"> • Private Home in Mt Victoria (Owner)

Conflict Of Interest Register of Members Interests

Name	Last Update	Councillor Declared Business Interest	Spouse/Partner Declared Business Interests
Bryan Pepperell	30/11/09	<ul style="list-style-type: none"> • Nil 	<ul style="list-style-type: none"> • Nil
Helen Ritchie	17/03/10	<ul style="list-style-type: none"> • Family Trust (Trustee) • House – Aro Valley/Brooklyn (owner) • Apartments in the CBD (owner) • Capital and Coast District Health Board (Elected Member) 	<ul style="list-style-type: none"> • NA
Celia Wade-Brown	16/03/10	<ul style="list-style-type: none"> • House 42 High Street Island Bay (Owner) • NZ Windfarms Ltd (Shareholder - minor) • Windflow Technologies Ltd (Shareholder - minor) • Certified Organics Ltd (Shareholder - minor) • Wellington Zoo (Trustee - paid) • Friends of Taputeranga Marine Reserve Trust (Trustee - voluntary) • Great Harbour Way Coalition (Steering Group Member) 	<ul style="list-style-type: none"> • House 820 Mangaterere Valley Road Carterton (Owner) • NZ Windfarms Ltd (Shareholder - minor) • Windflow Technologies Ltd (Shareholder - minor) • Certified Organics Ltd (Shareholder - minor) • Flatspur Partnership – forestry (Shareholder - minor) • Cetal Ltd (Director) • Teamtalk (Shareholder – minor)

As at 8 April 2010

Conflict Of Interest Register of Members Interests

Name	Last Update	Councillor Declared Business Interest	Spouse/Partner Declared Business Interests
Hayley Wain	23/11/09	<ul style="list-style-type: none">• Flatspur Partnership – forestry (Shareholder - minor)• Cetal Ltd (Director)• Teamtalk (Shareholder – minor)• Island Bay & Berhampore Community Orchard Trust (Patron)• Wellington Art Club (Patron)• Living Street Aotearoa (Honorary Life Membership)• Misc club memberships	<ul style="list-style-type: none">• Forest & Bird (Life Member)
		<ul style="list-style-type: none">• Wellington Museums Trust (Trustee)	<ul style="list-style-type: none">• Nil



Part 6: Frequently asked questions

Guidance for members of local authorities about the law on conflicts of interest.

6.1

This Part sets out some frequently asked questions about conflicts of interest, and the answers.

6.2

I think I might have an interest in a matter. How do I tell if it's pecuniary or non-pecuniary?

Ask yourself whether the matter could reasonably give rise to an expectation of a gain or loss of money for you personally (or, in the case of a deemed interest,¹ for your spouse or partner or a company).

6.3

Are pecuniary interests treated more strictly than non-pecuniary interests?

Generally, yes. Under the common law, a pecuniary interest of any size gives rise to an automatic disqualification – in effect, a presumption of bias. This rule is reflected in the Act, which governs pecuniary interests for members of local authorities (subject to the powers of exemption and declaration set out in paragraphs 3.23 to 3.33). On the other hand, non-pecuniary conflicts of interest involve a more discretionary judgement – you can consider all the circumstances of the situation to determine whether or not a reasonable observer would consider that a real danger of bias exists.

6.4

Do the legal consequences of not declaring a pecuniary or non-pecuniary conflict of interest differ?

Yes. A breach of section 6 of the Act – which relates to a pecuniary interest – can result in you being prosecuted for an offence. If convicted, you will be deemed to have vacated office (that is, you will no longer be a member of the authority).

Failing to declare a non-pecuniary conflict of interest is not an offence. But it could result in legal proceedings that challenge the validity of the authority's decision. Those proceedings would not directly affect you personally, but you could face condemnation from your colleagues and the public if your actions resulted in the authority's decision being overturned by the courts.

6.5

Can the common law rule about bias apply to pecuniary interests too?

Yes. Pecuniary interests of members of local authorities are mainly governed by the Act. But the common law rule about bias could also be used to overturn a local authority's decision on the ground of a member's pecuniary interest.

6.6 *Can anything else happen to me if I don't follow the rules?*

Your actions might constitute a breach of the authority's code of conduct.² The authority might also take some form of action against you; for example, a censure motion or removing you from a council committee.

For members of city councils, district councils, and regional councils, your actions could also result in personal financial liability under section 46 of the Local Government Act 2002. This might arise if your conduct contributed to the local authority incurring a loss.

6.7 *Can the local authority or chairperson order me not to participate on the ground of a conflict of interest?*

No. The decision about whether to participate is yours (although the authority might be able to resolve to remove you from a committee considering the matter). You should carefully consider any advice offered to you by senior members, the chief executive, or other staff. You should also consider seeking your own legal advice.

6.8 *The authority has resolved that I do not have a pecuniary interest in a particular matter. Does this mean that I can participate?*

No. A resolution of an authority that you do not have a pecuniary interest in a particular matter is not an authoritative statement of the law. If, in fact, you do have a pecuniary interest in the matter and you participate in discussion and voting on it, you will have committed an offence under the Act.

However, if the authority resolves that you should be able to participate, subject to our approval being obtained, we would take the resolution into account when deciding whether to grant an exemption or declaration enabling you to participate.

6.9 *I'm fairly sure I have a non-pecuniary conflict of interest in a matter, but I still think it is important for me to participate. Can the Auditor-General grant me an official exemption?*

No. We have no power to grant exemptions or declarations for non-pecuniary conflicts of interest. Nor can we provide you with a formal ruling about whether a legal conflict of interest exists – only the courts can determine that. You should approach a lawyer if you want definitive advice.

6.10 *If I abstain from participating in a matter as a member, can I still speak to the matter as a member of the public?*

The fact that you may be prohibited, as a member, from taking part in discussion on a matter in which you have a pecuniary interest does not stop you from expressing views on the matter to the meeting.

Having declared a pecuniary interest and left the formal confines of the meeting, you are entitled, as a private citizen, and consistent with the rights of any member of the public, to address comments to the meeting from that area of the room where the public is able to be present.

These actions, if taken, should be explicitly recorded in the minutes.

6.11 *I belong to various clubs throughout my district, as well as being a member of the district council. Do I have a pecuniary interest in every matter that comes before the council that relates to those clubs?*

Usually, no. Membership of community organisations such as sporting or cultural or charitable associations is unlikely to give rise to a pecuniary interest in matters involving those organisations because of their “not for profit” nature. However, it is possible that your membership of an organisation may entitle you to a share of the organisation’s assets if the organisation is wound up. You should check the rules of the organisations you belong to, to see whether you may have a pecuniary interest of this type.

A pecuniary interest may also arise in the case of, for example, a golf club occupying land leased from the authority when the lease rental has a significant bearing on the members’ subscription or other fees.

See paragraphs 5.30 to 5.32 for discussion of whether membership of a club might give rise to a non-pecuniary conflict of interest.

6.12

I am an employee of a company/organisation that has dealings with the authority of which I am a member. Do I have a pecuniary interest in any dealings that my company/organisation has with the authority?

The existence of an employment relationship, where you receive a fixed level of remuneration, does not, on its own, give rise to a pecuniary interest.

If there is any link between the authority’s decision and the level of remuneration paid to you as an employee of the company/organisation, then a pecuniary interest exists. For example, if you were employed by an organisation that received funding from the authority and the authority was deciding whether to stop funding that organisation, resulting in the possible loss of your job, you would have a pecuniary interest in that decision.

See paragraphs 5.33 to 5.35 for discussion of whether your employment might give rise to a non-pecuniary conflict of interest.

6.13

I’m also a member of the board of another organisation. Is it relevant to the question of conflict of interest if I’ve been appointed to that organisation specifically as a representative of the local authority?

Yes. In that situation, we think it will often be acceptable to participate in the authority’s decisions about matters concerning that organisation. However, a conflict of interest might sometimes arise. See our discussion in paragraphs 5.38 to 5.41.

1: See paragraphs 3.14 to 3.15.

2: See our 2006 publication *Local authority codes of conduct*.

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL

SUBJECT: LOCAL GOVERNMENT NEW ZEALAND AGM –
CONFIRMATION OF REGISTRATION

MEETING DATE: 16 JULY 2010

FROM: CHIEF EXECUTIVE OFFICER

FILE REF: PAD 7/1/4/1

PURPOSE OF REPORT:

To recommend that Council rescinds the resolution made at the Council meeting held on 23 April 2010 and adopts a replacement motion.

STAFF RECOMMENDATIONS:

1. That the report be received.
2. That the following resolution adopted at the Council meeting held on 23 April 2010 be rescinded:
That the Mayor represents the Council as its principal delegate at the AGM of LGNZ and that any alternative delegate be considered at a later date.
3. That the Council confirms that its Presiding Delegate at the Local Government Annual General Meeting 2010 is Graeme Page and that the Alternate Delegate is Evan Williams.

GLEN INNES
CHIEF EXECUTIVE OFFICER

BACKGROUND:

At the Council meeting on 23 April 2010 the Council appointed the Mayor to be the Presiding Delegate at the LGNZ AGM for 2010. Because the Mayor is unable to attend the meeting the Council is required to confirm his replacement as Presiding Delegate and an Alternate Delegate.

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL

SUBJECT: THE ACQUISITION OF THE TEKAPO A INTAKE SHED LAND AND THE GRANTING OF TUNNEL EASEMENTS

MEETING DATE: 16 JULY 2010

FROM: CHIEF EXECUTIVE OFFICER

FILE REF: LAN 3/3

PURPOSE OF REPORT:

To recommend that Council rescinds the resolution made at the meeting of the Finance Committee held on 7 May 2010 and adopts a replacement motion.

The business relates to:

- i) The acquisition, under the Public Works Act, of the Tekapo intake shed land adjacent to Lake Tekapo.
- ii) Agreement in principle to the granting of two easements in gross over Council owned land in favour of Meridian Energy Limited to protect the Tekapo A power station tunnel.

STAFF RECOMMENDATIONS:

1. That the report be received.
2. That the following resolution adopted at a meeting of the Finance Committee held on 7 May 2010 be rescinded:

Resolved:

That the Council:

- i) **Consents** to the Crown acquiring under the Public Works Act, the Tekapo intake shed, Part of **RD 30471** shown as F on **SO 20291** – area 91 square metres, for the generation of electricity.
- ii) **Agrees** in principle to grant Meridian Energy an easement, a right to convey water, to protect the Tekapo tunnel within the Council owned land **RD 30470** and **RS 40371** contained in **CFR CB28F/929**.
- iii) **Agrees** in principle to grant an unregistered Easement Deed to **meridian Energy**, a right to convey water, to protect the tunnel under Lakeside Drive.
- iv) **Notes** that once agreement in (ii) and **(III)** is given Meridian will submit the easements to the Council for consideration.
- v) **Notes** the preparation of the legal documentation, including costs, is a Crown responsibility.

Leon O'Sullivan/Dave Pullen

3. That the Council:

- i) **Consents** to the Crown acquiring under the Public Works Act, the Tekapo intake shed, Part of *RS 40371* shown as F on SO 19792 – area 91 square metres, for the generation of electricity.
- ii) **Agrees** in principle to grant Meridian Energy an easement, a right to convey water, to protect the Tekapo tunnel within the Council owned land *RS 40370* and *RS 40371* contained in CFR CB28F/929.
- iii) **Agrees** in principle to grant an unregistered Easement Deed to *Meridian Energy*, a right to convey water, to protect the tunnel under Lakeside Drive.
- iv) **Notes** that once agreement in (ii) and (iii) is given Meridian will submit the easements to the Council for consideration.
- v) **Notes** the preparation of the legal documentation, including costs, is a Crown responsibility.

GLEN INNES
CHIEF EXECUTIVE OFFICER

BACKGROUND:

The resolution adopted at the Finance Committee meeting held on 7 May 2010 included errors in the description of parcels of land which were the subject of the report.

The errors in the resolution to be rescinded have been highlighted in bold.

The corrections in the motion to be adopted in its place have been highlighted in italics.

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL
FROM: CHIEF EXECUTIVE OFFICER
SUBJECT: NEW VEHICLE POLICY EFFECTIVE FROM 1 AUGUST 2010
DATE: 16 JULY 2010
REF: PAD 9

REASON FOR REPORT:

To provide guidelines for the purchase, operation and disposal of Council vehicles.

RECOMMENDATIONS:

1. That the report be received.
2. That the amended vehicle policy be approved and implemented with effect from 1 August 2010.

GLEN INNES
CHIEF EXECUTIVE OFFICER

MACKENZIE DISTRICT COUNCIL

VEHICLE POLICY

OPERATIVE 1 AUGUST 2010

INTRODUCTION:

To provide guidelines for the purchase, operation and disposal of Council vehicles.

TYPES OF VEHICLES:

CEO's vehicle

The provision of a vehicle to the CEO will be governed by the CEO's contract with the Council which may be amended by the parties from time to time.

Historically the Council's policy allowed for a vehicle up to 4.0 litres replaced every four years or at 120,000kms whichever occurred first.

Employment Related Vehicles

Council has agreed to phase out this category of vehicles. Previous policy allowed for a car of up to 2.3 litres with replacement after the earlier of four years or 120,000kms.

As a transitional move, the replacement is now extended to six years and 180,000kms.

Employment related vehicles will no longer be offered to new managers as part of their employment.

Fleet Vehicles

These are cars of up to 2.0 litres or utility vehicles to suit their intended purposes. Replacement of these will be at the earlier of six years or 180,000 kms; however earlier replacement may be considered by Council where a financially advantageous case can be made. Any such variation will require formal Council endorsement.

Fleet vehicles will preferably be white and bear the Council logo on both doors.

PURCHASE OF VEHICLES:

- The current Council vehicle fleet comprises seven vehicles (2010).
- The size of the fleet may be altered by Council at any time in order to meet changing business needs.
- Planned purchases of vehicles will require to be reported to Council for approval before purchases are made.
- Vehicle replacement will be governed both by the age, mileage and reliability of the vehicle and the adequacy of funds in the replacement account.
- Vehicles purchased will be appropriate for the duties they are tasked for.
- Vehicles may be purchased new or second hand taking into account the total cost of ownership. Total cost of ownership will be influenced by dealer discounts, service warranties, running costs, anticipated resale values etc.

- The procurement of vehicles will be on the basis of the most suitable and cost effective vehicle for the task. The selection of the make and model of vehicle will also include consideration of extra safety features including airbags, side intrusion bars, air conditioning etc. The Regular Driver may have input into the make and model of fleet vehicles on condition that their preferences do not materially impact on the price of the vehicle.

GENERAL CONDITIONS OF OPERATION:

The following general conditions will apply to all vehicles within the Council Fleet:

1. Where possible, vehicles should be garaged or parked off the street for safekeeping.
2. Employees taking vehicles home for garaging are required to accept responsibility for ensuring the day-to-day maintenance and efficient operation of the motor vehicle is carried out. This includes regular checking of oil, water, tyre pressure etc. The Council will be responsible for all maintenance and operating costs.
3. Vehicles shall be kept clean and tidy (inside and out).
4. Fines for driving offences, including parking and speeding, are the responsibility of the driver and will not be paid for or reimbursed by Council. See employment manual for further information.
5. It is the responsibility of the regular driver to ensure that all persons driving the vehicle hold an appropriate and current driver's licence (copy to be kept on the personnel file). Fleet vehicles are to be driven by staff members only.
6. Employees must not drive Council vehicles while under the influence of alcohol or drugs. The consequences of doing this are noted in the employment manual.
7. FBT – Council will comply fully with Fringe Benefit Tax legislation in terms of vehicle availability for private use and garaging vehicles away from the worksite.
8. While private vehicle benefits remain, these will be valued consistently according to guidelines issued by Strategic Pay (35% of purchase price + GST for full private use, 25% for regional private use, 10% for commuting). These figures take into account operating costs including fuel as well as standing charges.
9. Council vehicles will be made available for the Mayor and elected members where required for Council business.
10. Where practicable vehicles will be recycled through the fleet as they age.

DISPOSAL OF VEHICLES:

The objective in disposing vehicles is to maximise the resale value. As a result, vehicles may be offered for sale in any of the following manners:

- Trade-in.
- Sale to registered motor vehicle dealers.
- Public to tender.

- Auction.

IMPLEMENTATION OF THE NEW POLICY:

- Appropriate consultation will first be undertaken with affected staff.
- A car pooling arrangement will be introduced for travel between Fairlie and Timaru, Fairlie and Tekapo and Fairlie and Twizel.
- The weekly mileage run will be monitored to stay within the annual target of 229,000km (4,400km/week).
- All vehicles to be made available for pooling during work days.
- Vehicle fleet will be reduced to seven for 2010/11.
- Vehicles to be phased out as part of management employment packages.
- Additional funding of the Plant Reserve Account will be made through extra depreciation or by charging interest on book value to restore the account to a positive balance within a reasonable timeframe.

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL

SUBJECT: COMMON SEAL

MEETING DATE: 16 JULY 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 22 May 2010 to 9 July 2010.

STAFF RECOMMENDATIONS:

1. That the report be received.
2. That the affixing of the Common Seal to document numbers 683 and 684 be endorsed.

ROSEMARY MORAN
COMMITTEE CLERK

Number	Detail of Document	Date Signed & Sealed
683	Deeds of Lease for Lake Alexandrina Huts <ul style="list-style-type: none"> • Andrew Courtney Guillen, Julie Dunn Guillen, Verdi Johannus Corelius Van Beek, Sally Ann Van Beek • Malcolm James Valentine and Fay Mary Valentine 	18 June 2010
684	Licence to Occupy Pursuant to S74 of the Reserves Act 1977 between Mackenzie District Council and Jennifer Malcolm for Recreation Reserve 41131 being 7 hectares east of Fairlie Domain fronting Riverview Terrace, Fairlie.	1 July 2010

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL
SUBJECT: GENERAL ACTIVITIES REPORT
MEETING DATE: 16 JULY 2010
REF: PAD 2/3
FROM: CHIEF EXECUTIVE OFFICER

ACTIVITY REPORT

OTHER MEETINGS AND ACTIVITIES

21 June	Twizel & Tekapo Community Boards
23 June	Fairlie Community Board
25 June	Special Council Meeting – Annual Plan Submissions
16 July	Council Meeting

OTHER MEETINGS AND ACTIVITIES

23 June	Met with Paul Morris for fortnightly catch-up. Met with Meridian Energy Ltd (Garth Dibley & Hamish McEwan) and Waimate, Timaru & Waitaki DC CEO's in Timaru regarding Canterbury Water Management Strategy follow-up meeting. Met with Andrew Tombs, Alpine Energy, in Timaru for a general catchup.
24 June	Management Meeting. Met with Garth Nixon for fortnightly catch-up.
29 June	Follow up meeting with Meridian & Genesis Energy Ltd (Dave Herrick) and Garth Nixon, Paul Morris, Bernie Haar and the Mayor.
30 June	Met with Bernie Haar for fortnightly catch-up.
1 July	Met with Nathan Hole for fortnightly catch-up.
2 July	Attended Leadership Forum in Christchurch.
5 July	Management Meeting.
6 July	Met with Jim Speedy regarding his concept plan for Tekapo Development.
7 July	Met with Paul Morris for fortnightly catch-up. Attended a Water Group meeting with the Mayor. Session with Nathan.
13 July	Met with Garth Nixon for fortnightly catch-up.
13 July	Meet with Chris Evans, Lynley Fletcher & Sarah Dawson from Meridian Energy regarding new Pukaki Hydro Project, the Mayor and Nathan Hole attended also.
14 July	Met with Bernie Haar for fortnightly catch-up. Attended Recovery Management Emergency Events meeting at the Council Chambers.

	Attended Public Meeting for the Canterbury Water Management Strategy in Fairlie.
15 July	Tekapo Property Group Conference Call. Met with Nathan Hole for fortnightly catch-up.

RECOMMENDATION:

1. That the report be received.

GLEN INNES
CHIEF EXECUTIVE OFFICER

Return from Leave

I would like to record my thanks to Paul Morris for ably fulfilling the role of acting Chief Executive Officer during May and June and to the other managers and staff who took on extra work during my leave overseas.

Procurement Strategy

It is pleasing to see the Procurement Strategy for subsidised roading has been approved by the New Zealand Land Transport Agency.

The Regional Director passed on his congratulations for producing a document “that is entirely appropriate to the size and complexity of the council’s roading programme”.

Cost Saving Strategies

After discussion with the Mayor we have agreed that these will be finalised by the end of the month. I have briefed him on the general direction I am proposing.

Capital Projects

The report to 30 June 2010 will be provided as part of the next committee round. Financials and other details were not available to allow a meaningful report.

Annual Plan

Responses have been sent to all submitters following the Council meeting on 25th June 2010. These have been made available to Councillors via the web.

The Plan has been amended accordingly and is almost ready for publication and distribution in its final form.

Vehicle Policy

The policy in its final form is part of this Agenda.

The question of beefing up the funding of the reserve fund was discussed during earlier consideration of the policy. Essentially this is to ensure that Council has sufficient cash in the reserve to fund replacements of vehicles under the new policy. It matters little whether ordinary depreciation is supplemented by interest on book value or by a ‘supplementary’ depreciation payment. The timeframe in which a credit balance should be achieved needs to be agreed with Council. This will be discussed at the next meeting of the Finance Committee.

Water Issues in South Canterbury

This topic has been raised at two meetings I attended recently – the first was a meeting with representatives of Meridian Energy in Timaru on 23 June and the second was a meeting of the South Canterbury Irrigation Trust on 7 July.

Developments in the strategic plan for water in South Canterbury will have to fit within an overall Government strategy that is yet to be finalized. The Minister of the Environment is placing some store on the work he has commissioned in The Land and Water Forum, a conglomerate of agricultural and environmental interests.

Council needs to keep a close eye on these developments as they will influence Government policy which will impact upon our aspirations for sustainable use of water within the district and region.

The meeting with South Canterbury Irrigation Trust was also informative. The Trust remains convinced of the importance of a modest amount of alpine water to be transferred into the

Fairlie Basin and beyond in order to boost agricultural productivity. Approaches may be made to various parties to pursue this further.

In the meantime, the Strategic Water Plan is underway with preliminary meetings held in Timaru recently and scheduled in Twizel on the 4th of July. There is still debate about whether three zone committees within South Canterbury is the most effective way of operating.

Genesis & Meridian

A useful meeting was held with representatives from Meridian Energy and Genesis in terms of facilitating replacement agreements where responsibilities are now split between the two SOE's. One of those, affecting arrangements with Tekapo and erosion control on Lake Pukaki is in its final form and awaiting some minor amendments from our Solicitors.

Other agreements still have to be finalised.

Leadership Forum

The Leadership Forum presented by the Organisation Development Institute, was a stimulating morning of speakers on a variety of topics. They included papers by Alan Johnston – Is Inequality Good for Business?, John Walley, Manufacturer's Association – Policies for Economic Development, Dr Neville Bennett, NBR Columnist – Business Response to Global Recovery, Lyn Roberts – The Sustainability Imperative and Peter Cammock – New Leadership Paradigm.

While the seminar did not present material one could immediately implement in the office there was some rather scary material about the state of the NZ economy from John Walley which I have already shared with the Mayor.

Any other elected member who would like copies of this material, please contact me.

Tekapo Property Developments - Jim Speedy Meeting

Paul Morris, the Mayor & I met with Jim Speedy and Paul Hudson from Covington Group on their proposed development of the Special Travellers' Accommodation land in Tekapo. They are somewhat delayed in producing their concept plan for development. What we have seen so far looks promising, but we have extended the timeframe for completion of this phase until the end of August.

Alpine Energy

The Mayor, Finance Manager and I will attend the AGM of Alpine Energy scheduled for 22 July 2010.

MACKENZIE DISTRICT COUNCIL

MINUTES OF A MEETING OF THE FINANCE COMMITTEE HELD IN THE COUNCIL CHAMBERS, FAIRLIE, ON FRIDAY 11 JUNE 2010 AT 9.30 AM

PRESENT:

Simon McDermott (Chairman)
John O'Neill (Mayor)
Graham Smith
Leon O'Sullivan
Graeme Page
Dave Pullen
Evan Williams

IN ATTENDANCE:

Paul Morris (Manager – Finance and Administration)
Nathan Hole (Manager – Planning and Regulations)
Rosemary Moran (Committee Clerk)

II MINUTES:

Resolved that the Minutes of the meeting of the Finance Committee held on 7 May 2010 be confirmed and adopted as the correct record of the meeting.

Graham Smith/Evan Williams

III REPORTS:

1. FINANCIAL REPORT – JANUARY 2010

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

Resolved that the reports be received.

Graham Smith/The Mayor

The meeting was adjourned at 10.40 am and reconvened at 12.16 pm.

2. PLAN CHANGE 13 EXPENDITURE:

This report from the Manager – Planning and Regulations provided an update on expenditure for Plan Change 13 and sought approval for additional expenditure in the current financial year.

Resolved that the report be received.

Cr Pullen asked if there was a ceiling on the expenditure for the Plan Change. He suggested that a new Council might reconsider continuing with the project.

The Mayor said that when he took office he had not favoured undertaking a plan change for the Mackenzie Basin. He said it had quickly become evident that if the Council did not promote one, Environment Canterbury (in terms of its regional policy statement), and other interested parties making enquiries regarding inappropriate development in the Basin, might. This had prompted the Council to start down the rocky track of Plan Change 13, knowing it was always going to be an expensive exercise. He explained that when the Council embarked on a project such as a road reseal, costs were obvious; plan changes were not like that. He noted that previous plan changes had been funded from the real estate account.

Cr Pullen commented that there had been no income from the clearing of the tenanted sites in Lake Tekapo to augment the real estate account. He asked what Plan Change 13 was expected to cost.

Cr McDermott suggested the question should be what it would cost *not* to complete it. He noted that there were only ten objectors to Plan Change 13 out all the people who had the right to object. He said the Council had the responsibility of looking after everyone's rights. He considered it would be ludicrous to halt the Plan Change 13 process. He suggested ratepayers should be made aware of the costs of defending it.

In response to a question from Cr Page, the Manager – Planning and Regulations explained that plan changes could not be funded from resource consent fees.

The Mayor clarified that the clearing the tenanted sites at Lake Tekapo had not been associated with the Lake Tekapo plan changes. Rather, the Council had reacted positively to a proposal put forward by the then Manager – Finance and Administration to realise the potential at the time to market land at Lake Tekapo.

The Manager – Planning and Regulations said the Council had had a very enabling District Plan; however changes in mood and environment had put Council in the position of having to amend it.

Cr Pullen asked if a Mackenzie Basin farmer who wanted to develop a dairy operation which did not fit with Plan Change 13, could challenge it.

The Manager – Planning and Regulations said that Plan Change 13 had only changed some rules in the Plan. Any proposals would have to be assessed against the District Plan to see if they were permitted or needed resource consent. They would then be processed in accordance with the rules in the Plan. Plan Change 13 had made significant changes to some land uses, viz subdivisions, but farming activities had not been affected. He said there the District Plan had always included rules relating to farming intensification and factory farming. Had a farmer applied to undertake an activity such as cubicle farming prior to Plan Change 13, it would have been caught by the rules in the Plan.

He noted that it was possible some appellants might not realise the risk that, given the outstanding nature of landscapes in the Mackenzie Basin, the Environment Court Judge could decide the rules should be more stringent rather than less stringent.

Cr Pullen suggested that when the Plan Change 13 process had been completed there was a possibility that someone with deep pockets could apply to undertake a subdivision, which could be a long drawn out process.

The Manager – Planning and Regulations said such an application for resource consent would be no different from any other. It would be assessed against the Plan and may or may not be the subject of a hearing. The applicant would retain the right to appeal the decision to the Environment Court. He suggested that deep pockets would be better directed towards the preparation of a robust application.

The Mayor agreed that the success of an application should be related to its logic rather than how much it cost.

Cr O’Sullivan said that Council had followed a robust process for Plan Change 13 and to date everyone was satisfied apart from the ten objectors. He noted that there always had been the likelihood of appeals to the Environment Court; Council could find itself in a similar position with proposed Plan Change 15.

The Manager – Planning and Regulations explained that the Court had set down a time frame. The parties had had to exchange evidence for the Court hearing and Council had done that first which had resulted in the chunk of high costs and need for Council to approve the additional expenditure. The appellants now had to prepare their evidence and submit it to the Council.

Cr Smith asked if some appellants could be expected to drop out of the process. The Manager – Planning and Regulations said that was a possibility since they were all now in the position of having to incur the expense of preparing evidence.

Resolved that the Council approves additional expenditure of \$99,000 for Plan Change 13 for the 2009/10 financial year.

Graham Smith/Leon O’Sullivan

The meeting was adjourned at 12.45 pm for lunch and reconvened at 1.15 pm

3. SUBMISSION TO ANNUAL PLAN BY TWIZEL RATEPAYERS AFFECTED BY ROLL NUMBERING ERROR:

This report from the Manager – Finance and Administration briefed Council on its options when hearing submissions relating to roll corrections for the 111 Twizel ratepayers at the Annual Plan submissions hearing on 25 June 2010.

Resolved that the report be received.

Leon O’Sullivan/Graeme Page

Cr McDermott referred to the expense incurred by Council in addressing the error and suggested compensation be sought from Quotable Value. The Manager – Finance and Administration undertook to approach Quotable Value and also to check that the Tekapo Community Rating boundary was correct.

IV PUBLIC EXCLUDED:

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

1. Unbudgeted Expenditure Twizel Subdivision

<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>
Unbudgeted Expenditure Twizel Subdivision	To enable the local authority to carry on without prejudice or disadvantage, negotiations.	48(1)(a)(i)

This resolution is made in reliance on Section 48(1)(a)(i) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows: *Unbudgeted Expenditure – Twizel Subdivision* - section 7(2)(i) - To enable the local authority to carry on without prejudice or disadvantage, negotiations.

The Mayor/Evan Williams

**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 OPERATIONS COMMITTEE HELD IN THE COUNCIL CHAMBERS, FAIRLIE, ON FRIDAY 12 JUNE 2010 AT 10.55 AM

PRESENT:

Dave Pullen (Chairman)
John O'Neill (Mayor)
Graeme Page
Graham Smith
Simon McDermott
Leon O'Sullivan
Evan Williams

IN ATTENDANCE:

Paul Morris (Acting Chief Executive Officer)
Nathan Hole (Manager – Planning and Regulations)
Bernie Haar (Asset Manager)
John O'Connor (Utilities Engineer) for part of the meeting
Carl McKay (Solid Waste Manager) for part of the meeting
Rosemary Moran (Committee Clerk)

IV REPORTS:

1. ASSET MANAGER'S REPORT:

This report from the Asset Manager referred to the draft Procurement Strategy, Road Maintenance Contracts, Twizel Oxidation Ponds Discharge Consent, Roading, Essential Services and Solid Waste.

Resolved that the report be received.

Dave Pullen/Graeme Page

2. RURAL ROADING SUBCOMMITTEE:

This report from the Asset Manager was accompanied the record of the Rural Roads Subcommittee held on 26 May 2010.

Resolved:

1. That the report be received.
2. That the Rural Roads Sub-Committee be an advisory body for all policy matters relating to rural road operation and maintenance.
3. That the following recommendations made by the Rural Roads Sub-Committee at the meeting on 26 May 2010 be confirmed by the Operations Committee:

- *That the option of tendering for three contract prices be investigated, ie two separate ward contracts and one contract covering the whole District.*

- *That new road maintenance contracts be prepared on the same basis as the current contracts, ie measure and value with a few lump sum components.*

The Mayor/Evan Williams

The Asset Manager left the meeting at 12.05 pm.

3. BORROW PITS:

The Committee received a copy of letter to NZTA from Roberta Laraman dated 18 May 2010 regarding the SH 8 borrow pits south of Twizel in the Waitaki District. The Mayor said that it had been suggested that Mackenzie people were dumping rubbish in the pits.

Cr Pullen said he was aware that a local person caught dumping rubbish in the borrow pits had been fined \$200.

The Mayor undertook to contact the Waitaki District Council and recommend that they use their enforcement systems and place a notice in the *Twizel Update* advising that anyone caught dumping rubbish in the borrow pits would be liable for a \$200 fine.

II MINUTES:

Resolved that the Minutes of the meeting of the Operations Committee held on 7 May 2010 be confirmed and adopted as the correct record of the meeting.

Simon McDermott/Graeme Page

The Mayor referred to staff training which had been undertaken by the Assets Technical Assistant and the Council’s resolution that reports be provided on training.

The Acting Chief Executive Officer said the issue would be raised at the management meeting.

**THERE BEING NO FURTHER BUSINESS THE
CHAIRMAN DECLARED THE MEETING CLOSED AT 12.16 PM**

CHAIRMAN: _____

DATE: _____

MACKENZIE DISTRICT COUNCIL

MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD IN THE COUNCIL CHAMBERS, FAIRLIE, ON FRIDAY 12 JUNE 2010 AT 2.10 PM

PRESENT:

Mayor John O'Neill (Chairman)	
Simon McDermott	Pukaki Ward
Dave Pullen	Pukaki Ward
Leon O'Sullivan	Pukaki Ward
Graham Smith	Opuha Ward
Graeme Page	Opuha Ward
Evan Williams	Opuha Ward

IN ATTENDANCE:

Paul Morris (Acting Chief Executive Officer)
Nathan Hole (Manager – Planning and Regulations)
Rosemary Moran (Committee Clerk)

II MINUTES:

Resolved that the Minutes of the Planning Committee Meeting held on 7 May 2010 be confirmed and adopted as the correct record of the meeting.

Graham Smith/Graeme Page

III REPORTS:

1. REMO VAL OF PROBATIONARY DOG OWNER STATUS:

This report from the Manager – Planning and Regulations was provided for the Committee to consider removing Sam Butters' probationary dog owner status.

Resolved:

1. That the report be received.
2. That Sam Butters' probationary dog owner status be removed.

Leon O'Sullivan/Evan Williams

2. CONSIDERATION OF NEW BYLAWS – NUISANCE BURNING AND FIRE PREVENTION INVOLVING VEGETATION:

This report from the Manager – Planning and Regulations invited the Committee to consider introducing bylaws relating to nuisance burning and lighting of fires within the three urban fire boundaries of the District, viz Fairlie, Twizel and Lake Tekapo.

Resolved that the report be received.

Simon McDermott/Evan Williams

IV GENERAL BUSINESS:**1. CONGRATULATIONS:**

In response to a suggestion from Cr Page the Mayor undertook to convey the Council's congratulations to District volunteers who recently received honours from the Duke of Gloucester. They were Ray Bellringer of Aoraki Mt Cook and Rick Ramsay of Twizel who had been made Officers of the Order of St John and Debbie Kay Gardner of Lake Tekapo and Trevor Edmonston of Fairlie who had been made Members of the Order of St John. He also noted that he had written to Tom Henderson who had been instrumental in the development of the Opuha water storage dam and who had been made an Officer of the New Zealand Order of Merit in the Queen's Birthday Honours list.

**THERE BEING NO FURTHER BUSINESS
THE MAYOR DECLARED THE MEETING CLOSED
AT 2.25 PM**

MAYOR: _____

DATE: _____

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL
FROM: CHIEF EXECUTIVE OFFICER
SUBJECT: COMMUNITY BOARD RECOMMENDATIONS
MEETING DATE: 16 JULY 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. **Twizel Community Swimming Pool – Request from Jennifer Joubert:**
That Council notes that a committee of local interested people is to be set up to investigate the covering and/or replacement of the Twizel Swimming Pool.
3. **Twizel Information Centre**
That Council notes that Destination Mt Cook Mackenzie is to be advised that the Twizel Community Board would consider a request for additional funding for signs for the Twizel Information Centre upon receipt of a proposal.
4. **Letter from Shaun Norman**
That the Council notes the following decisions made in response to Shaun Norman's letter:
 - \$600 was approved for the provision of crusher dust for surfacing the zig-zag track on Man Made Hill.
 - Phil Rive to liaise with Shaun Norman to organise and advertise a working bee to clean up Man Made Hill.
 - The contractors to be tasked to pick up litter from the greenways prior to winter, ie after Easter. (The contract provides for litter to be picked up before the greenways are mowed during the summer.)
 - Mr Norman to be advised that:
 - a. That the oak tree in Cass/Fraser was removed following consultation with John Bishop and Cr Pullen because it had been badly damaged by snow and because of its impact on a neighbouring property.
 - b. That the Community Board had published in issue 283 of the *Twizel Update* the details of trees which were to be removed and the rationale for doing so.
5. **Community Classes in Twizel – Letter from Kate White:**
That Council notes that the request from Kate White to use of the Twizel Events Centre at a reduced rate for her yoga classes has been declined and that she has been advised of the

opportunity to pursue the matter with the Twizel Events Centre Management Group if she wishes.

TEKAPO COMMUNITY BOARD:

6. Correspondence on Freedom Camping - Letter from Mark Hervey Expressing Concern about Random Camping on the Shores of Lake Tekapo.

That Council notes that Mr Hervey is to be thanked for his letter and advised that while the Council shared his concerns about rubbish and waste left by freedom campers around the lakes in the Tekapo area, the land in question was under the control of LINZ and not Council, and that Council was in the process of investigating the creation of designated sites in the Lake Tekapo area for use by freedom campers.

7. Lake Tekapo Art Exhibition:

That the Council notes that the Lake Tekapo School is to be advised of the arrangements which had been made for the use of the Lake Tekapo Community Hall for previous art exhibitions and that the Community Board would grant the same concessions to the Lake Tekapo School for the 2010 Art Exhibition.

8. Lakeside Drive:

That Council:

- 1 notes that Land Transport New Zealand is to be advised that Tekapo Community Board supports in principle the project to improve the SH8/Lakeside Drive intersection subject to approval of the plans and the local share being no more than \$25,000, and
- 2 agrees with the project proceeding subject to the above conditions.

FAIRLIE COMMUNITY BOARD

9. Eversley Reserve Sewer Upgrade Project and Fairlie Water Main

That Council notes that the Fairlie Community Board confirmed the action taken by the Chairman to accept the variation to the sewer upgrade project in the Eversley Reserve and lay 432 metres of 200 mm water main in conjunction with the upgrade.

GLEN INNES
CHIEF EXECUTIVE OFFICER

ATTACHMENTS:

The minutes of the meetings of the Twizel and Tekapo Community Boards held on 21 June 2010, and the Fairlie Community Board held on 23 June 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 21 JUNE 2010 AT 3.00 PM

PRESENT:

Peter Bell (Acting Chairman)
Phil Rive
Dave Pullen

IN ATTENDANCE:

Glen Innes (Chief Executive Officer)
Paul Morris (Manager – Finance and Administration)
Garth Nixon (Community Facilities Manager)
Rosemary Moran (Committee Clerk)

I APOLOGY:

Resolved that apologies be received from John Bishop and Khandro.

Phil Rive/Dave Pullen

An apology was noted from the Mayor.

II MINUTES:

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

Phil Rive/Peter Bell

ACTION POINTS:

Plan Change 15:

The Chief Executive Officer advised that the final wording and rules was currently being drafted and he expected the proposed plan change would be signed off by Council during July 2010 before being put out for public submissions.

Twizel Community Rating Boundary

The Acting Chairman noted that a draft proposal for a new boundary would need to be prepared by Board members.

Trail Bikes

Phil Rive said the posts for the *No Trail Bikes* signs had yet to be put in and he was going to follow that up.

Security

The Community Facilities Manager advised he had further information for stand-alone security options to distribute to Board members for discussion.

Twizel Events Centre Design Works

The Community Facilities Manager said he would be contacting Tom Bell to thank him for the design work he had undertaken on the entrance to the TEC and reimburse his costs.

The Community Facilities Manager said a good number of people had expressed interest in undertaking the upgrade work for the TEC entrance.

Route through Ruataniwha Lagoon Reserve

Phil Rive undertook to contact the Asset Manager regarding the route which had been chosen.

III REPORTS:

5. TWIZEL COMMUNITY SWIMMING POOL – REQUEST FROM JENNIFER JOUBERT:

This report from the Community Facilities Manager referred to a proposal from Jennifer Joubert that a committee be set up to investigate the covering and/or replacement of the Twizel Swimming Pool.

The Chairman welcomed Ms Joubert to the meeting and invited her to speak to her suggestion.

Resolved that a committee of local interested people be set up to investigate the covering and/or replacement of the Twizel Swimming Pool.

Dave Pullen/Phil Rive

Ms Joubert said she wanted to raise funds to replace the swimming pool which was over 40 years old and required constant upkeep. She said noted the following issues:

- A leak in the pool which had yet to be found.
- Lack of suitable access for disabled people to the building and into the swimming pool
- Unacceptable hygiene standards
- Dark changing rooms
- Cold water showers
- An inadequate solar heating system.

Ms Joubert acknowledged that an indoor pool would be expensive. She proposed that the design of a new pool should include provision for it to be covered eventually.

The Community Facilities Manager suggested that a 25 metre pool would be an appropriate size for the Twizel community. The costs would need to include heating, pool covers and landscaping.

Ms Joubert said she thought about \$4,000,000 might be needed for the project. She was hopeful that an arrangement could be made with Meridian Energy Ltd for the heating.

The Chairman noted that the Community Board was planning major projects including a new water supply and extension of the sewerage scheme.

Phil Rive said that was it was unlikely a new pool would be built in the near future, and he asked what maintenance work was planned for the existing pool.

The Community Facilities Manager said a new cover had been budgeted for. He intended experimenting with the solar heating cover to see if its removal would allow more heat to be generated.

The Community Facilities Manager said he was confident that the existing concrete floors were cleaned on a regular basis to a good standard; he noted that the changing room interiors were programmed to be painted. He said finding the leak, which he suspected could be in the pipe work between the bottom of the pool and the pump room, one metre below the deep end of the pool, would be an expensive exercise.

Cr Pullen suggested Ms Joubert advertise in the *Twizel Update* for interested people to join the group.

Ms Joubert said support for the proposal had already been promised from the Twizel Area School, the Over 60s and several other groups. She thanked the Board for their time and left the meeting at 3.24 pm.

1. FINANCIAL REPORT – APRIL 2010:

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

Resolved that the report be received.

Peter Bell/John Bishop

Cr Pullen requested that costings be obtained for **four new signs to direct people to the Twizel Information Centre.**

The Community Facilities Manager said that his understanding was that the Community Board had undertaken the work in relocating signs etc which it had agreed to. He referred to an email from the Destination Mt Cook Mackenzie Administration which described the signs which had been settled at a meeting with the Cr Pullen and the Community Board Chairman. He

suggested that while the Board might wish to promote the Information Centre, it was not obliged to provide more signs.

Resolved that Destination Mt Cook Mackenzie be advised that the Twizel Community Board would consider a request for additional funding for signs for the Twizel Information Centre upon receipt of a proposal.

Phil Rive/Dave Pullen

2. COMMUNITY WORKERS REPORT FOR MAY 2010:

These report referred to the activities of the Community Worker for the May 2010.

Resolved that the report be received.

Dave Pullen/Phil Rive

The Community Facilities Manager reported that a meeting had been held with Brian Carpenter with the view to renewing Council's agreement with the Twizel Community Care Trust. He noted that he had been unable to locate any existing agreement. He said the Trust was funded by the Council and Heartlands, the agency which provided government services to rural areas; however there was a lack of understanding of the work done.

The Community Facilities Manager said he was awaiting feedback from the Trust on their activities and the services they provided. He noted that the Community Board currently contributed \$5,000 a year to the Trust and the Council contributed a further \$5,000 funded from the General Rate and the Rural Works and Services Rate.

3. EMAIL FROM SHAUN NORMAN:

This report from the Community Facilities Manager was accompanied by an email from Shaun Norman.

Resolved:

1. That the report be received.
2. That \$600 be approved for the provision of crusher dust for surfacing the zig-zag track on Man Made Hill.
3. That Phil Rive liaise with Shaun Norman to organise and advertise a working bee to clean up Man Made Hill.
4. That the contractors be tasked to pick up litter from the greenways prior to winter , ie after Easter. (The contract provides for litter to be picked up before the greenways are mowed during the summer.)
5. That Mr Norman be advised that:

- a. That the oak tree in Cass/Fraser was removed following consultation with John Bishop and Cr Pullen because it had been badly damaged by snow and because of its impact on a neighbouring property.
- b. That the Community Board had published in issue 283 of the *Twizel Update* the details of trees which were to be removed and the rationale for doing so.

Phil Rive/Dave Pullen

4. STATE HIGHWAY 8 BORROW PITS:

The Community Board received a copy of letter to NZTA from Roberta Laraman dated 18 May 2010 regarding the SH 8 borrow pits south of Twizel in the Waitaki District.

Cr Pullen advised that the Mayor had undertaken to contact the Waitaki District Council and recommend that they use their enforcement systems and place a notice in the *Twizel Update* advising that anyone caught dumping rubbish in the borrow pits would be liable for a \$200 fine.

Resolved that the letter be received and the Mayor's response be noted.

Dave Pullen/Phil Rive

6. WARD MEMBER'S REPORT:

Cr Pullen reported that Council would be hearing submissions to the Draft Annual Plan on Friday 25 June 2010.

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

Peter Bell said the Twizel River Reserve Group was in the process of making contact with land owners who might be affected by planned river tracks before the Group's plans were taken out for public consultation.

IV GENERAL:

1. COMMUNITY CLASSES IN TWIZEL – LETTER FROM KATE WHITE:

The Community Board received a letter from yoga teacher Kate White seeking to use the Twizel Events Centre at a reduced rate for her yoga classes.

Resolved that the letter be received.

Phil Rive/Dave Pullen

Resolved:

1. That the request from Kate White to use of the Twizel Events Centre at a reduced rate for her yoga classes be declined.

2. That Ms White be advised of the opportunity to pursue the matter with the Twizel Events Centre Management Group if she wishes.

Peter Bell/Phil Rive

2. VALUATION ROLL NUMBERING ERROR - LETTER FROM JILL SELBIE:

The Board received a copy of a letter to the Chief Executive Officer from Jill Selbie on behalf of the ratepayers affected by the valuation roll numbering error. The Chief Executive Officer said it seemed as if the letter was responding to the Minutes of the Twizel Community Board meeting. He noted that the ratepayers' representations had been received as a submission to the Annual Plan which would be heard by the Council on Friday 25 June 2010. Following that a full response would be made to the ratepayers.

Cr Pullen said he had spoken with Mrs Selbie and answered her questions. He suggested that in order to ease the burden of increased rates, the opportunity should be made available for ratepayers to make monthly payments.

The Manager – Finance and Administration advised that option was already available. He said a quarterly direct debit facility was offered which was set up and controlled by the Council. Some ratepayers had also chosen to set up monthly or weekly automatic payments.

He noted that the affected ratepayers would have had nearly six months notice of the new rate (not the three months referred to in Mrs Selbie's letter).

Cr Pullen asked if rates payments could be deferred.

The Manager – Finance and Administration said Council Rates Postponement Policy was always available for those ratepayers who found themselves in severe financial hardship. In such cases rates could be postponed for up to five years; interest would be incurred and the rates remained payable. He said the Rates Remissions policy was different and designed more for non-profit community groups. A further option was the government's Rates Rebate Scheme which was available for people on low incomes.

IV GENERAL:

1. NEXT MEETING DATE:

The Chairman had requested the next Community Board meeting be put back a week to 9 August 2010. The Board members agreed but acknowledged that it could depend on whether or not the new date suited Tekapo Community Board members. Confirmation of the date would be provided as early as possible.

2. TOWN BOUNDARY:

The Acting Chairman suggested that the consideration of a new town boundary be deferred until the Chairman's return.

The Chief Executive Officer sought to clarify the term town boundary. He noted that the Community Board had recently expanded the **Twizel community electoral boundary**; people living within that boundary could vote for the community board.

He said the currently Board rated people living within the old Twizel Community electoral boundary. For the 2011/12 year the Council could change the **Twizel rating boundary** and rate everyone within the Twizel new electoral boundary. This could include differential rates. Any local expenditure undertaken within that rating boundary would fall on the community and the revenue generated would flow into the community coffers.

He explained that other lines which could be drawn on the map of the Twizel area were **zoning boundaries**, eg residential, industrial and rural zones.

The Chairman said the Board wanted to expand the Twizel rating boundary to address inequitable situations which were arising as a result of developments close to the township where residents were close to and used the township facilities. He noted the Board's resolution to submit a proposal for a new rating boundary and request the Manager – Finance and Administration to report on its effects.

The Chief Executive Officer referred to potential technical problems which proposed new rating boundaries could generate and asked that he be involved with the Board members from the beginning of the process. The Chairman said the Chief Executive Officer's input would be appreciated.

**THERE BEING NO FURTHER BUSINESS THE
CHAIRMAN DECLARED THE MEETING CLOSED AT 4.55 PM**

CHAIRMAN: _____

DATE: _____

MACKENZIE DISTRICT COUNCIL

MINUTES OF A MEETING OF THE TEKAPO COMMUNITY BOARD HELD IN THE LAKE TEKAPO COMMUNITY HALL, ON MONDAY 21 JUNE 2010 AT 7.15 PM

PRESENT:

Peter Maxwell (Chairman)
Leon O'Sullivan
Murray Cox
Alan Hayman

IN ATTENDANCE:

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

I APOLOGY:

An apology was noted from the Mayor.

Resolved that an apology be received from Peter Munro.

Leon O'Sullivan/Murray Cox

III MINUTES:

Resolved that the Minutes of the meeting of the Tekapo Community Board held on 10 May 2010, be confirmed and adopted as the correct record of the meeting.

Alan Hayman/Murray Cox

ACTION POINTS:

1. Removal of Willows on Lakeshore

The Community Facilities Manager advised that a quote of about \$8,000 had been received from Peter Brass for the removal and disposal of willow trees along the lakefront.

2. Proposed Community Centre for Lake Tekapo

The Community Facilities Manager advised that a meeting with Ngai Tahu and been arranged for the following day to discuss their interest in the proposed site on the lakeside for a community centre.

3. Request to Remove Trees

The Community Facilities Manager said the court case was ongoing. He also advised of his intention to take action against the property holder involved regarding a number of structures which were encroaching on Council land.

4. **Fence Along Murray Place Walking Track**

The Community Facilities Manager advised that no further action was necessary and said that tussocks were to be planted in that area.

The Community Facilities Manager suggested consideration could be given to including the walking track on the list for snow clearing.

5. **Tekapo Playground Group**

It was advised that final confirmation of the playground site was required, the Community Facilities Manager was liaising with LINZ regarding the area to be used by the flying fox and a draft Licence to Occupy would be provided when the Playground Group had gained Incorporated Society status.

Cr O'Sullivan said the Manager – Planning and Regulations did not consider the sun dial proposed for the area would require resource consent.

6. **Directional Sign to Lake McGregor**

The Asset Manager undertook to confirm that the sign had been erected.

IV REPORTS

1. FINANCIAL REPORT TO APRIL 2010

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

Resolved that the report be received.

Murray Cox/Leon O'Sullivan

2. CORRESPONDENCE ON FREEDOM CAMPING :

The Board received copies of **correspondence between Brenda Graham, a visitor to Lake Tekapo, and the Chairman**. Mrs Graham had complained about a negative reception to her enquiries about where her campervan could be parked at Lake Tekapo.

The Chairman noted the paper attached to the letters, which he had developed for discussion with the NZ Motor Caravan Association regarding a dedicated camping site near the Township for their members.

Murray Cox said the Lake Tekapo Regional Park Trust had lobbied Environment Canterbury for approval to establish a camping site in the Regional Park.

The Community Facilities Manager referred to potential further camping site opportunities at the South End of Lake Alexandrina and Lake McGregor and undertook to prepare a submission for the Annual Meetings of the relevant committees.

It was agreed that Environment Canterbury continue to be lobbied regarding the development of a site at the Regional Park for certified campervans.

The Board received a **letter from Mark Hervey expressing concern about random camping on the shores of Lake Tekapo**.

It was noted that the Council was unable to make rules about camping in areas that were not under its control, eg in the beds of lakes or on Meridian's operating reserve.

Resolved:

1. That Mr Hervey be thanked for his letter and advised that while the Council shared his concerns about rubbish and waste left by freedom campers around the lakes in the Tekapo area, the land in question was under the control of LINZ and not Council.
2. That Mr Hervey be advised the Council was in the process of investigating the creation of designated sites in the Lake Tekapo area for use by freedom campers.

Peter Maxwell/Murray Cox

V GENERAL BUSINESS:

1. LAKE TEKAPO ART EXHIBITION:

The Community Facilities Manager reported that the Lake Tekapo School had, as a fundraiser, taken over the operation of the annual Lake Tekapo Art Exhibition. Prue Blake, on behalf of the school, had asked for a concession on the rental of the Lake Tekapo Community Hall for the event.

The Community Facilities Manager advised that significant hall hire concessions had been granted for previous Art Exhibitions, viz \$400 total hire for the three weeks. He said the electricity charges for the last exhibition had been \$356.00. It was also noted that earlier in the year the Community Board had supported the school with a grant of \$500 towards the installation of a second toby, meter and pipe to be connected to the school grounds.

Resolved that the Lake Tekapo School be advised of the arrangements which had been made for the use of the Lake Tekapo Community Hall for previous art exhibitions and that the Community Board would grant the same concessions to the Lake Tekapo School for the 2010 Art Exhibition.

Leon O'Sullivan/Alan Hayman

2. LAKESIDE DRIVE:

The Asset Manager advised that Land Transport New Zealand wanted to upgrade the intersection of Lakeside Drive and SH 8 and undertake improvements to level Lakeside Drive at the intersection. It was also intended to widen the State Highway to the 60 kph sign and continue the flush median strip to provide for a designated right-turning bay into Lakeside Drive. He said the estimated cost for Council's share of the project was \$25,000. He suggested that the work could be done as a joint venture, subsidised, minor improvement project. LTNZ had not finalised the plans and they would need to be seen prior to giving final approval.

Cr O'Sullivan considered that the minor improvements fund was the correct source of funding; the 64% subsidy would mean the local share could be relatively low.

Resolved that Land Transport New Zealand be advised that Community Board supports in principle the project to improve the SH8/Lakeside Drive intersection subject to approval of the plans and the local share being no more than \$25,000.

Leon O'Sullivan/Alan Hayman

In response to a request from the Chairman the Asset Manager undertook to set up traffic counting equipment on Hamilton Drive. The Chairman said he would lift the equipment if snow clearing needed to be carried out on Hamilton Drive.

3. LAKE TEKAPO FOOTBRIDGE SOCIETY INC:

The Community Board received a letter from the Margaret Munro on behalf of the Lake Tekapo Footbridge Society Inc which provided an update on their project. The letter referred to fundraising, pedestrian traffic and safety issues, speed limits, the formal launch planned for mid August and a request for support from local government and Transit New Zealand.

The Chairman said he understood that the community would like the project to proceed and suggested that the Tekapo Community Board could consider providing some seeding funding in the 2011/12 year. He noted that there was a range of issues which would need to be considered, including the total cost, securing of land from LINZ, the need to obtain resource consents, ongoing maintenance and annual engineer's inspection costs, the needs of pedestrians walking from Lake View Heights and Aorangi Crescent to the commercial area, and the role of the Church Property Trustees. He undertook to meet and discuss the project with Mrs Munro.

The Chairman noted that the speed limit on the State Highway through the Township had been already been lowered in response to representations to NZTA from the late Bruce Scott. The Asset Manager undertook to advise Mrs Munro that the issue of speed limits on the State Highway should be followed up with NZTA.

4. SNOW CLEARING GUIDELINES:

The Asset Manager explained that he had distributed draft snow clearing guidelines for comment ahead of putting the road maintenance contracts out for tender and that he was trying to develop consistent guidelines across the three townships. He invited the Board members to contact him with any further comments.

The following issues were noted:

- Include concrete footpath from Murray Place and concrete path across the bridge on list of priorities for clearing.
- Include a telephone number for people to ring for driveway clearing by volunteers.

The Asset Manager undertook to draw the contractor's attention to the fact that the emergency services and promotions areas had not been cleared until late in the day following a recent snow fall.

5. PINK STICKERED RUBBISH BAGS - POLICY

Murray Cox referred to problems caused by pink stickered rubbish bags not being collected and rubbish subsequently being spread around by dogs.

The Asset Manager explained that the contractors who picked up bags from the kerbsides had been instructed to leave non-complying bags inside property boundaries. He said the policy relied on offenders being educated by having to deal with the bags themselves. He noted that the former policy was for the bags to be collected and the owners contacted; however that had proved to be too costly.

The Asset Manager said the Council was considering amendments to the Waste Strategy and he recommended that no changes be made to the pink sticker policy in the meantime.

6. OPEN FIRES IN RESIDENTIAL AREAS

Murray Cox referred to Environment Canterbury's outdoor burning ban in residential areas and suggested the Council and Tekapo Community Board support the policy.

Cr O'Sullivan advised that the Council had recently declined to support a recommendation to introduce bylaws relating to nuisance burning and lighting of fires within the three urban fire boundaries of the District, being Fairlie, Tekapo and Twizel.

The Chief Executive Officer said that Environment Canterbury's controls were of limited effectiveness in the District because of issues of distance.

Cr O'Sullivan undertook to ask the Manager – Planning and Regulations to develop a proposal for consideration by the community boards which might address the nuisance cause by outdoor burning in urban areas.

7. PUBLIC TOILETS AT TEKAPO BOAT RAMP:

The Chairman referred to the Council's decision to close the public toilets at the boat ramp for three months over the winter period as a cost saving measure when the toilets were not in great demand.

The Community Facilities Manager said that the Council had discussed options for reducing the costs of public toilets in the District and the Tekapo Community Board Chairman and the operator of the Motor Camp had not considered there would be any significant issues with the closure. He reported that he had fielded one complaint that someone had defecated behind the building but there had been no other feedback.

The Chairman said that the complaint had also been raised at a Tekapo Promotions Association meeting; however the Association had accepted the reasons for the closure.

8. NEXT MEETING:

It was advised that the Twizel Community Board had asked if the date of the next meeting be put back one week until 9 August 2010, subject to the agreement of the Tekapo Community Board.

The Chairman undertook to canvass the Tekapo Board members and advise if the new date was suitable.

9. MEETING WITH MERIDIAN AND GENESIS:

The Chairman advised that personnel from Meridian and Genesis wanted to meet with Community Board members in the hall at 4.00 pm the following Tuesday to discuss a new draft water right agreement.

**THERE BEING NO FURTHER BUSINESS THE
CHAIRMAN DECLARED THE MEETING CLOSED AT 9.15 PM**

CHAIRMAN: _____

DATE: _____

MACKENZIE DISTRICT COUNCIL

MINUTES OF THE MEETING OF THE FAIRLIE COMMUNITY BOARD HELD IN THE COUNCIL CHAMBERS, FAIRLIE, ON WEDNESDAY 23 JUNE 2010 AT 7.00 PM

PRESENT:

Owen Hunter (Chairman)
Tristan Leov
Graeme Page
Ron Joll

IN ATTENDANCE

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

II APOLOGY:

The meeting noted that an apology had been received from the Mayor.

Resolved that an apology be received from Robyn Warburton who had been granted leave of absence from the meeting.

Graeme Page/Ron Joll

III MINUTES:

Resolved that the Minutes of the meeting of the Fairlie Community Board held on 12 May 2010, be confirmed and adopted as the correct record of the meeting.

Tristan Leov/Ron Joll

ACTION POINTS:

- **Village Maintenance Contract:**
The Community Facilities Manager advised that the meeting to discuss levels of service with Whitestone Contracting was yet to be convened.
- **SH 79 Symbolic Signs**
The Chief Executive Officer noted his undertaking to find out from Opus the symbols which could be included on the sign.

IV REPORTS:

1. FINANCIAL REPORT TO APRIL 2010:

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

Resolved that the report be received.

Ron Joll/Tristan Leov

Resolved that the action taken by the Chairman to accept the variation to the sewer upgrade project in the Eversley Reserve and lay 432 metres of 200 mm water main in conjunction with the upgrade, be confirmed.

Owen Hunter/Ron Joll

2. CCTV INSPECTION OF FAIRLIE SEWERS 2009:

This report from the Utilities Engineer was accompanied by a plan of the sewers which were inspected in August 2009.

Resolved that the report be received.

Graeme Page/Tristan Leov

3. LETTER FROM LEONIE DWYER:

This letter from Mrs Dwyer referred to concerns about trees planted along Hamilton Street which were funded by the Fairlie Beautifying Society before it closed. She wrote that repeated requests had been made for the replacement of at least five trees which had died and asked that the matter be attended to as soon as possible.

The Community Facilities Manager acknowledged that five replacement trees were needed; three of the flowering cherries were dead and two had already been removed. He considered that the species of prunis which had been planted was unfortunately not thriving in the soil and said he was somewhat reluctant to replace them with the same species given the ongoing failures.

Cr Page who had inspected the trees with the Community Facilities Manager agreed that the trees were not flourishing.

The Community Facilities Manager undertook to take up Ron Joll's suggestion that the soil be tested.

He also said he would meet with Mrs Dwyer and Fairlie benefactor Jack Hutt to discuss the issues and consider suggestions for alternative trees which might be better suited to the conditions.

3. FAIRLIE TASTY CAFÉ:

The Manager – Finance and Administration explained that for many months there had been no response from the owners of the Fairlie Tasty café to accounts sent for the Licence to Occupy the roadside area beside the café. He said the pursuit of the debt represented an ongoing cost to Council.

It was agreed that the outdoor furniture on the area which belonged to the Fairlie Tasty Café should remain in place and that no further action be taken in the meantime.

4. WARD MEMBER'S REPORT:

Cr Page reported that the Council had not adopted a staff recommendation that a new bylaw, *Nuisance Burning and Fire Prevention Involving Vegetation*, be developed. He noted that submissions to the draft Annual Plan on the subject had also been received.

Cr Page also reported that the Fairlie Aged Persons Welfare Association had offered to provide funds for car ports for the Mackenzie Pensioner Villas. The Council had accepted the offer subject to its approval of the design and appearance of the car ports and the level of the resource consent charges which it would fund.

The Chairman and Cr Page undertook to arrange an early meeting with Bill Dobson of the Aged Person's Welfare Association to help progress the project.

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

Ron Joll reported that the Opihi River Walkway was useable and that two bridges would be installed when the Lions Club received advice that resource consent been granted for the project.

The Chairman said he intended to meet with Charles Waters who had offered to show him a water source on his family's property which did not become turbid in times of flooding. He suggested it could be superior to the current source of the Fairlie water supply which was affected by floods.

V GENERAL:

1. SNOW CLEARING:

The Asset Manager advised he would be calling for tenders for the new roading contracts within the next few weeks. He wanted to ensure that the snow clearing guidelines in the contract reflected the wishes of the Community Board. He noted that the Fairlie Main Street street cleaning provisions would also be reviewed.

It was agreed to:

- give priority for snow clearing of the footpath from the Village centre to Moreh over the footpath on Mt Cook Road
- replace the word *shall* in the guidelines relating to the clearing of windrows, with the word *may*.

The clearing of snow from the footpaths within the Mackenzie Pensioner Villas site was discussed and the Community Facilities Manager undertook to raise the matter at his next meeting with Whitestone Contracting.

The Asset Manager encouraged the Community Board members to let him know any other thought they might have about the guidelines.

**THERE BEING NO FURTHER BUSINESS
THE CHAIRMAN DECLARED THE MEETING CLOSED
AT 8.28 PM**

CHAIRMAN: _____

DATE: _____

MACKENZIE DISTRICT COUNCIL

MINUTES OF A MEETING OF THE MACKENZIE DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBERS, FAIRLIE, ON FRIDAY 28 MAY 2010 AT 9.35 AM

PRESENT:

John O'Neill (Mayor)
Crs Simon McDermott
Graeme Page
Graham Smith
Leon O'Sullivan
Dave Pullen
Evan Williams (from 9.40 am)

IN ATTENDANCE:

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

I OPENING:

The Mayor welcomed everyone to the meeting.

II APOLOGY:

Resolved that an apology for lateness be received from Evan Williams.

Graham Smith/Simon McDermott

LATE ITEMS

1. REPORT – LETTERS IN TWIZEL UPDATE, LETTER FROM MACKENZIE AGED PERSONS WELFARE, LETTER FROM THE MACKENZIE HIGH COUNTRY BRANCH OF PLUNKET SOCIETY:

Resolved that pursuant to the Local Government Official Information and Meetings Act 1987 the *Report “Letters in Twizel Update”* and the letters from *“Mackenzie Aged Persons Welfare”* and *“Mackenzie High Country Branch of Plunket Society”* be considered.

Graham Smith/Simon McDermott

The report and letters were not included on the Agenda because they were not available in time. Consideration of them at this meeting is required to enable the issues raised to be dealt with in a timely manner.

Cr Williams joined the meeting at 9.40 am

IV BEREAVEMENT:

The Mayor referred to the recent death of Rachael McDonald. A motion of sympathy was passed and the Chief Executive Officer was directed to pass this on to those concerned.

V MAYORAL REPORT:

This was the report of Mayoral activities since the previous Council meeting. He noted a correction, viz that he had been unable to attend the opening of a section of the new cycleway in Oamaru.

Resolved that the report be received.

Graeme Page/Leon O’Sullivan

VI REPORTS REQUIRING COUNCIL DECISIONS:**1. SALE OF PROPERTY TO TWIZEL EARLY LEARNING CENTRE:**

This report from the Manager – Finance and Administration referred to the transfer of the ownership of the building on Lot DP 52390 CT 38A/266, being the Twizel Crèche.

Resolved that the report be received.

Graham Smith/Evan Williams

Resolved:

1. That Council sell the building on the property described as Lot 3 DP52390 C/T 38A/266 currently occupied by Twizel Early Learning Centre Inc and take an appropriately secured first mortgage over the building.
2. That the mortgage include the necessary provisions for Council to take back ownership of the building should the Twizel Early Learning Centre Inc cease operation of a crèche from the premises or if the Twizel Early Learning Centre Inc ceases to exist.
3. That this transaction and associated documentation be undertaken on a no-cost to Council basis and that concerns of future owner use be considered in the agreement.

Simon McDermott/Evan Williams

XV ADJOURNMENT:

The meeting was adjourned at 10.25 am for morning tea and reconvened at 10.45am.

V REPORTS REQUIRING COUNCIL DECISIONS (Continued):

2. REQUEST FOR FUNDING FOR STARLIGHT RESERVE SUBCOMMITTEE TO ASSIST IN A PRESENTATION TO THE UNESCO WORLD HERITAGE COMMITTEE MEETING IN BRASILIA, JUNE 2010:

This report from the Manager – Finance and Administration referred to funding for the Starlight Reserve Subcommittee to assist the Chairman to attend the UNESCO World Heritage Committee meeting in Brasilia in June 2010.

Resolved that the report be received.

Simon McDermott/Graham Smith

Resolved:

1. That Council supports a grant of \$5,000 to the Starlight Reserve Committee to be paid by Mackenzie Tourism and Development Trust from its funds.
2. That, in the event of the Trust being unable to fund the grant in the current year, the Council provides bridging finance to be repaid from Council's grant to the Mackenzie Tourism and Development Trust in the 2010/11 year.

Simon McDermott/Graham Smith

3. IMPACT OF DIVERTING FUNDS FROM ALPINE ENERGY LTD DIVIDEND STREAM TO THE AORAKI FOUNDATION:

This report from the Manager – Finance and Administration provided information on the impact on Council of any potential diversion of Alpine Energy Ltd dividends to the Aoraki Foundation.

Resolved that the report be received.

Evan Williams/Dave Pullen

VI PROGRESS REPORT:

1. PLAN CHANGE 13 UPDATE:

The Manager – Planning and Regulations advised that earlier in the year the Court had set down a time frame for the hearing of objections to Plan Change 13. An exchange of evidence had taken place on 14 May 2010 when Council's evidence from Planner Patricia Harte, Landscape Architect Graeme Densem and Calvin Lloyd regarding wilding pines, had been put forward.

Along with the evidence, the Council had submitted a memorandum to the Court advising that its position had changed slightly in terms of how it viewed some of the appeals, viz that there were jurisdictional issues relating to scope; that it was not within the scope of Plan Change 13 for submissions seeking new zonings to be heard as part of the appeal process.

The Manager – Planning and Regulations said the affected parties were not happy that those jurisdictional issues had been raised and had requested they be decided by the Court prior to the hearings. He hoped that would happen before August 2010.

The Manager – Planning and Regulations clarified that at hearings only material which had been included in submissions could be considered. It was not valid to raise issues that were not in original submissions; all the issues raised in submissions had to be within the scope or intention of Plan Change 13 as it had originally been notified.

He explained that this process was necessary to maintain transparency for the public. Submissions seeking zones that had not been publicly notified or were not part of the original proposal effectively cut out potential submissions on those issues. He said some appellants had tried to promote new zones in the submission process. The Commissioners had heard the submissions and declined them. Some submitters had then appealed, hoping to achieve their aims through mediation – a much cheaper process than promoting a private plan change.

Cr McDermott asked if as a result of the mediation process, Plan Change 13 remained consistent with what the Council had originally set out to do.

The Manager – Planning and Regulations said it had. The only thing which had changed since the appeals were lodged was that Council's position in terms of jurisdiction had firmed up.

Cr McDermott asked if the Council would have an opportunity to reassess its position given the potential escalation of costs should Council not win the jurisdictional argument.

The Manager – Planning and Regulations said the only choice would be to withdraw the Plan Change which would put Council back where it started.

Cr Smith commented that the Council, having set its course, would need to keep sailing.

Resolved that the report be received.

Graham Smith/Graeme Page

VII INFORMATION REPORTS:

1 CHIEF EXECUTIVE OFFICER REPORT:

This report from the Chief Executive Officer referred to the meetings he had attended, and other activities, from 26 April 2010 to 30 April 2010. The Chief Executive Officer was on leave from 5 May 2010 to 18 June 2010.

Resolved that the report be received.

Simon McDermott/Graeme Page

2. COMMON SEAL:

This report from the Committee Clerk advised of documents signed under the Common Seal from 16 April 2010 to 21 May 2010.

Resolved:

1. That the report be received.
2. That the affixing of the Common Seal to documents 677 to 682 be endorsed.

Graeme Page Graham Smith

3. GOOD PRACTICE FOR MANAGING PUBLIC COMMUNICATIONS BY LOCAL AUTHORITIES:

This report from the Electoral Officer advised of elected members' responsibilities relating to good practice for managing public communications by Local Authorities.

Resolved that the report be received.

Leon O'Sullivan/Evan Williams

The Electoral Officer advised that nominations for the local authority elections would open on 23 July 2010. He suggested it would be timely for potential candidates to make themselves aware of the protocols around the process.

The Electoral Officer clarified that it would not be acceptable for Council property or equipment to be used for electioneering purposes.

IX COMMITTEES:

Resolved that the Minutes of the meetings of the Finance, Operations and Planning Committees held 7 May 2010, including such parts as were taken with the Public Excluded, be confirmed and adopted as the correct records of the meetings.

Graham Smith/Graeme Page

X COMMUNITY BOARD RECOMMENDATIONS:

This report from the Chief Executive Officer was accompanied by the minutes of the meetings of the Twizel Community Board and the Tekapo Community Board held on 10 May 2010 and the Fairlie Community Board held on 12 May 2010.

XVI ADJOURNMENT:

The meeting was adjourned at 12.30 pm for lunch and resumed at 1.05pm.

The Mayor welcomed the Asset Manager home from his trip to the USA.

X COMMUNITY BOARD RECOMMENDATIONS (Continued):

Resolved

1. That the report be received.

TWIZEL COMMUNITY BOARD

2. **Effect of General Rate on Community Board Rates:**

That Council approves the Community Board's recommendation that the budget for footpath re-seals and the sealing of Ruataniwha Road be reduced by \$30,000.

3 **Application to Purchase a Piece of Land Situated in Glen Lyon Road, Twizel**

That the Council notes that the Community Board has not approved the application to purchase a piece of land situated in Glen Lyon Road, Twizel, because of the Twizel River Reserve Group's Draft Management Plan for the development of the area.

4. **Winter Opening Hours for the Twizel Information Centre:**

That the Council notes the Community Board's decision to change the winter opening hours, to be operative from 3 May 2010, for the Twizel Information Centre as follows:

Monday and Tuesday	9.00 am until 4.00 pm
Wednesday to Saturday	10.00 am until 4.00 pm
Sunday	12.00 pm until 3.00 pm.

5. **Application for Right of Way across Council Land – Grant Hocken:**

That the Council notes the Twizel Community Board's support of the application for right-of-way access across Council owned land zoned REC P, for traffic management purposes.

6. **Enforcement Action – Reckless use of Trail Bikes and Other Vehicles on Public Green Areas:**

That the Council notes the Board's decision to erect *No Trail Bikes* signs to control the use of vehicles and trail bikes on reserves and to monitor the situation for 12 months.

7. **Camping on Roadways and Reserves Bylaw:**

That the Council adopts the Twizel Community Board's recommendation that the "Camping on Roadways and Reserves" Bylaw be amended to prohibit:

- non self contained camping on all roadways and reserves within the District, and
- freedom camping at Lake Ruataniwha Reserve between 24 December and the second Monday in January.

8. **Ratepayers Affected by the Correction of an Error in the Twizel Valuation Roll Numbering:**

That the Council notes the Board's request that the option of spreading the payment of the increased rates over one year be investigated on behalf of the ratepayers affected by the correction of the error in the Twizel valuation roll numbering, and that any interest incurred in the exercise be collected outside of the rating system.

9. **Twizel River Reserve Group:**

That the Council notes:

- That the Twizel Community Board supports the Twizel River Reserve Group by acknowledging them formally as the Twizel River Reserve Advisory Group.
- That the Twizel Community Board supports the Twizel River Reserve Advisory Group in taking the draft concept plan out to community consultation.

10 **Twizel Greenways Strategy:**

That the Council approves the recommendation that the price from Peter Hands of \$3,500 be approved subject to a formal contract detailing the extent of the work involved in the felling of trees on Glen Lyon Road from the State Highway back to the new plantings,

and notes the following decisions:

- That a quotation be sought to grind 10 stumps through the greenways.
- That a price be obtained from Whitestone Ltd to fell the trees on the State Highway frontage using an excavator.
- That the Community Board proceeds with the milling of the Douglas Fir logs in the Pony Club paddock as quoted.
- The Twizel Greenways Strategy Group seeks prices to clear up the stumps on the Pony Club paddock.
- That the Community Board reimburses the cost of materials and other costs associated with the design works for the Twizel Events Centre.

TEKAPO COMMUNITY BOARD:

11. **Tekapo Playground Group**

- The Council notes the Tekapo Community Board's support of the Tekapo Playground Group's concept plans for the playground area on the lake front land.
- That the Council approves the recommendation to provide the Tekapo Playground Group with a Licence to Occupy the land deemed suitable for the playground area.

12. **Effect of General Rate on Community Board Rates:**

That Council approves the Tekapo Community Board's recommendation that the budget for Tekapo Works and Services Rates be reduced by \$20,000.

13. **Church of the Good Shepherd 75th Anniversary:**

That the Council notes the Tekapo Community Board's decision to decline the request for assistance to fund the cost of the road closure for the Church of the Good Shepherd's 75th anniversary celebrations.

FAIRLIE COMMUNITY BOARD:

14 **Mackenzie Theatre Group Requests- Mackenzie Community Centre:**

That the Council notes:

- The Community Board's offer to supply the paint for the walls around the stage area of the theatre subject to the Theatre Group undertaking the preparation and painting work.
- The Board's decision that the Fairlie Community Board Chairman and Council's IT Manager consult together and purchase the appropriate audio-visual equipment within the budget provided.

15 **Trees on the Village Green:**

That the Council notes that the Fairlie Community Board has declined the request to remove trees from the Village Green this time.

16. **Effect of General Rate on Community Board Rates:**

That Council approves the Fairlie Community Board's recommendation that the \$18,000 budgeted for additional interest for the Fairlie Water Supply not now required, be removed from the budgets for 2010/2011.

Dave Pullen/Evan Williams

The Acting Chief Executive Officer undertook to clarify the funding sources that had been used for the new playground in Twizel.

XI CONFIRMATION OF MINUTES:

Resolved that the Minutes of the Mackenzie District Council meetings held on 23 April 2010 and 7 May 2010, including such parts as were taken with the Public Excluded, be confirmed and adopted as the correct records of the meetings.

Graham Smith/Leon O'Sullivan

LATE ITEMS

1. LETTERS TO THE EDITOR OF THE TWIZEL UPDATE:

This report from the Acting Chief Executive Officer referred to a letter from Twizel Community Board members to the Editor of the Twizel Update published on 6 May 2010. It was accompanied by a copy of the letter and a copy of the response from the Acting Chief Executive Officer which had been published in the Twizel Update of 27 May 2010, and a copy of the Elected Members' Code of Conduct.

The Mayor explained his problem was the insinuation that the Twizel Community Board had not been given information about the incorrect valuation assessment numbers which had been assigned to some Twizel ratepayers. (He noted that the error had been made by Quotable Value acting under contract to the Council.)

He said the Council had been advised of the issue and an explanation had also been given to the Community Board. Five weeks after that, in the letter to the Editor of the Twizel Update, the Twizel Community Board members had criticised Council for not providing them with information about the error. The letter had stated that Board members had fielded many calls from angry and concerned affected ratepayers but had had no idea what they were talking about.

The Mayor said the other issue which had been raised by the Community Board was to do with Plan Change 13.

The Acting Chief Executive Officer referred to the Code of Conduct which had been adopted by all elected members; it set out their responsibility to ensure that all information that was put out was correct. He noted that advice of the error had been referred to at the meetings of the Finance Committee of 26 March 2010 and the Twizel Community Board of 29 March 2010. The minutes of those meetings were publicly available on Council's website. He said that the property owners affected by the incorrect valuation assessment numbering had been notified in a letter dated 31 March 2010.

The Acting Chief Executive Officer said he was disappointed with the Board members' claim that they had not been told about the matter, which was why he had publicly responded to their letter.

The Acting Chief Executive Officer referred to the second statement in the Community Board letter - that another major embarrassment to them was Plan Change 13 and the complications it had put on Twizel which were now causing delays in finalising the Twizel sewerage extensions. He considered the link they had made was mischievous. The matter had been discussed with Board members who had been advised that there was no link between Plan Change 13 and any negotiations with any landowners. He said the Council was negotiating on behalf of all Twizel

ratepayers to purchase land for the sewerage ponds and it was dangerous in terms of those negotiations for the Board members to have made the statement.

The Mayor referred to the apology for the delay in printing the Council's response which Editor Kevin Moore had published in the Twizel Update of 27 May 2010. The Mayor said he was happy with Mr Moore's comments.

The Mayor added that he considered the District's community boards were doing good work which was important given an earlier proposal not to retain them. However he suggested that from the point of view of good relationships between board members and staff it was important that close links were always maintained. He noted that a letter dated 5 May 2010 from property owners affected by the incorrect valuation assessment numbering had been presented at the Community Board meeting on 10 May 2010; he was disappointed that it had not been circulated prior to the meeting.

Cr Page asked if the Twizel Community Board members realised the implications for the Works and Services rate of shifting properties from Rural to the Twizel township.

The Manager – Finance and Administration said he would have explained that in the same way he had explained it to the Council, that the situation would have been similar to what happened when the Eversley Reserve was included within the Fairlie Community Boundary.

The Mayor said in the Twizel case the issue had affected a large number of properties with high valuations which made the shift in rates abnormally high for some. He noted that following the Finance Committee meeting of 26 March 2010 he had consulted the Rates Officer who had advised that a letter was being sent to each affected property owner. He had wondered what else could be done. He had apologised to the Chairman of the Community Board that he had not rung him personally; however he had not known what the level of the corrected rates would be. He said he could understand the Board Members' embarrassment - the Council was embarrassed as well; however the letter from the property owners had labelled the Council as cavalier and he was not prepared to accept that.

Cr Smith said he was concerned that the credibility of the Council had been called to issue and he was interested in the role Cr Pullen had played.

Cr Pullen said he had spoken long and hard - for about three hours - in an effort to discourage the Board members from what they wanted to do. He said once the Chairman had the bit between his teeth it was hard to steer him away. Cr Pullen said the major thing which had embarrassed the Community Board Members was the size of the rates increases. This had also shocked the affected residents. He agreed that the Board members had known there would be changes and had not understood the extent of them. He said approaches made to Board members by a number of the affected ratepayers complaining about the size of their rates increases was partly what had triggered the anguish; the ratepayers seemed to be blaming the Community Board for the problem.

Cr Pullen said he had spoken with two of those affected and explained the situation, but not all the ratepayers had approached him. He said there had been a meeting with affected ratepayers which he had been unable to attend because of prior engagements in the North Island, so he had explained that side of things to the Community Board.

He said he had also explained the issues about Plan Change 13 three or four times; however the Board members felt that regardless of the technicalities, it was stopping the process of settling agreement on the sewerage ponds. He said he had explained the same thing to John Lyons. He

considered the issues seemed to be connected more with people's opinions about them rather than the technicalities.

Cr Pullen said the Chairman had recently reproached him for forgetting to advise the Board of Council's resolutions regarding the TPDA/Public Toilets building; the Chairman had said he had let the Board down badly. Cr Pullen said at times it was difficult to change the Chairman's point of view.

Cr Pullen said that because he was aware that the Council's response to the Community Board's letter was to be published, he had felt it was not appropriate for the Community Board to take any action and he believed they would not be doing anything further.

Cr Smith said he was disappointed with an attitude that seemed to exist in Twizel – a growing, ingrained discontent with Council.

Cr McDermott considered that a poorly informed group of people was trying to gain attention. He said community board members had a responsibility to know and understand what was happening. In this case, in spite of advice, the Twizel Board members had reacted poorly. He said there seemed to be a view that sometimes the Council did not work for Twizel. He thought that was an historical criticism being stirred up to create issues, however people who were aware of the facts did not believe it.

He suggested that all the Council could do was remind elected members about the need for integrity. While the Council had no control he believed sooner or later any lack of integrity would work against them.

Cr McDermott said he had tried to defend the Board and suggested the matter be forgotten. He considered the Twizel Update had disgraced itself in neglecting to seek a response from Council before publishing the Community Board members' letter.

The Mayor said the letter from the ratepayers which had been received at the last meeting of the Twizel Community Board would be treated as a submission to the Annual Plan. He considered it would have been better had the submission included suggestions about how the issue might be addressed rather than demanding a rates review. He noted that for a variety of reasons the Council had made an earlier decision not to undertake a rates review at this time; it would be impossible to do so adequately at this stage.

Cr McDermott said the bottom line was that the Community Board had taken up the ratepayers' concerns and canvassed them as if it was a Council mistake. The Board members had been aware of the issues but had not acknowledged them.

Cr Page said he was disappointed because responsibility for errors ultimately rested with the Council. He considered it was irresponsible that the Board members had not apologised.

Cr O'Sullivan said he too was disappointed with the tone of the letter and the blaming of Council.

Cr McDermott said that some of the affected people had complained to him that their property valuations were incorrect. He had advised that it was the responsibility of property owners to object to valuations.

The Mayor referred to the Plan Change 13/Twizel sewerage ponds issue and the Council's obligations towards the Twizel constituents with regard to the integrity of the Plan Change 13

process and the cost of land required for the ponds. He said some people had tried to link the two issues.

The Asset Manager confirmed that John Lyons, who owned the land in question, had consistently tried to link the two issues in spite of being advised that they had to be dealt with quite separately.

The Mayor said the position had been explained to the Community Board. However the members remained of the opinion that they had been given incorrect advice by staff as a result of which they had not lodged an appeal to Plan Change 13. They considered that had had deprived them of the opportunity to influence the outcome of the appeal process and for a revised town boundary for Twizel to include land on the east side of SH 8 which had been part of the Mackenzie subzone in proposed Plan Change 13.

The Manager – Planning and Regulations said that was what had been said in the letter to the Twizel Update. He could not understand why Board members said they had not been informed as to their rights for objecting to the Commissioners' decision, because when the decision had been released all submitters had received written notice of their right to appeal.

Cr McDermott said the claim highlighted a lack of understanding not only about the process but also about the role of community boards. He said the Twizel Community Board had no mandate to become involved in the Plan Change 13 process. Twizel residents had the opportunity to assess the impact of Plan Change 13 and make their own submissions. It was not Board's role to presume to represent the intent of the community – that was why there was a public submission process.

Cr Smith suggested that the Council's representative on the Twizel Community Board should have advised them. He noted that Cr Pullen had been opposed to Plan Change 13 and asked if he had instigated opposition to it.

Cr Pullen said he was entitled to his vote. The Community Board had opposed Plan Change 13 because of the town boundary.

Cr Pullen said the Twizel Community Board had approached former Manager – Planning and Regulations Craig Lyon to say they didn't agree with the boundary which had been drawn as part of Plan Change 13, and that Mr Lyons had advised them to make a submission. He said the Commissioners had come up with their variation which was pretty close to what the Community Board had suggested except that the boundary had stopped at SH 8. The Board had asked if they should submit again. Cr Pullen said that he understood the Chief Executive Officer had told them not to as the issue would be addressed when the Twizel town boundary came up for change and there would be an amendment to Plan Change 13.

The Manager Planning and Regulations said the use of the term *town boundary* was wrong in the context of Plan Change 13 and had caused confusion. Plan Change 13 like all plan changes was about zoning not community or town boundaries.

Cr Pullen said that in answer to Cr Smith, he had never given his own personal opinion but had tried to make it clear to the Community Board what had happened.

Cr McDermott said that the community board members needed to be clear about and understand their role and advised that there would be issues beyond their scope which should be referred to councillors or the Mayor to deal with.

Public Toilets:

The acting Chief Executive Officer referred to some local disquiet and complaints to Cr Pullen. He said the issues had arisen as a result of advice to tenants of the TDPA building in Twizel that the Council was proposing to close the public toilets in Market Place and replace them in another location. He noted that the project was only a proposal and the community would be invited to have their say on it via submissions to the draft Annual Plan.

The Mayor said that unfortunately some recipients of the letter had interpreted it as the proposal being a fait accompli. He emphasised the need for all communications from staff to ratepayers to be clearly worded and accurate.

2. LETTER FROM AGED PERSONS WELFARE:

The Council considered a letter from Mackenzie Aged Persons Welfare advising that the Association had resolved to proceed with the building of car ports for the Mackenzie Pensioner Villas in Fairlie with the assistance of the Fairlie Lions Club and the approval of the Mackenzie District Council. The Association had also requested that the Council meet the cost of the building consent fees.

Resolved that the offer from the Mackenzie Aged Persons Welfare Association to build car ports at the Mackenzie Pensioner Villas with the assistance of the Fairlie Lions Club be accepted in principle subject to Council's approval of the design and appearance of the car ports and the level of the resource consent charges to be funded by Council.

Simon McDermott/Evan Williams

3. LETTER FROM ROYAL NEW ZEALAND PLUNKET SOCIETY - MACKENZIE HIGH COUNTRY BRANCH:

The Council considered a letter from the Mackenzie High Country Branch of the Plunket Society requesting that the Council rebate the rates on their premises in Twizel.

Resolved:

1. That the request for a rates rebate from the Mackenzie High Country Branch of the Plunket Society be referred to the Twizel Community Board for their recommendation regarding the Twizel Works and Services portion of the rates.
2. That the General Rate for the Mackenzie High Country Branch of the Plunket Society's property in Twizel be rebated.

Simon McDermott/Graham Smith

WASTE ACTIVITY

A report was distributed showing the Waste Activity Budget (2009/10), Forecast (2009/10) YTD to December 2009 ((2009/10), Year 2 (2010/11) Revised Budgets Showing Adjustments for Year 2 (12010/11) and the Reasons for the Adjustments.

Cr Pullen reported that following the temporary shutting down of the VCU there had been little impact on individual ratepayers. He said:

- The Hermitage was sending its putrescible waste to Christchurch.
- Other commercial operations in Twizel were using alternative methods to dispose of putrescibles.

- Mt Cook Salmon Ltd would have to seek a change to its resource consent conditions which specified that its putrescible waste had to be disposed of at the Twizel RRP.
- The conclusion had been reached that there was money to be saved by not using the VCU.
- Organic waste delivered to the Twizel RRP could be shredded and sold as garden mulch.

He spoke to the revised budgets report noting the following proposals for:

- A small increase in gate charges
- An increase in the cost of bags – one white bag for all recyclables and one black bag for residual waste (green bags to be phased out).
- Glass to be disposed of at RRPs for no charge
- An investigation of the use of old landfill sites for storing glass
- Paper and cardboard to be put out for collection in supermarket bags.

He said the Solid Waste Manager was currently working through options for the transport of waste.

In response to a question from Cr McDermott, Cr Pullen assured him that the proposals fitted with waste minimisation and waste reduction requirements.

Cr Pullen said it was hoped to reduce costs by not needing to sort recyclables or use presses – the use of large curtain-side trucks to pick up cages or fadges for transport of recyclables to Christchurch was to be investigated.

The acting Chief Executive Officer referred to the revised budgets and suggested that Council continue funding the equivalent of depreciation on the VCU for repayment of the \$200,000 outstanding portion of the loan which had been raised to purchase it.

The Mayor referred to the goal for zero waste by 2014 and asked what Council's responsibilities were with regard to national standards.

The Asset Manager said the Waste Minimisation Act was now the guiding document on which waste management plans should be based. He suggested the original targets in Council's Solid Waste Strategy would need to be revised; in hindsight the Council of the day had taken a step too far. He considered that pulling back from the original targets could be justified based on economics.

He noted that the proposal before Council was in essence to cease the production of compost using the VCU and the revised budgets reflected that course of action.

The potential for reducing labour units at the RRPs was discussed. It was noted that when the stockpiles of compost and recyclables had been processed fewer staff could be required at the RRPs. The Asset Manager said the labour situation would be kept under close scrutiny.

The acting Chief Executive Officer said the proposals would be included as part of the staff submissions to the Draft Annual Plan.

Resolved that the operation of the Vertical Composting Unit cease.

Dave Pullen/Graham Smith

ELECTED MEMBERS TIME

Cr Smith reported on the Mackenzie Medical Trust's project to extend the Fairlie Medical Centre and its endeavours to address High Country Health Ltd matters.

Cr Williams reported that a successful outcome had been achieved following negotiations with the new owner of Fox Peak Station regarding access to Council's plantation. He said work on the Fox Peak Skifield Road was ongoing.

Cr O'Sullivan reported that a Whitestone Ltd employee had been affected by leaking chlorine gas at the Lake Tekapo water supply. He said that while the outcome had been good, the incident had triggered debate about the need for the Tekapo Water Supply to be chlorinated at all. He said he would be pursuing the issue with the Asset Manager.

Cr Pullen reported on the recent Waitaki Shoreline Authorities meeting at which the issue of freedom camping had been discussed. The meeting had also been advised that the summer trial of regulations for the use of boats on Lake Ruataniwha had been successful and it seemed a Bylaw would be adopted.

The Mayor referred to a letter from Roberta Laraman about the SH 8 Borrow Pits south of Twizel which were being used for dumping of rubbish. He said the Waitaki District Mayor had raised the matter with him suggesting that the problems were emanating from Twizel.

Cr Pullen said the Waitaki District had resolved to fill the pits with clean hard fill. He suggested the solution would be to put more effort into that rather than adopting the NZTA suggestion of fencing the pits.

**THERE BEING NO FURTHER BUSINESS THE
MAYOR DECLARED THE MEETING CLOSED AT 3.58 PM**

MAYOR: _____

DATE: _____

MACKENZIE DISTRICT COUNCIL

MINUTES OF A MEETING OF THE MACKENZIE DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBERS, FAIRLIE, ON FRIDAY 25 JUNE 2010 AT 9.30 AM

PRESENT:

John O'Neill (Mayor)
Crs Simon McDermott
Graeme Page
Graham Smith
Leon O'Sullivan
Evan Williams

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
Nathan Hole (Manager – Planning and Regulations) for part of the meeting
Rosemary Moran (Committee Clerk)

I OPENING:

The Mayor welcomed everyone to the meeting, in particular the Chief Executive Officer who had recently returned from leave.

II APOLOGY:

Resolved that an apology be received from Dave Pullen.

Graham Smith/Leon O'Sullivan

III HEARING OF SUBMISSIONS TO DRAFT ANNUAL PLAN FOR 2010/2011:

1. FAIRLIE FEDERATED FARMERS:

The Mayor welcomed Mark Adams, Dermott O'Sullivan and Stan Taylor to the meeting.

Mark Adams referred to that part of Fairlie Federated Farmers' submission on rates and added that while a rates increase would not drive him out of business, it was the compounding effect of that increase along with all the rising costs that sheep and beef farmers had to try and absorb that was causing concern. He noted the rise in valuations driven by other land uses had reflected in increases in the value of sheep and beef farms. He acknowledged that objections could be made to valuations but life was busy enough and that opportunity had not been able to be taken.

In response to Mr Adam's submission that the Council was contributing to the design and planning of the proposed Tekapo Community Centre, the Mayor explained the funding for that work would come from Lake Tekapo ratepayers.

Dermott O'Sullivan spoke to that part of the submission that sought to have a Uniform Annual Charge imposed to fund for the solid waste activity. He considered that the \$200,000 which rural ratepayers contributed did not benefit 90% of them. He said Federated Farmers advocated an UAC of \$110 so that everyone shared the cost of solid waste.

Stan Taylor spoke to that part of the submission which related to roading which he described as the only tangible local benefit for rural ratepayers.

He expressed concern at the increased cost of \$187,000 and the costs of administration. He questioned the need for a roading manager and suggested the grading cycle be reviewed. He said Federated Farmers was disappointed that no new seal extensions had been budgeted for.

He noted Federated Farmers support of the Strategic Water Study and Council's stance on Environment Canterbury.

2. WALTER SPECK:

The Mayor welcomed Walter Speck who read his submission which is attached to this record as Appendix A.

3. JOHN MURRAY:

The Mayor welcomed John Murray who appeared to speak to the submission from Federated Farmers, Mackenzie Branch.

He said his branch's concerns were much the same as those of the Fairlie Federated Farmers, viz that the rural community was paying too much in rates compared to their urban counterparts for what in effect were the people-based services that Council provided.

He agreed with the Fairlie branch view that a uniform annual charge for solid waste would be better than the current system. However he would prefer it to shift to a targeted rate or for rural roads to be funded from the general rate.

With reference to Plan Change 13 Mr Murray suggested much of the conflict could have been avoided by a proper consultation process before the draft plan was released. He said he was disappointed that Plan Change 13 placed the responsibility on applicants to determine which landscapes were special and which were not; Council should have done a proper landscape study to determine the special areas in the Mackenzie Basin.

Mr Murray also referred to the enormous costs he considered would be involved in gaining consent for a new farm building outside a farm based area which would be a restricted discretionary activity.

The Manager – Planning and Regulations explained that each application would be assessed on its own merits, however a new farm building outside a farm base area would be a controlled activity and would not necessarily need to be publicly notified if the proposals fitted the landscape.

Mr Murray expressed concern about the provisions in Plan Change 13 with regard to controls on reflectivity and tree species which could be planted in farm base areas. He suggested that Council decline to pay Environment Canterbury water charges. He also implored Council to resist attempts to make it take over Meridian's canal roads.

4. FRANK HOCKEN:

The Mayor welcomed Frank Hocken and invited him to speak to his submission.

Mr Hocken withdrew the reference in his submission to a Council employee and apologised for it.

Mr Hocken spoke to his written submission.

The Chief Executive Officer advised Mr Hocken that the possibility of brown outs which he had referred to in his submission had been dismissed by the power authority that had it as a priority to return a second transformer to Twizel.

Mr Hocken referred to his land on which the substation was sited and asked for the land to be zero rated in recognition of the use.

He submitted that there should be more trees in Twizel and that all species apart from pinus contorta should be encouraged.

Mr Hocken considered the Council should not be playing the bond market and should be investing in New Zealand companies.

He warned that Council should be aware of rising rates levels before there was a meltdown.

5. FRANK HOCKEN ON BEHALF OF MALCOLM DODDS:

On behalf of Malcolm Dodds, Mr Hocken submitted that the proposed resiting of the public toilets from Market Place to the Twizel Events centre should not proceed.

6. IAN HAYMAN:

Ian Hayman said his submission was about cattle stops; he did not want to pay the full cost of the maintenance of cattle stops he was sharing with his neighbour.

Mr Hayman said he did not need the cattle stops and invited Council to take them out. However if he was permitted to maintain them himself he would keep them.

Cr McDermott suggested the Asset Manager discuss the issues with Mr Hayman.

The Mayor noted that once the accounts owing were settled it would be appropriate to negotiate. Mr Hayman said he would not pay the bill.

7. LAKE PUKAKI WOMEN'S INSTITUTE:

The Mayor welcomed Diane McGeorge, Secretary of the Lake Pukaki Women's Institute.

Mrs McGeorge spoke to the submission from the Women's Institute that the toilets not be shifted from Market Place to the Twizel Events Centre. She said there was concern for the safety of young children and old folk because of the need to cross two sets of car parks to the Events Centre, there was a distance issue for elderly people and security issues because of lack of supervision.

IV CONSIDERATION OF SUBMISSIONS

PUBLIC SUBMISSIONS:

The Council then considered each public submission and made the following decisions:

1. Bill Washington, Tekapo

Aorangi Cres, Tekapo - trees on footpath haven't been topped by the Council for years. Why not? The Council used to do it.

Decision: Referred to the Tekapo Community Board for consideration.

2. Jude McKenzie, Fairlie

- *Safe Cycling for Fairlie - wants cycle lanes in town to link up with existing tracks along river.*
- *Resurfacing Roads – when roads are resealed, bike lanes should be constructed too.*
- *Cycle Tracks – possible to investigate funding for cycle tracks from Fairlie-Timaru and Fairlie-Geraldine?*

Decision: Referred to the Fairlie Community Board for consideration.

Submitter also to be advised of Council's involvement in the proposed *Ocean to Alps* cycleway and Opihi River Track projects.

The meeting was adjourned at 12.45 pm for lunch and reconvened at 1.25 pm.

3 Roberta Preston, Twizel

Twizel Public Toilets – Objects to resiting of toilets due to road being too busy, dangerous for children, doesn't agree with unisex toilets, long walk from Market Place to Events Centre. Suggested that Council just do up the existing toilets instead.

The Council acknowledged the large number of submissions which opposed the resiting of the public toilets in Twizel from Market Place to the Twizel Events Centre.

Resolved:

1. That the submissions objecting to the resiting of the Market Place public toilets be accepted and that the proposal to relocate the public toilets to the Twizel Events Centre not proceed.
2. That future proposals relating to public toilets be the subject of public consultation.

Graham Smith/Simon McDermott

Decision: Accepted.

Resolved:

1. That public toilets be removed from the list of Council's strategic assets

2. That the public be consulted before the closure of any public toilets.

Graham Smith/Evan Williams

STAFF SUBMISSIONS:

This report from the Manager – Finance and Administration referred to Expenditure Budgeted in the 2009/2010 year Which Had Not Been Spent, Document Management System, Aerial Photography, Twizel Public Toilets Improvements and Correction to Schedule of Fees and Charges.

IT Manager Stephen Barlow joined the meeting at 1.25 pm to speak to the aerial photography submission.

Aerial Photography:

Resolved that \$57,006 be budgeted for replacement aerial photographic images to be split over two financial years, ie that \$28,500 be included in the budgets for 2010/11 and \$28,506 be included in the budget for 2011/2012.

Leon O’Sullivan/Simon McDermott

Cr Page voted against the motion.

Expenditure Budgeted in the 2009/2010 Year Which Had Not Been Spent:

Resolved that the following submissions be accepted:

1. Twizel Water Supply Headwork Renewal \$10,000

This project originally related to part of the cost of investigating the new water source for Twizel. It had not been undertaken during the current financial year. Therefore it was proposed to carry this expenditure forward.

2. Twizel Water Supply Town Reticulation Renewal \$10,000

This project originally related to part of the cost of investigating the new water source for Twizel. This had not been undertaken during the current financial year. Therefore it was proposed to carry this expenditure forward.

3. Twizel Water Supply Treatment \$10,000

This project originally related to part of the cost of investigating the new water source for Twizel. This had not been undertaken during the current financial year. Therefore it was proposed to carry this expenditure forward.

4. Twizel Water Supply Resource Consent Costs \$26,000

This related to the resource consent for the current Twizel Water Take. The process was expected to be completed by 2009/2010. However, this was not the case and was beyond Council control. Therefore it was proposed to carry this expenditure forward.

5. Allandale Water Scheme \$3,000

This was a clerical omission. The Allandale ratepayers approved the \$3,000 expenditure. This needed to be added the costs relating to the Allandale Scheme.

6. Ashwick Opuha Resource Consents \$14,500

Due to the lengthy delay and objection by Fish and Game, this consent had not been completed in the current financial year. Therefore \$14,500 was required to be carried forward to complete the process in the 2010/2011 year.

7. School Road Water Race \$5,000

The consent had not been granted in the 2009/2010 year as expected. There appeared to be an issue with one submitter which has delayed the process and would involve expenditure in the 2010/2011 year. Therefore it was proposed to carry forward the \$5,000 into the 2010/2011 year.

8. Manuka Terrace Water Supply \$50,000

The expenditure for the 2009/2010 year had not occurred. Therefore it was requested that the \$50,000 for investigation and design was carried forward to the 2010/2011 year where it would be undertaken in conjunction with the Twizel investigations.

9. Tekapo Sewage Treatment \$12,000

The capital expenditure for 2009/2010 was partly delayed by Environment Canterbury. This delay had lead to the project being delayed until the 2010/2011 year because of ground conditions. Therefore it was requested to carry \$12,000 forward into 2010/2011 to complete the project.

10. Pound Work Twizel \$6,000

Pound work in Twizel for Animal Control Work had been budgeted for the 2009/2010 year. The work had not been started and it was proposed to carry forward \$6,000 into the 2010/2011 year to complete the project.

Graeme Page/Graham Smith

Document Management System

Resolved that \$4,656 be budgeted for rental of the hardware and operating system software to run the planned document management system with the expenditure to be offset by savings in depreciation.

Simon McDermott Evan Williams

Schedule of Fees and Charges

Resolved that the following corrected schedule of fees and charges for 2010/2011 be adopted:

Asset Management	Fees listed Annual Plan 2010/2011	Correct/Proposed Fees Annual Plan 2010/2011	Reason
Water Supply			
Tanker Load Water	\$1.00/m ³	\$1.15/m ³	Correction
Water Supply by meter minimum annual fees			
Fairlie	45c/ m ³ (1 st 700 m ³ free)	60c/ m ³ (1 st 700 m ³ free)	Correction combined with CPI increase
Tekapo	50c/ m ³ (1 st 700 m ³ free)	60c/ m ³ (1 st 700 m ³ free)	Correction combined with CPI increase
Twizel	34c/ m ³ (1 st 1400 m ³ free)	44c/ m ³ (1 st 1400 m ³ free)	Correction combined with CPI increase
Burkes Pass	20c/ m ³ (1 st 700 m ³ free)	\$1.30/ m ³ (1 st 700 m ³ free)	Correction combined with CPI increase
Meter special read outside of the normal cycle (including final reading)	\$35	\$40	Correction
Water meter testing fee (on-site)	\$50	\$55	Correction
Right to withdraw from fire hydrant	\$45pa	\$50pa	Correction
Foul Sewer			
Septic Tank/holding tank to oxidation	\$35/tanker or trailer	\$4.00/ m ³	Change in methodology

pond			
Roading			
Road inspections – hourly rate	\$85	\$89	Correction
Road Inspections – mileage	75c/km	79c/km	Correction
Vehicle crossing application	\$50	\$53	Correction
Temporary road closure costs	\$50 plus advert	\$89 plus advert	Correction
Road Occupation fee	\$150	\$158	Correction
Overweight Permit	\$100	\$105	Correction
Footpath Occupation (incl Market Place)	\$15/ m ² /year	\$16/m ² /year	Correction
Hoarding	\$10/lin m/month	\$11/lin m/mth	Correction
Cattlestops	\$157.50/cs/year	\$140/cs/year	Correction
Street Asset Protection Deposit			Correction
Pursuant to Section 12 and 150(6) of the Local Government Act 2002 Council sets the following fee to inspect and ensure the protection of Council infrastructure including roads, street signage, street lighting, kerb and channel, culverts ends, footpaths, water and sewerage connections. Inspections will check before and after relocation (paid with building consent). Part of this fee will be refunded on demonstration there has not been any damage or interference with any works or property owned, constructed, acquired or used by Mackenzie District Council, pursuant to Section 175.	\$1,500.00	\$1,575.00	Correction
	\$1,350.00 refundable	\$1,425.00 refundable	Correction

Simon McDermott/Evan Williams

Note: The figures in the table above include GST at 12.5%

Twizel Public Toilets Improvements:

Resolved that the submission to reinstate the original budget allowance of \$30,000 to upgrade public toilet facilities in Twizel be rejected.

Graeme Page/Evan Williams

It was agreed that the decision to fund \$10,000 from the General Rate towards the operation of the toilets in the Twizel Events Centre be considered at the next meeting.

GST

The Manager – Finance and Administration explained that schedule of fees and charges in the Annual Plan for 2010/11 would include columns to reflect both the current level of GST and the increased level which would apply from 1 October 2010.

PUBLIC SUBMISSIONS (continued):**4. Deborah Rive, Twizel**

Twizel Public Toilets – Objects to resiting due to children/road safety issues. Public toilets need to be in Market Place. Car park too busy & dangerous and can be congested with campervans which obstruct view. Two unisex toilets not sufficient for numbers of visitors in peak seasons.

Decision: Accepted

5 Elizabeth McDonald, Twizel

Twizel Public Toilets – Objects to resiting due to children/road safety issues. Toilets best near playground and give the existing toilets an upgrade.

Decision: Accepted

8. Rose Golding, Twizel

Twizel Public Toilets – Objects to resiting of toilets due to children/road safety. Toilets are best by the playground. Should be given an upgrade and left where they are.

Decision: Accepted

9. Rene Aukens, Tekapo

- *Rates – Believes rate increase is at least 5% overall, not 4.29% as advertised.*
- *Concerned at increase in GST is going to cost more to live overall. Requests that local authorities convince the government that GST shouldn't be on rates (as it will be a double tax).*
- *Real Estate Sales – Councils shouldn't rely on real estate sales as an income. Suggests treat land sales as a "reserve" and use the reserve in lean years to balance other aspects of budget.*

Decision: Accepted in part.

Submitter to be advised of the impact of Tekapo rates over preceding years and local government's unsuccessful advocacy to the government regarding GST on rates. Council's policy with regard to income from real estate sales is in line with his submission.

10. Genevieve Herron, Twizel

Twizel Public Toilets – Objects to resiting of toilets as their current location works well. Current location highly visible. Use half of the money budgeted for new toilets, to upgrade the existing.

Decision: Accepted

11. Steve Fuller & Sue Keith, Twizel

Twizel Public Toilets – Objects to resiting of toilets as their current location works well. Current location perfect for shoppers, visitors and playground users. Upgrade existing toilets and install better surveillance systems. Concerned that as a Market Place business owner with a toilet onsite, possibility it will get greater use from non-paying customers resulting in extra expense.

Decision: Accepted

12. Dave & Beth Wills, Twizel

Twizel Public Toilets – Objects to resiting of toilets as current toilets are perfectly acceptable, located in a central location with security cameras already installed. Waste of money. Children/elderly/road safety issues. Toilets are an essential service in Market Place on which the Council has already spent large amounts of money.

Decision: Accepted

13. Ross Herron, Twizel

Twizel Public Toilets – Objects to resiting of toilets as their current location works well for Market Place and new playground. Risk and safety issues for children crossing car park to proposed new site. Upgrading existing toilets & improving cameras a better option.

Decision: Accepted

14. Sharon & Malcolm Dodds, Twizel

Twizel Public Toilets – Objects to resiting of toilets as it will be a huge danger to her children.

Decision: Accepted

15. Ian Hayman, Tekapo

Cattle Stop Maintenance – The targeted rate for repairs and maintenance of cattle stops needs to be removed. Roads are owned by Council and it should be a Council responsibility to maintain its own asset. Inequitable to only target cattle stops and not other roading infrastructure eg culverts, bridges.

Decision: Rejected

Council considered there was a clear difference in the benefits road users received from infrastructure like culverts and bridges and the benefits of cattle stops. The latter primarily benefitted the land owner who could control stock without the costs of extensive roadside fencing.

The Mayor noted that any Council consideration of a change in its current policy would require, as a prerequisite, all outstanding charges owed by benefitting farmers to be paid.

16. Dr Jean Hay-Smith, Twizel

Removal of Public Toilets from List of Strategic Assets – congratulates Council on the high standard of the Fairlie Public Toilets. Opposes the removal of public toilets from the list of strategic assets. Provision of public toilets is one topic of considerable interest to the public.

Decision: Rejected (see response to earlier submission on the same issue).

17. Garth & Lesley Harraway, Twizel

Twizel Public Toilets – Objects to closing of Market Place toilets, should be upgrading existing toilets. Concerned about child/road safety issues, Events Centre less

convenient for toilet location, urinating issues in evening with people not walking to public toilets at Events Centre.

Decision: Accepted

18. Alan Rodger, Twizel

Twizel Public Toilets – Objects to closing of Market Place toilets. Concerned about proposed location of toilets particularly for elderly people, diners in Market Place and parents of small children.

Decision: Accepted

19. Jennifer Rodger, Twizel

Twizel Public Toilets – Objects to resiting of Market Place toilets. Toilets should remain where they are. Market Place redeveloped at great cost and is very welcoming. Reassuring to know that toilets are right there.

Decision: Accepted

20. Malcolm Dodds, Twizel

Twizel Public Toilets – Objects to resiting of Market Place toilets. Current toilets easily accessible by children and disabled without having to cross any roads. Believes 2 unisex toilets not enough (very busy in summer). Current toilets just need a good paint and floor resealed, then it can be cleaned with a water blaster.

Decision: Accepted

21. Owen & Doreen Payne, Twizel

Twizel Lifestyle Block Rates Increases – is facing a 65% rate increase. May have to downsize house because of inability to pay rates. MDC's mistake, fix it with some graduating time frame.

Decision: Declined but applicant advised of limited forms of relief available.

The Council acknowledged the large number of submissions relating to the correction of an error in the valuation roll and recognised that the impact on many of the 111 ratepayers involved could be significant.

It was noted that the Council had no option but to correct the mistake and ensure that all ratepayers within the Twizel community were rated in the same way, in accordance with the values of their properties and the services provided to those properties.

The Manager – Finance and Administration explained that there were limited forms of relief available to moderate the effect of the correction including a direct debit arrangement so that rates could be paid quarterly or an automatic payment for weekly, fortnightly or monthly instalments. He said in cases of extreme financial hardship applications could be made for postponement of rates and the government's Rates Rebates Scheme could also provide assistance in some cases.

Council did not accept suggestions such as a form of differential rating or a graduated rating scale for higher valued properties but noted that such options could be considered as part of future reviews of the rating system.

22. Mary Clark, Twizel

Twizel Public Toilets – Objects to toilets being resited to Events Centre. Concerned about children/road safety. Current toilets are centrally located and handy for young and old as well as parents/children using playground. Considers existing toilets to be tidy and need little maintenance to have back up to excellent order.

Decision: Accepted

23. Stephen Golding, Twizel

New shops by Poppies Cafe – concerned about Mackenzie property developer wanting to dig up green area and put a road into his shops when there is a road a short distance away.

Decision: Submitter referred to planning process.

It was noted that the Twizel Community Board had supported a request to obtain legal access to the development from Ostler Road across a strip of reserve land; however, a formal planning hearing would be needed and members of the public would be invited to make submissions on the matter. It was noted that the *road* Mr Golding had referred to was a private access way.

24. Aubrey Aitken, Twizel

Twizel Town Boundary Change – alarmed at 83% rate increase for their property at Ostler Road. Believe that recovery of this mistake should be spread over 5 years as it is too short notice and will be financially trying. Because of this he is concerned MDC running risk of attracting lower quality housing. Could introduce rating structure similar to Queenstown/Wanaka to avoid this problem. Twizel Comm Board been remiss in not having a public meeting and says communication and consultation has been appalling. Meeting on 25th June should have been held in Twizel in evening so that people working during day could attend in evening.

Decision: Declined but applicant advised of limited forms of relief available.

25. Kathryn Fagan, Twizel

Twizel Public Toilets – Objects to resisting due to child/road safety issues. Is a user of the toilets and would be inconvenient to walk to Events Centre.

Decision: Accepted

26. Dawn Lavery, Twizel

Twizel Public Toilets – Current toilets ideal for safety reasons, visitors in the area & no traffic to dodge.

Decision: Accepted

27. Annette Money, Twizel

Twizel Public Toilets – Disagrees with proposal. Current location safe for children in playground. Car park extremely busy in summer. Elderly also compromised.

Decision: Accepted

28. May Kruishoop, Twizel

Twizel Public Toilets – MDC moved playground so parents using shopping centre could keep an eye on children playing, so moving toilets to Events Centre defeats purpose of moving playground. Road safety issues, unisex toilets not acceptable for young children. Concerned about elderly and disabled shoppers having to walk extra distance to Events Centre. Current toilets clean and well looked after. Rotunda may end up getting used by children getting caught short rather than going to Events Centre.

Decision: Accepted

29. Gillian Palmer & Nick White, Fairlie

Outdoor Burning – Requesting MDC to pass a bylaw banning residential outdoor burning. Suggests restrictions need to be formulated to cover commercial and industrial areas as most residential areas affected by burning. Local enforcement of such laws would be far more effective than present situation.

Decision: Rejected

It was noted that the Council had recently considered a staff report suggesting there may be merit in some form of additional local control over outdoor burning; however Council was unwilling to introduce a bylaw that would largely duplicate regional council controls.

30. Liz McDonald, Twizel

Entry to new Twizel shops – Opposed to new entry being created to new shops. Requests that Transit NZ must be approached before making an entrance off the main road.

Decision: Submitter referred to planning process.

It was noted that Council was not aware of any request for access from the State Highway and that such access would need the consent of both Council and the New Zealand Land Transport Agency. It was also noted that the Twizel Community Board had supported a request to obtain legal access to the development from Ostler Road across a strip of reserve land; however, a formal planning hearing would be needed and members of the public would be invited to make submissions on the matter.

31. Margaret Armstrong, Twizel

Twizel Public Toilets – Objects to resiting due to child/road safety issues. Questions whether toilets beside Information Centre would increase visitor numbers. Also questions reducing 8 toilets down to 2 unisex. Events Centre toilet location may attract vandalism as it is out of the way. Present toilet block building site development should be put up for public scrutiny.

Decision: Accepted

32. Lake Pukaki Women's' Institute, Twizel

Twizel Public Toilets – Against resiting of these due to health, safety and road issues, as well as out of the way for tourists and people eating and shopping in Market Place. Only two toilets available afterhours is inadequate, as well as during day with tourists and buses. Asks for revamp of existing toilets and questions removing the Market Place toilets from the list of Strategic Assets.

Decision: Accepted point about relocation.

Rejected point concerning strategic assets.

33. Michael Lindsay, Twizel

Twizel Public Toilets – Objects to demolition contrary to Cr Pullen's statement saying the toilets are old – toilets built in 1985. Visitors disinclined to cross busy road to Events Centre. Current location of toilets easily accessible by elderly.

Decision: Accepted

34. Roy Richards, Twizel

Twizel Public Toilets – Toilets should remain where situated currently due to easy locality for tourists and locals, busy car park to cross otherwise. Upgrade existing toilets to world standard.

Decision: Accepted

35. Sandy Richards, Twizel

Twizel Public Toilets – Leave where they are now due to child/road safety issues and Market Place busy in summer. Increase security at existing toilets.

Decision: Accepted

- 36. Michelle Pearce, Twizel**
Twizel Public Toilets – Objects to resiting due to child/road safety issues. Toilets upgraded in late 1990's, if MDC had kept up maintenance toilets would not need to be shifted.
Decision: Accepted
- 37. Ann Cockburn, Twizel**
Twizel Public Toilets – Objects to resiting due to child/road safety issues.
Decision: Accepted
- 38. Kate Strachan, Twizel**
Twizel Public Toilets – Objects to resiting due to child/road safety issues. Revamp existing toilets.
Decision: Accepted
- 39. Marion Sheridan, Twizel**
Twizel Public Toilets – Objects to resiting due to child/road safety issues. Upgrade existing toilets.
Decision: Accepted
- 40. Diane McGeorge, Twizel**
Twizel Public Toilets – Against resiting of these due to health, safety and road issues, as well as out of the way for tourists and people eating and shopping in Market Place. Only two toilets available after hours is inadequate, as well as during day with tourists and buses. Asks for revamp of existing toilets.
Decision: Accepted
- 41. Trudy Lennon, Twizel**
Twizel Public Toilets – Objects to resiting due to current location being ideal for all users. Child/road safety issues. Revamp existing toilets.
Decision: Accepted
- 42. F Bailey, Twizel**
Twizel Public Toilets – Objects to resiting due to being too far away for elderly and young children. Please consider tourists who stop for food and toilet facilities.
Decision: Accepted
- 43. David & Lynlee Officer, Twizel**
Valuation Roll Numbering – Increase in rates unfair from \$1831 to \$3027, requesting a differential rating system due to not receiving the same services (provide own sewerage & water tanks, had to install own bore).
Decision: Declined but applicant advised of limited forms of relief available.
- 44. Betty Gorman, Twizel**
Twizel Public Toilets – Objects to resiting due to child/road safety issues. Current location ideal.
Decision: Accepted
- 45. Jennifer Weastell, Twizel**
Twizel Public Toilets – Objects to resiting, as current location ideal for visitors and playground users.
Decision: Accepted

46. Annette Officer, Twizel

- *Water & Sewerage – Manuka Terrace water supply, developer should have spent money investigating new supply, not MDC.*
- *Twizel Budget – why only \$62,000 for Twizel township projects, whereas Tekapo got \$100,00 set aside for equivalent.*
- *Twizel Public Toilets – objects to resiting. Current location ideal.*
- *North West Arch – Patching of road seal is rough.*
- *Market Place Sign – Councillors been told of broken Market Place sign, but not fixed yet.*

Decision: Accepted in part

Council noted that the development of the Manuka Terrace area by several land owners had far exceeded what was originally envisaged when standards for the area were first agreed upon by Council and that with hindsight, on-site provision of water and disposal of sewerage probably was not the most appropriate decision. However, Council had twice canvassed the willingness of those in the area to fund a communal water supply and the idea had received majority support.

Council noted that project budgets were determined on the recommendation of the local community boards and would be influenced by the other demands on locally raised funds. It was suggested that not too much should be read into the differences between communities as the amount of discretionary funding varied from year to year.

The Asset Manager noted that maintenance metal was regularly put on the shoulder of North West Arch to top up the edge to protect the edge of seal and avoid the lip at the edge of seal which could be a hazard in itself. The gravel used had a higher clay mix to try to get it compact into the shoulder, hence the brown colour of the gravel.

47. Elizabeth Brien, Fairlie

Eversley Sewerage Funding – Requests that Reserve residents shouldn't have to pay full Fairlie Sewerage rate, should remove the penal charge clause for future connections and requests that MDC addresses the possibility of getting the Reserve on the same electricity circuit as Fairlie is on, so the length of power outages are shortened.

Decision: Rejected

Councillors considered that the great majority of residents in the Reserve had accepted the funding regime that had been implemented for the sewerage scheme.

It was noted that the penal charge had been instituted to ensure that the system was designed and built to the right capacity from the outset. Incentives as well as the penal charge were introduced to ensure that property owners committed themselves to any additional connections at the outset.

The Asset Manager, Bernie Haar undertook to write to Alpine Energy to see if a change in circuits could be made to achieve greater security of supply for the Reserve/

48. Julie Jones, Fairlie

Burning Rubbish Outdoors – Requests a bylaw banning burning of rubbish outdoors at any time of year.

Decision: Rejected (see response to earlier submission on the same issue)**49. Federated Farmers, Fairlie**

- *Opuha Ward farmers concerned at amount of rates to be paid in future. Capital Value increased on average by 29%. Question moving investment income from Works and Services to General Rate. Solid Waste little benefit to rural ratepayers. Supports increase in Uniform Annual Rate and would like to increase this further.*

Support user pays for library, toilets etc. Would like to see more information on rate demands as to how the general rate is spent.

- *Very few capital improvements in Opuha Rural Ward area. Appalled at \$350,000 to be spent on Tekapo Community Centre design and planning whereas Fairlie and Twizel Community Centres are underutilised.*
- *Endorse the work of the Medical Trust in improving medical services to the District and the current upgrade to Fairlie Medical Centre.*
- *Would prefer a Uniform Annual Charge for solid waste. Rural ratepayers don't get full benefit for the service.*
- *Forestry – MDC should exploit every opportunity to benefit from sale of carbon credits. Forestry Board should pay a commercial return to MDC.*
- *Roading – getting less roading improvements for more cost, concerned at cost of administration, question grading cycle between high and low use roads, disappointed to see no new tar seal.*
- *Mayoral Forum – support initiative of Mayors on Strategic Water Study and the results of this.*

Decision: Accepted in Part

In response to the submission on rating, the Mayor and Chief Executive Officer offered to have a discussion with the members about rating possibilities for the District. It was noted that the Council had been concerned about the significant impact of revaluations on the whole of the rural sector; however values were determined independently of the Council and could be objected to by individual property owners if they thought they were incorrect.

Councillors considered that the issues regarding the funding of solid waste, the appropriate level of the uniform annual general charge and other suggestions made need more in-depth investigation than they were able to undertake in the current budget round. The Mayor suggested that a further review of rating policies be undertaken before the next rating period.

It was noted that the Council was somewhat hampered in continuing a variety of roading improvements in the rural area when subsidy was becoming much harder to obtain for the type of works Council saw as important, including extension of seal. Concerns about rising costs in this area were also noted.

With regard to the grading cycle, the Asset Manager explained that work was being done with the roading contractor to get better shape on the unsealed roads to run the water off and also a better gravel mix for the wearing course with more fines in it to help hold the surface longer. Also trials had been undertaken with different gravel mixes to assess their effect on the road surface and therefore the grading cycle. He said low trafficked roads were graded on 'as needed' basis but had to fit in with the cycle for normal roads ie when the grader was in the area. This was why sometimes the low traffic roads were graded when it appeared they don't need to – they would not last for another 4 weeks. They were also graded at times just to control weed growth.

In response to the submission on forestry, it was noted that Council had earned an initial 7,000 credits for its forests and expected a further 7,000 each year. These credits had a current market value of around \$18.00 each. Realising this would be helpful for cash flow especially given the gap before the next substantial areas of forest were due to be harvested.

The Mayor welcomed the Federated Farmers' supportive comments about Council's involvement in the provision of medical services and in the development of strategic water policies for the region.

50 Andrew Hocken

- *Plan Change 13 – MDC needs to publicly advertise how much has been spent.*
- *Freedom Campers – Need to get tough and enforce bylaw. Lake Ruataniwha disgrace in summer with rubbish and toilet paper everywhere.*
- *Rates Assessment – Rates should be calculated via a mix of targeted rates on specific services and general rate on land value only, not capital value which includes improvements.*
- *Twizel Water Supply – Please advise current status of new Twizel water supply proposal.*
- *Medical Centre in Twizel – long overdue for Medical Centre to be replaced.*
- *Manuka Terrace Road Sealing – when will it be sealed or partly sealed? What is current balance of roading contributions paid by developers?*
- *Long Term Funds Portfolio – Why is MDC investing offshore when opportunities exist in NZ?*

Decision: Points noted

Twizel Water Supply

It was noted that Council and the Twizel Community Board had confirmed a desire to investigate further the proposal to install new bores in an area adjacent to Simon Cameron's house, pump up to the hill behind his house and gravitate away to Twizel. Specialists had been engaged to drill a test bore, carry out drawdown pump tests, and then assess the quality and quantity of the water available. When this information became available both Council and the Twizel Community Board would decide if or when to proceed with the scheme.

Plan Change 13

The Council believed that it could not have continued with its very permissive policies relating to subdivision and development in the Mackenzie Basin. Any major changes to Council's planning policies would be expensive, particularly if they attracted a large number of submissions and/ or appeals. At this stage the quality of the local decision making would be tested in the Environment Court and all parties would have to abide by the outcome. To date the cost of making the changes has amounted to \$290,000 spread over three years to May. That could be compared with a suite of changes affecting Tekapo which cost approximately \$150,000 spread five years.

Rating Issues

The Council had favoured a rating system based upon capital value allied with a range of flat charges for a good number of years. It had not been persuaded that a change to land value rating would produce a fairer result for the majority.

Freedom Camping

The Council's position on this was to differentiate those campers that were fully self-contained and those that were not. It provided a limited number of places where self contained campers could stay within the District and otherwise directed people to commercial camping areas.

It was noted that nationally work was being done to deal with the issue. Council's resources for reasonable enforcement were limited and it was planned to use warranted volunteers to help with the task.

Medical Centre in Twizel

The Council supported the provision of medical services and facilities within the District. The facilities in both Twizel and Fairlie were owned by Council and sited on Council land. Rentals charged were modest. High Country Health continued to benefit from a Council provided debenture provided by the Council when the practice was bought from the previous GP.

The Mayor noted that the Council had reinvigorated the Mackenzie Medical Trust, shareholder of High Country Health, and supported its endeavours to improve facilities. It accepted that the existing Twizel buildings were near the end of their useful lives and replacement was needed. He said however, that the prime responsibility for health funding should lie with central government and the District Health Boards.

Manuka Terrace Sealing

The Manager – Finance and Administration said Council continued to hold the funds for this work in a separate account and interest on the principal sum was accrued each year. It was specifically reserved for sealing Manuka Terrace, but the prospect of obtaining matching subsidy was remote until more houses were built and the average traffic flows increased to the stage where Council would qualify for the benefit /cost ratio.

The balance in the account as at 30 June 2010 was \$344,192.47

Council Investments

The Manager – Finance and Administration said Council's investment policy did not allow investment in overseas bonds. The three bonds mentioned were NZ dollar denominated bonds which were authorised investments under Council's Treasury Policy. They all had a Standard and Poors rating of 'A' and a stable outlook. Standard and Poors defined entities with this rating as having a strong capacity to meet their financial obligations.

51 Jim Murray, Glenmore Station Trustee

Rural Property D category in draft rating plan – under present plan rates will rise approx \$1200-\$1400pa. Land value may have increased but earning capacity remains the same. Shouldn't be paying rates on amenity values.

Decision: Rejected

The Manager – Finance and Administration undertook to investigate the issues raised by Mr Murray, noting that the figures in his submission seemed to be at odds with Council's projections for properties of his type.

52 DG & J Selbie, Twizel

- *Max Smith/Ostler Road rating – propose differential rating be applied for these properties, as fewer services provided.*
- *Twizel Public Toilets – Are a community asset and should remain on the strategic asset list. Community must have opportunity to have input into any proposed changes for public toilets.*

Decision: Declined but applicant advised of limited forms of relief available.

Rejected point concerning strategic assets.

53 Kaye Adie, Fairlie

Outdoor burning of rubbish – Requesting MDC create a bylaw to have a local representative patrol prohibited outdoor burning of rubbish & garden waste at all times during the year.

Decision: Rejected (see response to earlier submission on the same issues)

54 Walter & Zita Spek, Tekapo

Tekapo Community Hall – No money to be spent before proper public consultation, cost and rate requirements are accurately calculated. Not the right time – still economic uncertainty. Facility good idea but shouldn't be in Council ownership. Footbridge and tennis courts are more pressing projects for Tekapo. Upgrade existing hall, as there is one already there. Hall idea pet project of current Tekapo Community Board.

Decision: Accepted in part (see response to submission from Michael Midgley and Wilma van den Bosch)

55 Michael Midgley & Wilma van den Bosch, Tekapo

Tekapo Community Hall – Concerned about \$350,000 towards planning for new Community Centre, believe a hall if that value should not be the responsibility of Council/ratepayers. Urging MDC to “put your ear to the ground” to make sure majority are happy to fund a community centre.

Decision: Accepted in part.

Resolved that it be agreed that the proposed new Tekapo Community Centre project proceed in the following stages:

1. Obtain resource consent for the building to be constructed on the favoured lakeside site.
2. Evaluate the costs of the project and assess its feasibility and affordability.
3. Consult the community regarding the potential financial impact on ratepayers.
4. Complete detailed design and prepare tenders.

Graham Smith/Graeme Page

56 Barry Brien, Fairlie

- *Fairlie Community Facilities – Increase level of funding, rate is inflation proof.*
- *Community Services Manager – No money for maintenance of community assets, shift duties onto Asset Assistant.*
- *Rural Lifestyle Blocks – Zoned rural but should pay a greater Works & Services rate towards Fairlie amenities. Residents free loading off Fairlie Township. Fairlie Community Facilities*
- *Use of Interest from Investments – continue subsidising Works and Services rates rather than the General Rate*
- *Fairlie Toilets – paint roof before removing public toilets from the list of strategic assets*
- *Doctors' House in Fairlie – sell medical centre along with doctors' house.*

Decision: Points noted.

The Chief Executive Officer was instructed to clarify the details of the Fairlie Community Facilities rate for Mr Brien. It was noted that Council considered that the \$1.95m expenditure on community and recreational facilities in the District warranted the employed of a dedicated staff member.

With regard to comment on rural lifestyle blocks it was noted that the Fairlie community boundary had been amended in 2009 following a public consultation process. The Council did not support the suggestion of asking for a greater contribution from townships such as Kimbell, Burkes Pass and Albury.

The Manager – Finance and Administration explained that the use of investment funds to offset the General Rate requirement would avoid major changes in Works and Services rates caused by the different impacts of revaluations.

It was noted that the roof of the Fairlie toilets would be repainted at the appropriate time regardless of whether public toilets were classed as a strategic asset or not. That proposal to remove public toilets from the list of strategic assets was to provide flexibility in the provision of toilets to meet changing needs without the burden of changing the Long Term Council Community Plan. .

The Mayor noted that agreement had been reached on the sale of the doctors' house; however because the provision of medical facilities was vital for the health of the community, Council was prepared to assume an ongoing role in providing medical centre facilities in both Twizel and Fairlie.

57 Federated Farmers, Mackenzie Branch

- *Rating – Rural household pays around 10x the general rate of its urban counterpart for lesser services. Propose Council functions such as governance and communication should be funded by a UAC as benefits received by all ratepayers equally. FF support increase use of UAC as a fairer method of collecting rates and note and appreciate the gradual increase in proportion of rates collected as AUGC. Suggest one set of AUGC's per farming unit.*
- *Solid Waste should be a targeted rate on urban communities as they largely use the service. Urban dwellers currently heavily subsidised by rural community. Council should either fund solid waste from targeted rates or fund rural roads from general rate to be fair. Status quo unfair on rural ratepayers.*
- *Plan Change 13 – FF pleased with some changes recommended in MDC's evidence to the Environment Court. Saddened by rush to court even though parties willing to mediate. Budget of \$90,000 to finish process may be too low.*
- *Water – MDC hasn't budgeted for water charges imposed on it by Ecan. Believe charges to be illegal and recommend MDC not to pay them.*
- *Canal Roads – Strongly felt that MDC should resist any attempts to be made to take over canal roads currently owned by Meridian. Maintenance expenses with little benefit to ratepayers. Council would have to reinstate any roads after a canal breach.*

Decision: Accepted in part.

Rating Policies

The Council noted the Branch's advocacy for greater use of uniform charges in Council's rating toolkit, the levying of only one uniform annual general charge per farming unit and a changed regime for funding the solid waste activity. It was also noted that in the current year the Council had not allowed itself sufficient time for a comprehensive review of its rating systems. It had made a significant change in offsetting investment income against the General Rate rather than the four Works and Services Rates as it felt that would provide a more consistent impact given ongoing changes in valuations within the District. The changes also provided some benefits to rural ratepayers, although that was not the prime motivation for the change. Some other minor tweaks had also been made.

The Mayor said he believed a further review of rating policies was warranted and should occur before the 2010/11 budgets were determined. He also noted that changes in the way Council dealt with solid waste were also being investigated including how it should best be funded.

The Chief Executive Officer repeated his offer to meet with the members of Federated Farmers to explore the ideas.

Plan Change 13

It was noted that the timetable to conclude the Plan Change 13 was in the hands of the Court which had indicated it was not keen on a protracted period of mediation. Council also believed that some of the appeals went beyond the scope of the Plan Change which limited Council's ability to mediate.

The Mayor noted that the costs of the process were considerable; however Council believed that it could not have continued with its permissive set of provisions for subdivision and development in the Mackenzie Basin.

Water Charges

Council noted the comments on the legality of the charges but had limited itself to challenging their appropriateness through its submissions to Environment Canterbury. The Chief Executive Officer said it was unlikely to pursue the suggestion of withholding payment.

Canal Roads

The Asset Manager said Council had no plans to assume ownership of any of the canal roads in its District and Meridian had been advised of Council's position on this.

58 Joan Hobson, Twizel

Twizel Public Toilets – Objects to resiting due to child/elderly/road safety issues and distance.

Decision: Accepted

59 Mark Whetu & Ansja de Boer, Twizel

Valuation Roll Numbering Error – Object to unreasonable rates increase. Tussock Bend doesn't have services available as in the central part of town, so should not have to pay for it.

Decision: Rejected (see response to earlier submission on the same issue)

60 Frank Hocken, Twizel

- *Rubbish cost out of control, JOAN no longer working but still shown in plan, need to look at other ways of disposing waste.*
- *Power for Twizel – Twizel substation 3 megawatts (drew 2.9 megawatts at Queen's Birthday weekend). Council is shareholder in Alpine Energy, Twizel development is stifling development.*
- *Why are machines being leased, surely cheaper option to own them?*
- *Manuka Tce Water Investigation – Shouldn't be happening at \$641,000 cost, people have alternative ways of supplying water.*
- *Plan Change 13 – Should never have gone as far as Environment Court, how much has it cost the ratepayer?*
- *Twizel Medical Centre – Twizel area incl Omarama, Tekapo & Mt Cook need to look at funding a new state of the art medical centre.*
- *Rentals of Land and Forestry – Needs to be made more transparent to people.*
- *Rates – how much of Twizel's payments go to the Twizel office? Rates should be on land value only as it is much fairer. Says Twizel has greatest number of ratepayers, and they pay the most and get the least service.*
- *Financial Contributions – seem to be going up as more development is done, perceived to be double dipping.*
- *Council Investments – Should be supporting NZ enterprises not overseas bond market.*

Decision: Points noted

Solid waste

The Mayor reiterated that changes in the way Council dealt with solid waste were being investigated including how it should best be funded.

Power Supply for Twizel

The Asset Manager said Mr Hocken's concerns have already been raised with Alpine Energy whose immediate task was to reinstate the second transformer in the township which had been removed some time ago. The company had discounted any risk of "brown-outs" in the interim. He noted that Mr Hocken had concerns about the siting of the transformers on his land and trusted that would not impact upon the supply issues.

Corporate Services

The Manager – Finance and Administration said the change to leasing rather than purchasing printers and computers produced a net saving to ratepayers.

Manuka Terrace Water Supply Investigation

The Asset Manager advised that \$50,000 had been set aside in the current year's budget for planning, investigation and obtaining resource consents. The property owners have been canvassed twice regarding their support for a communal scheme and it had received support from a clear majority.

Plan Change 13

The Mayor said Council stood by its position on Plan Change 13. It could not have continued with the very permissive controls it previously had for the Mackenzie Basin. The Manager – Planning and Regulations noted that any planning decisions made by Council were appealable to the Environment Court and there was no way the Council could prevent parties from exercising their rights to challenge these decisions.

It was noted that all major planning changes were expensive. To date the cost of making the changes had amounted to \$290,000 spread over three years to May. That could be compared with a suite of changes affecting Tekapo which cost approximately \$150,000 spread five years.

Twizel Medical Centre

The Council noted its support of the provision of medical services and facilities within the District and that the facilities in both Twizel and Fairlie were owned by Council and sited on Council land. Rentals charged were modest. High Country Health continued to benefit from a Council provided debenture provided by the Council when the practice was bought from the previous GP.

The Mayor noted that the Council had reinvigorated the Mackenzie Medical Trust, shareholder of High Country Health, and supported its endeavours to improve facilities. It accepted that the existing Twizel buildings were near the end of their useful lives and replacement was needed. He said however, that the prime responsibility for funding health matters should lie with central government and the District Health Boards.

It was agreed that while Council was prepared to refine its policies in respect of these matters it did not support imposing an annual rate especially for health purposes.

Rentals of Land and Forestry

Council noted that land leased for commercial rather than community purposes was expected to provide a commercial return and leases of land for works depots had recently been renegotiated to achieve this.

Freehold land used for forestry was currently charged a less than commercial rate because projections for the next few years showed timber returns at a low level. The Manager – Finance and Administration suggested that the advent of carbon credits, the policy could be reviewed.

Twizel Payments

The Chief Executive Officer suggested that the submitter contact the Manager – Finance and Administration for clarification about the level of Twizel’s payments which went to the Twizel office.

Rating Policies

It was noted that Council had had capital value rating for a good number of years and was not inclined to change. Mr Hocken’s contention that Twizel was disadvantaged in relation to other areas of the District was not accepted – Councillors noted the lack of evidence to support it.

Withdrawal of Comment re Staff member

Mr Hocken had withdrawn that part of his submission that referred to alleged remarks made by an unnamed staff member.

Council Investments

The Manager – Finance and Administration said Council’s investment policy did not provide for investment in overseas bonds and that the three bonds mentioned in the submission were NZ dollar denominated bonds which were authorised investments under Council’s Treasury Policy.

Twizel Water Supply

See response to earlier submission on the same issue.

Correction to Twizel Rating Rolls

See response to earlier submission on the same issue.

61 Shiree Johnston, Twizel

Twizel Public Toilets – Objects to resiting of toilets due to child/road safety issues, nothing wrong with existing location. If toilets moved, will need to have substantial signage to direct tourists there and shops with their own toilets will get used.

Decision: Accepted

62 Shiree Johnston & Tim Gardner, Twizel

Twizel Valuation Roll Numbering – 3 months notice is insufficient to ratepayers and an increase in GST will aggravate the situation. A culture of half truths and not being completely honest and up front with Twizel ratepayers. Distinct lack of consultation, sudden rate rise of up to 65% hugely unfair. Might as well live in the city with the advantages city living brings if paying the same or similar rates. Fewer services than in town, but same rates. Requesting MDC to look at joint Twizel resident’s submission again and come back with a plan to assist residents. Would be happy for rates increase to be spread over 5 years. Best solution would be to set aside historic error and include area in any future proposed rating boundary changes and invite them to be part of consultative process.

Decision: Rejected (see response to earlier submission on the same issue)

63 Mrs J M Rye, Twizel

Twizel Public Toilets – Objects to resiting due to child/road safety issues and would be inconvenient for elderly shoppers. Update of present facilities would be better.

Decision: Accepted.**64 Lin Ashton, Twizel**

*Twizel Public Toilets – Objects to resiting due to child/road safety issues.
NW Arch – Money spent on verges in NW Arch a waste of time, better to spend money on footpath in NW Arch.*

Decision: Accepted in part. See response to earlier submissions on the same issue.

65 Carla McKenzie, Twizel

Twizel Public Toilets – Objects to resiting due to child/road safety issues.

Decision: Accepted

66 Nicola Frank, Twizel

Twizel Public Toilets – Objects to resiting due to child/road safety issues.

Decision: Accepted

67 Sheryl Miller, Twizel

Twizel Public Toilets – Objects to resiting due to child/road safety issues. Need more than two unisex toilets as facilities inadequate during peak seasons and sporting events. Need more toilets and more toilet locations – not fewer. Upgrade existing toilets.

Decision: Accepted

68 Haikai Tane, Twizel

Twizel Public Toilets – Objects to resiting. Upgrade existing toilets. Toilets are needed in the Market Place shopping plaza otherwise is serious inconvenience to visitors in commercial centre.

Decision: Accepted

69 Elizabeth Higgins, Twizel

Twizel Public Toilets – Objects to resiting due to child & elderly/road safety issues. Disagrees with proposal for unisex toilets, genders should be separate.

Decision: Accepted

70 Rob Davis, Twizel

Twizel Valuation Numbering – large increase in rates for their property. Happy for their rates to contribute to Twizel community rather than District Rural pool. Propose that increase is spread over 5 years with no interest to lessen financial burden. This option would show a sign of good faith from MDC to support its communities. Should have a lower level of rates for these properties because of lesser services and because they have their own septic tanks and water tanks.

Decision: Rejected (see response to earlier submission on the same issue)

71 Ann Marshall, Twizel

Twizel Public Toilets – Objects to resiting. Current toilets should be updated, and any left over money put towards other projects.

Decision: Accepted

72 W A Marshall, Twizel

Twizel Public Toilets – Objects to resiting due to child/elderly/handicapped road safety issues. Thought MDC would want people to remain in Market Square.

Decision: Accepted

73 Grant Hocken, Twizel

- *Plan Change 13 – Public clarification required on how much ratepayer funding has been spent on this?*
- *Freedom Campers – MDC needs to ban all freedom camping in District. Instant fines suggested. Inform rental companies Mackenzie doesn't welcome campervans unless in official camping grounds.*
- *Rates Assessment – Rates system unfair, should be on pro rata basis of services provided. Water should be metered. A \$600,000 house uses no more services than a \$200,000 house.*
- *Power Supply for Twizel – As Alpine Energy shareholders, are MDC aware Twizel has almost no power available for future growth? Reinvestment rather than profit taking promotes growth.*
- *Manuka Terrace Road Sealing – When is roading budget for sealing that developers have funded going to be used? What is the current balance?*
- *Broadband Services – Rather than investing overseas, MDC should promote broadband services in District, which will help population & business growth.*
- *Twizel Medical Centre – Requires demolition. Funded has to be allocated or even a specific rate. It is needed to retain and attract people to settle in Twizel.*
- *Twizel Water Supply – Should be fast tracked with a gravity system. Savings in running costs will be a better investment than overseas companies.*

Decision: Points noted***Plan Change 13***

(See response to earlier submission on the same issue).

Freedom camping

(See response to earlier submission on the same issue).

Rating Policies

The Council did not accept the suggestion that rates be solely related to the level of services provided. Any rating system also contains an element of property taxation so that if one ratepayer owns more property than another, their contribution to Council operations will be greater.

Council also has no plans to introduce universal metering of water supplies or to link water usage with sewerage charging.

However, the Council is interested in having a full review of its rating system before the next budget round. It is unclear whether that task will fall to the incoming Council or not.

Twizel Power Supply

(See response to earlier submission on the same issue).

Manuka Terrace Sealing

See response to earlier submission on the same issue.

Broadband Services

It was noted that while Council was supportive of efforts to improve broadband services in the District, it did not consider it had a mandate to invest ratepayers' funds for the purpose.

Twizel Medical Centre

See response to earlier submission on the same issue.

Twizel Water Supply

See response to earlier submission on the same issue.

74 Pam Allison, Twizel

Twizel Public Toilets – Objects to resiting. Current location very central to shopping centre and new playground. Concerned about child/road safety issues. Has a disability and the closer the toilets to Market Square the better. Existing toilets should be upgraded.

Decision: Accepted

75 Sheila Hughes, Twizel

- *Twizel Public Toilets – Objects to resiting due to child/elderly/road safety issues. Why spend all that money on upgrading Market Place then remove a facility that is needed, putting death knell on shopping centre if toilets relocated.*

Decision: Accepted

- *Twizel Valuation Renumbering – opposed to rate increase in one lump sum, please consider extending this to over 5 years.*

Decision: Rejected (see response to earlier submission on the same issue)

76 R & T Gutschlag, Twizel

- *Twizel Valuation Renumbering – Not impressed with large rate increase for their property. Limited services at Ostler Road property. Would prefer 5 or 6 years to pay increase in rates with no penalties added.*

Decision: Rejected (see response to earlier submission on the same issue)

77 Ron Joll, Fairlie

- *Funding Mackenzie Medical Trust – That a medical account be created by MDC and distributed by the Mackenzie Medical Trust. This account be funded by any sale of existing medical assets and by a targeted medical rate. This rate is to be set at a max of \$20/rateable property. The account to be separated into Twizel and Tekapo/Fairlie and funds received in an area be spent in the same area.*
- *Also that Medical Assets held by MDC be depreciated and this be funded from general rates to finance repairs and maintenance.*

Decision: Accepted in Part

It was noted that Council intended to review its role and policy in the provision of medical services and facilities in the area while ensuring that the community continues to receive good medical care and had satisfactory facilities. It would do this in conjunction with interested parties. The Mayor reiterated his view that the prime responsibility for funding health matters should lie with central government and the District Health Boards.

It was noted that Council favoured a District wide approach over splitting its involvement between Twizel and Tekapo/Fairlie.

78 Joint Twizel Ratepayers – Twizel Town Boundary

- *Request that the rate increase is introduced over 5 years due to several ratepayers being on fixed incomes and a rate increase of that magnitude isn't fair.*
- *Differential rating system – Request that rates are based on services provided to each property taking into account capital outlay for those dwellings with water bores and sewerage systems. Other services such as water are supplied with certain*

restrictions. If conditions are applied then this should be reflected in a reduced rate demand.

- *Capital value rating – Propose a graduated rating system for the capital value of properties. Rating bands could be up to \$400,000, \$400,000-\$800,000, then \$800,000+. Each increasing rating band has a decreasing rating factor.*
- *Ongoing developments to be transparent & consultative. Felt no warning was given by MDC and the message did not allow for any right of reply.*

Decision: Rejected (see response to earlier submission on the same issue)

Resolved that the Draft Annual Plan for 2010/2011 with the above amendments, and the Long Term Council Community Plan, be adopted.

Graham Smith /Evan Williams

MACKENZIE MEDICAL TRUST AND HIGH COUNTRY HEALTH

The Mayor said Andrew Tucker had written to the Chairman of the Mackenzie Medical Trust advising that he had been instructed by the directors of High Country Health to inform the Trust that he had been in contact with Margaret Hill of the South Canterbury District Health Board regarding the centralisation of medical services in Twizel and including the Kurow area.

The Mayor said that in order to go forward with the upgrading of the Twizel Medical Centre, he considered the services of the Trust would need to be used and he was concerned that High Country Health was excluding the Trust.

Cr McDermott said that as a company High Country Health could raise capital; however the difference was that High Country Health would struggle as a limited liability company with no charitable status to access the funding streams which were available to the Mackenzie Medical Trust.

**THERE BEING NO FURTHER BUSINESS THE
MAYOR DECLARED THE MEETING CLOSED AT 4.50 PM**

MAYOR: _____

DATE: _____

MACKENZIE DISTRICT COUNCIL ACTION POINTS

CHIEF EXECUTIVE OFFICER

Workshops

Rates and Funding and Solid Waste Strategy

Council expressed a wish to consider rating and funding issues before next financial year as part of its response to Annual Plan submissions. We need to consider whether it is practical to advance this prior to October 2010. I note that Finance Staff will be busy with the Annual Report during August /September 2010.

Is a Solid Waste workshop still desired?

Management of Rural Water Supplies

Council needs to consider feedback from AGMs at the next committee round.

A further report will be prepared for the next committee round.

Aoraki Foundation

Satisfactory amendments made to Trust Deed (Manager – Finance and Administration)

The Foundation is still looking for Alpine funding.

Council Simon McDermott has been appointed. Alpine Energy is provided \$100,000 per annum to the Foundation out of its normal sponsorship budget. Dividends are not affected. Completed.

5 March 2010

Purchase of Land for Twizel Sewerage Purposes

Continue negotiations with John Lyons for the purchase of land for the Twizel Sewerage purposes.

Negotiations can resume once the decision on the resource consent has been received and evaluated.

23 April 2010

Vehicle policy

Report to be provided on the loading on depreciation which would be required to achieve the extra funding and/or a more analytical approach.

Updated vehicle policy to be presented to Council for adoption.

On the Agenda - depreciation issue to be considered at the Finance Committee.

MANAGER – PLANNING AND REGULATIONS

Dairy Farming in the High Country

Provide a memorandum to the elected members outlining the issues and current state of play of the applications for consents for dairy farming purposes in the high country.

This will be sent by the meeting date.

MANAGER – FINANCE AND ADMINISTRATION

January 2010

Sale of Land to Heron

S & P Agreement being drafted by lawyer

Completed

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.

Council has met with the Directors of High Country Health. A detailed offer has been forwarded to the Directors for which Council is waiting formal acceptance.

28 May 2010

Sale of Property to Twizel Early Learning Centre:

1. Sell the building on the property described as Lot 3 DP52390 C/T 38A/266 currently occupied by Twizel Early Learning Centre Inc and take an appropriately secured first mortgage over the building.
2. Include in the mortgage the necessary provisions for Council to take back ownership of the building should the Twizel Early Learning Centre Inc cease operation of a crèche from the premises or if the Twizel Early Learning Centre Inc ceases to exist.
3. Ensure this transaction and associated documentation be undertaken on a no-cost to Council basis and that concerns of future owner use be considered in the agreement.
A meeting with the TELC still to be organised.

Grant to Starlight Reserve Committee

- 1 Note Council's supports of a grant of \$5,000 to the Starlight Reserve Committee to be paid by Mackenzie Tourism and Development Trust from its funds.
- 2 That, in the event of the Trust being unable to fund the grant in the current year, the Council provides bridging finance to be repaid from Council's grant to the Mackenzie Tourism and Development Trust in the 2010/11 year.

Completed

Request from Mackenzie High Country Branch of the Plunket Society

1. Refer request for a rates rebate from the Mackenzie High Country Branch of the Plunket Society to the Twizel Community Board for their recommendation regarding the Twizel Works and Services portion of the rates.
This is to be included on the next Twizel Community Board Agenda.
2. Rebate the General Rate for the Mackenzie High Country Branch of the Plunket Society's property in Twizel. ***Completed.***

ASSET MANAGER

17.2.10

Fairlie Western Catchments

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

Public Consultation meeting to be organised with Fairlie Community Board. The Asset Manager has had preliminary discussions with Ecan over maintaining and monitoring Fairlie Creek. He intends to follow up with formal discussions and then we can advise the community of the outcome.

COMMUNITY FACILITIES MANAGER

28 May 2010

Tekapo Playground Group

Provide the Tekapo Playground Group with a Licence to Occupy the land deemed suitable for the playground area.

Awaiting response from Snow Luxton to confirm site.

Car Ports at the Mackenzie Pensioner Villas

The offer from the Mackenzie Aged Persons Welfare Association to build car ports at the Mackenzie Pensioner Villas with the assistance of the Fairlie Lions Club was accepted in principle subject to Council's approval of the design and appearance of the car ports and the level of the resource consent charges to be funded by Council.

We had advised Aged Welfare of Council's concerns and suggested alternative designs. Aged Welfare is supportive and keen to progress. We are working on the alternative proposal.