

MACKENZIE DISTRICT COUNCIL

MINUTES OF A MEETING OF THE PLANNING AND REGULATION COMMITTEE HELD IN THE COUNCIL CHAMBERS, FAIRLIE, ON TUESDAY, SEPTEMBER 2, 2014, AT 1.14PM

PRESENT:

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

IN ATTENDANCE:

Wayne Barnett (Chief Executive Officer)
Toni Morrison (Senior Policy Planner)
Geoff Horler (Utilities Manager)
Arlene Goss (Committee Clerk)

APOLOGIES:

Apologies were received from Cr Evan Williams and Planning and Regulation Manager Nathan Hole.

DECLARATIONS OF INTEREST:

There were no declarations of interest.

MINUTES:

Resolved that the minutes of the meeting of the Planning and Regulation Committee held on July 24, 2014, including those parts taken in public excluded, be confirmed and adopted as the correct record of the meeting.

Graham Smith/Claire Barlow

REPORTS:

PLANNING AND REGULATION MANAGER'S ACTIVITY REPORT:

The purpose of this report was to provide the committee with an activity report for planning and regulations for the period 17 July to 22 August, 2014. There were no questions on this report.

Resolved that the report be received.

Claire Barlow/Graham Smith

SUBMISSION ON PLAN CHANGE 3 – WAITAKI WATER ALLOCATION PLAN:

The purpose of this report was to seek retrospective approval for the Mackenzie District Council's submission on Plan Change 3 to the Waitaki Water Allocation Regional Plan. This follows a report to the last council meeting on this matter.

The chairman said council is not opposed to the plan change but would like to see the allocation process done first, before this plan change comes in. Toni Morrison said the next step was another round of submissions and a hearing, which we will attend.

Resolved:

1. That the report be received.

James Leslie/Russell Armstrong

2. That the committee approve the submission of the Mackenzie District Council on Plan Change 3 to the Waitaki Water Allocation Regional Plan, lodged on 22 August, 2014.

Graham Smith/Claire Barlow

REVIEW OF BYLAWS:

This report is for the committee to approve the draft bylaws for preliminary consultation with community boards and other interested parties and stakeholders.

The chairman thanked Toni Morrison and Jane Whyte for their work on this. These bylaws come from the results of the workshops that were held earlier and some good work has gone into these. The next step is for them to go to the community boards and stakeholders, before they go out to the public.

Freedom Camping Bylaw and Strategy - The Mayor commented that the freedom camping strategy and bylaw contained grammatical errors. A copy of corrections will be given to Toni Morrison.

On page 29, under places where freedom camping is encouraged, do we need to discuss some privately owned sites. There is a need to talk to these owners and there is a provision for contacting owners of private land. Has our bylaw been reviewed by the caravan association? No that is the next step.

On page 34 it says council can close a freedom camping area temporarily. The reasons given need to include a clause protecting access for the public.

Cr Cox asked if the workshops with the community boards would have other stakeholders present. No. Cr Cox would like to consult with DOC.

Cr Leslie asked for clarification regarding the photo of the area around the Church of the Good Shepherd at Tekapo. There was discussion regarding the extent of council owned land near the church. Toni Morrison agreed to make a minor change to clarify the status of this area.

Dog Control Bylaw – The chairman asked whether the description of dog exercise areas in Tekapo, mentioned in appendix one, page 47, should just say the regional park. Toni Morrison agreed.

Cr Jackson asked regarding township areas. Was it normal to permit dogs on leads in the village? The current bylaw says no dogs in the village centres but this had not been enforced to date. So the bylaw is changing from no dogs to dogs on a leash.

The Mayor said page 39 talked about microchips. Aren't working dogs exempt from chipping? This needs to be noted.

On page 41 she wondered, regarding education, whether council would need more resources to do this work. There was a question whether this needs to be left in the draft with resources allocated or not. The policy does not fit with what council is prepared to pay for it.

On page 43, point "o", the requirement for implantation of a microchip needs to add "except for working dogs".

On Page 44 under summary, regarding the rule requiring dog owners to undertake education. We need to identify that we don't require this.

On page 52 there is a question regarding a "responsible person over the age of 9 years". Where does this age come from? Toni Morrison thinks it probably came from the legislation. She will find out.

Draft Mobile Shops and Traders Bylaw – The Mayor asked regarding page 64 where there is a note that the council resolves that no itinerant traders are to be in the heritage space. This means in front of the church at Tekapo. We need to clearly identify this.

The chairman asked where buskers fall in this bylaw. We don't worry about them unless they are causing a nuisance.

Liquor Ban Bylaw in Twizel Market Place – On page 68, the date of the bylaw coming into effect needs to be updated.

Wastewater Network Bylaw – This is the same bylaw as used by Hurunui District Council. The chairman asked Geoff Horler if any changes had been made as a result of the workshops. No, only names, and a change on where our point of supply is.

Water Supply Bylaw – Cr Jackson asked regarding who pays for water leaks. Geoff Horler said we need to come up with a policy on this, but it's not really a

bylaw. A policy needs to be put to council so leaks can be dealt with without the need to bring these matters to council each time.

Downlands Water Supply Bylaw – this is Timaru District Council’s bylaw and they administer it.

Resolved:

1. That the report be received.

Russell Armstrong/James Leslie

2. That the committee agrees to preliminary consultation being undertaken with community boards, interested parties and stakeholders, on the draft bylaws, Freedom Camping strategy and dog control policy, subject to the changes made as listed above.

Claire Barlow/Russell Armstrong

UPDATE ON DISTRICT PLAN REVIEW:

Toni Morrison said in respect of the senior planner vacancy we haven’t yet found a candidate with sufficient skills and experience to do this job. This has resulted in some delays to the district plan review programme.

Some work has been given to consultants and they will be doing workshops. To avoid further delays we are considering contracting out the review in its entirety. There are some options for firms who can do this. She asked for the committee’s views on contracting out this work.

Cr Smith said while he accepts the plan review has to progress, at what cost? The Mayor said the idea of doing it in-house was because local farmers wanted to deal with someone locally who lived in the district, rather than with an outsider.

The best solution would be to have someone in-house to handle the public consultation and manage the project, with support from consultants.

The chief executive said the objective was still to engage a senior planner with experience to do as much as possible in-house. But if we can’t get the right person we would need some back up with a consultant resource behind it.

The Mayor asked what the cost implications might be. The chairman said we needed a paper on the roles and the cost. Cr Smith said there was a risk we might end up paying for both a planner and a consultant.

Toni Morrison said it wasn’t a matter of one or the other. There was so much work involved that most councils had teams doing this work. Both a person on salary and consultants would be used.

It was agreed that staff come back to the committee with a summary of costs.

REPORTS FROM THE WATER ZONE COMMITTEES:

Cr Cox reported from the Upper Waitaki Zone Water Management Committee. They have held a first round of public workshops. Those workshops were to look at the existing scenarios in place at the moment and what would happen if the existing water consents were picked up in terms of water quality and nutrient loading.

There was a lot of discussion around the need for continued development, but at the same time people don't want the water quality going backwards, and some of the sensitive areas need to be addressed like the small lakes and some rivers.

The next stage is to hold more public meetings in October to look at what happens to the Mackenzie basin if you go up to 25,000 hectares of irrigated land. Once the workshops are finished the zone committee needs to look at what they consider the nutrient loading should be across the basin and what that means for future consents and current consents. One of the discussions at the next meeting will be around the Mackenzie Agreement.

PUBLIC EXCLUDED:

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

1. Discussion on the previous minutes of the Planning and Regulation committee on July 24, 2014.
2. Plan Change 13.

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Discussion of previous minutes July 24.	Maintain legal professional privilege	48(1)(a)(i)
Plan Change 13	Maintain legal professional privilege	48(1)(a)(i)

This resolution is made in reliance on Section 48(1)(a)(i) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows: *Discussion of previous minutes, and Plan Change 13 under section 7(2)(g).*

Claire Barlow/Graham Smith

The Planning and Regulation Committee continued in open meeting.

**THERE BEING NO FURTHER BUSINESS THE
CHAIRMAN DECLARED THE MEETING CLOSED AT 2.21PM**

CHAIRMAN: _____

DATE: _____