



***404<sup>th</sup> MEETING OF THE  
MACKENZIE DISTRICT COUNCIL***

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

**MEMBERSHIP OF THE COUNCIL**

**Claire Barlow (Mayor)**

John Bishop  
Annette Money  
Graham Smith

Peter Maxwell  
Graeme Page  
Evan Williams

***Notice is given of the meeting of the Mackenzie District Council  
to be held on Tuesday 13 December 2011 at 9.30 am.***

**VENUE:** Council Chambers, Fairlie

**BUSINESS:** As per Agenda attached.

**GLEN INNES  
CHIEF EXECUTIVE OFFICER**

**7 December 2011**



## **AGENDA FOR TUESDAY 13 DECEMBER 2011 AT 9.30 AM**

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### **I. OPENING**

### **II. APOLOGIES**

### **III. DECLARATIONS OF INTEREST**

### **IV. BEREAVEMENTS**

### **V. MAYORAL REPORT**

### **VI. REPORTS REQUIRING COUNCIL DECISION**

1. Adoption of Financial Policies following workshops held earlier in the year.
2. Outcome of Community Survey
3. Summary of other Community Consultation
4. Chief Executive's Activities
5. Delegations during holiday period
6. Draft meeting schedule for 2012
7. Progressing the Twizel Water Supply Investigations
8. Alternatives for delivery of resealing programme (Roading Manager to attend)
9. Adoption of Asset Management Policies following earlier workshop.
10. Council involvement in the Government Leaky Homes Assistance Package

### **VII. INFORMATION REPORTS**

1. Common Seal
2. Presentation of new Aerial photography purchased by Council (IT Manager to present)

### **VIII. COMMUNITY BOARDS**

The recommendations from the Twizel and Tekapo Boards held on 12 December will be available on the meeting day.

### **IX. CONFIRMATION OF MINUTES**

- Confirm and adopt the Minutes of the Mackenzie District Council Meeting held on 15 November 2011 including such parts as were taken with the Public Excluded.

### **ACTION POINTS**

### **IX PUBLIC EXCLUDED:**

That the public be excluded from the following part of the proceedings of this meeting namely: Public Excluded minutes from Council Meeting 15 November 2011.

**X. VISITORS:**

1pm – Recipients of Bruce Scott Memorial Price and Mackenzie Country Scholarship (Mackenzie Residents Category)

**XI. ADJOURNMENTS**

10:30am Morning Tea

12:30pm Lunch

3:00pm Afternoon Tea

## **MACKENZIE DISTRICT COUNCIL**

**REPORT TO:** MACKENZIE DISTRICT COUNCIL  
**SUBJECT:** GENERAL ACTIVITIES REPORT  
**MEETING DATE:** 13 DECEMBER 2011  
**REF:** PAD 2/3  
**FROM:** MAYOR

### **ACTIVITY REPORT**

#### **COUNCIL, COMMITTEE AND COMMUNITY BOARD MEETINGS ATTENDED**

6 December	Internal Debt Funding Workshop
7 December	Fairlie Community Board
12 December	Twizel and Tekapo Community Boards
13 December	Extraordinary Council meeting.

#### **OTHER MEETINGS AND ACTIVITIES**

16 November	Chat with O.J on Port FM. Travelled to Omarama to attend a QEII Trust meeting. Attended Upper Waitaki Zone Committee stakeholder meeting in evening in Tekapo.
17-18 November	Attended Rural Sector meeting in Wellington.
21 November	Attended Mayoral Forum in Christchurch.
23 November	Met with Jay Graybill of Fish & Game
24 November	Met with Sonia Simpson and Allison Thomas re LTP & Albury
26 November	Attended Mistletoe Market in Twizel.
29 November	In evening met with Genesis Energy and Tekapo Community Board re ideas for community involvement.
30 November	Chat with O.J.,Held Twizel Clinic. Had visit to DOC black stilt aviaries and film set of The Hobbit.
1 December	Attended Upper Waitaki Zone Committee meeting in Tekapo.
5 December	Attended Aoraki Development Trust's AGM in Timaru in morning and then Starlight Reserve Working Party meeting in Tekapo in afternoon and then public meeting for Starlight Reserve in evening.
9 December	Attended Mackenzie College Prizegiving and presented Mackenzie County Scholarship for the Mackenzie College category.

#### **RECOMMENDATION:**

1. That the report be received.

**C BARLOW**  
**MAYOR**

# **MACKENZIE DISTRICT COUNCIL**

**REPORT TO:** MACKENZIE DISTRICT COUNCIL  
**SUBJECT:** LONG TERM PLAN WORKSHOPS – CONFIRMATION OF DECISIONS  
**MEETING DATE:** 13 DECEMBER 2011  
**REF:** LTP 2012/2022  
**FROM:** MANAGER – FINANCE AND ADMINISTRATION  
**ENDORSED:** CHIEF EXECUTIVE OFFICER

## **PURPOSE OF REPORT:**

For Council to confirm decisions at the previous Long Term Plan workshops for inclusion in the Council's draft Financial Strategy Policy.

## **RECOMMENDATION:**

1. That the report be received.
2. That Council approve the introduction of a targeted cattlestop rate of \$140.00 (incl GST) for the financial year 1 July 2012 to 30 June 2013.
3. It is recommended that Council introduce a Twizel Community Facilities Rate of \$120 (incl GST) per ratepayer to be levied on ratepayers within the greater Twizel area, conditional upon a dwelling being erected on the property. It is also recommended that ratepayers within the greater Twizel boundary also pay the Twizel Improvement Rate of \$61.33 per rating unit.
4. That the description of the Fairlie Community Facilities rate be amended to include only dwellings.
5. That Council prepare its Long Term Plan on the basis of rate funding overhead costs as part of a general rate subject to final confirmation of figures at the long term budget round in the new calendar year.
6. Council raise its internal interest rates during the current LTP process. Council peg the internal interest rate to a minimum of Council's average bond portfolio rate, subject to the completion of the budget process where Council can assess the long term effect of this policy change.
7. That Council considers the amalgamation of water rates and sewer rates with the proviso that any capital reserves that are in funds remains earmarked for capital spend in the township to which they relate. This is subject to confirmation through the budgetary process of the Long Term Plan.

8. It is recommended that Mackenzie Community Centre, Twizel Events Centre, Tekapo Community Hall, Fairlie Pool and Twizel Pool activities start to fund 50% of the total depreciation from the 2012/2013 year. It is also recommended that Council fund 100% of the depreciation on toilets, the Fairlie administration building and the Twizel administration building.
9. It is also recommended that Council commence funding the equivalent of the local share of depreciation in the roading activity from the 2012/13 year and increase the amount funded at 10% of total depreciation over time until depreciation is fully funded. These being subject to demonstration of satisfactory rating outcomes in the LTP for 2012-2022.

**PAUL MORRIS**  
**MANAGER – FINANCE & ADMIN**

**GLEN INNES**  
**CHIEF EXECUTIVE OFFICER**

## **BACKGROUND:**

Council has held many workshops in the past three months to grapple with the new Local Government legislation. This has focused the collective mind of Council on issues that may require fundamental changes in how Council manages its finances and ensures its long term sustainability.

The workshops undertaken have been:

- Water – sewer rating
- Depreciation
- New rating options
- Internal debt financing

Most of these proposals will have a fundamental impact on rating.

The structure of this paper will discuss each of the above workshops separately and detail the rating impacts on different classes of ratepayer.

## **SIGNIFICANCE OF THE DECISION REQUIRED:**

This is a significant decision and will trigger the special consultative procedure in Sec 34 of the Local Government Act 2002. If Council choose to adopt any of these recommendations the special consultative process can be undertaken as part of the Long Term Plan process.

### **New Rating Options**

Points of discussion relate to the following:

- Targeted rate for cattlestops
- Twizel boundary issues
- Targeted tourism rates
- Rating for corporate overheads

### **Targeted Rate For Cattlestops**

We currently issue 21 invoices which contribute \$6,897 (excl GST) through the debtors system. This charge is the local share to maintain cattlestops including the approaches and iron work. The current charge is \$140.00 (incl GST). Council expressed its desire to continue collecting a sum towards cattlestops and it is appropriate to ensure 100% compliance. A targeted cattlestop rate should be levied.

### ***Recommendation:***

*That Council approve the introduction of a targeted cattlestop rate of \$140.00 (incl GST) for the financial year 1 July 2012 to 30 June 2013.*

### **Rating Greater Twizel**

With the expansion of the Twizel Community Boundary to include Manuka Terrace and Pukaki Airport, the population of that area now vote for members of the Twizel Community Board. Those inside the town rating boundary pay Twizel Works and Services Rates at \$0.001666 per dollar of capital value plus \$148.65 per rating unit compared to those outside the town boundary but within the community boundary (greater Twizel) who pay Rural Works and Services at \$0.00054024 per dollar of capital value plus \$96.44 per rating unit.

	<b>Twizel</b>	<b>Rural</b>	<b>% Difference</b>
Works and Services	\$0.001666	\$0.00054024	308%
Fixed Charge	\$148.65	\$96.44	54.13%

The Rural Works and Services Rate covers rural roads and rural fire.

Twizel Works and Services pays for such things as:

Twizel Community Board	\$27,380
Recreation Reserves	\$35,127
Events Centre	\$63,785
Swimming Pool	\$44,330
	=====
	\$70,662

With 1,624 ratepayers paying Twizel Works and Services Rates this equates to \$121.00 (incl GST) per ratepayer.

It is appropriate that ratepayers within the greater Twizel area began to contribute to the above services.

***Recommendation:***

*It is recommended that Council introduce a Twizel Community Facilities Rate of \$121 (incl GST) per ratepayer to be levied on ratepayers within the greater Twizel area, conditional upon a dwelling being erected on the property. It is also recommended that ratepayers within the greater Twizel boundary also pay the Twizel Improvement Rate of \$61.33 per rating unit.*

**Fairlie Community Facilities Rate**

Currently this rate contributes to the Mackenzie Community Centre and Strathconan Pool. It is currently levied on all properties within the old Fairlie Ward. It is proposed to amend the rating description to only include dwellings. This would result in the charge increasing as the rating base is reduced ie from all properties to only properties with dwellings. Currently the rate levied is \$33.09 (incl GST).

***Recommendation:***

*That the description of the Fairlie Community Facilities rate be amended to include only dwellings.*

**Corporate Services Rate**

A further amendment Council should consider is the introduction of a corporate service rate. This can be either a new rate or part of the levied rate. Currently Council allocates its corporate overhead across its entire range of activities. There is approximately \$1.4 million in overhead costs currently spread across all activities.

Based on Council's 2012 annual budget the following would occur:



	<b>Existing Rates Levels \$</b>	<b>New Rates Levels \$</b>	<b>% Change</b>
General Rate	1,247,539	1,572,113	26.01
Tourism Rates	116,393	116,393	-
Urban Water	648,207	544,437	-16.00
Rural Water	222,435	220,162	-1.02
Sewerage Rates	498,257	410,211	-17.67
Refuse Collection Rates*	117,957	398,773	238.06
Fairlie Works & Services	341,379	254,988	-25.30
Tekapo Works & Services	494,645	440,937	-10.86
Twizel Works & Services	835,611	708,449	-15.22
Rural Works & Services	1,150,044	1,004,780	-12.63
Fairlie Comm Facilities Rate	(14,001)	(12,778)	-8.73
	=====	=====	
	5,658,466	5,658,466	

\*Refuse collection rates increase due to shift to user pays for solid waste.

Examples using property comparisons already detailed in Council's 2011/2012 Annual Plan, highlight the changes that can be expected should a decision be made to rate fund overheads will be provided at the meeting.

Obviously some of the areas of increase can be further mitigated by manipulating the fixed and variable portion of rates.

***Recommendation:***

*That Council prepare its Long Term Plan on the basis of rate funding overhead costs as part of a general rate subject to final confirmation of figures at the long term budget round in the new calendar year.*

**Internal Debt Funding**

Council is a banker for the District. Activities loan it money (in Funds Reserves) and it loans activities money (in Deficit Reserves). It pays its depositors interest (in Funds) at the Official Cash Rate -0.25%. It charges its borrowers interest (in deficit) at the Official Cash Rate +1.0%.

Council's finances its capital expenditure through Capital Reserves. Money is rated equivalent to depreciation each year (Funded Depreciation). Capital Expenditure is charged to the Capital Reserve.

Problems arise, as explained at the workshop of 5<sup>th</sup> December 2011, when major capital expenditure is undertaken, Council swaps higher interest earning assets (deposits) for lower interest earning assets (capital reserves). This has the potential to increase the General Rate by \$181,400 or 16.29%.

If Council applied the increase in interest rates on all deficit balances, overall rates would increase by \$83,637.

The table below highlights the increases in each Activity Group.

	<b>Existing Rate Levels</b>	<b>New Rate Levels</b>	<b>% Change</b>
General Rate	1,247,539	1,256,146	0.6%
Tourism Rate	116,393	116,393	-
Urban Water	648,207	673,671	3.93%
Rural Water	222,435	222,602	-
Sewerage	498,257	515,786	3.52%
Refuse Collection	117,957	117,957	-
Fairlie Works & Services	341,379	343,857	0.7%
Tekapo Works & Services	494,645	494,691	-
Twizel Works & Services	835,611	862,324	3.20%
Rural Works & Services	1,150,044	1,152,664	0.2%
Fairlie Comm Facilities	(14,001)	(14,001)	-
	=====	=====	
	5,658,466	5,742,104	

The major impacts are in Urban Water (Fairlie) and Sewer (Tekapo) and Twizel Works and Services (Twizel Town Centre) due to significant deficit balances.

The effect of new capital has been demonstrated at 5 December 2011 workshop. To re-cap for each \$100,000 of capital reserve deficit, the interest charge would increase by \$3,000 on a per ratepayer basis:

<b>Number of Ratepayers</b>	<b>Increase per Ratepayer (incl GST)</b>
500	\$6.90
1,000	\$3.45
1,500	\$2.30
2,000	\$1.73

Council were presented with two examples. The highlights are listed below:

	<b>Twizel Water</b>	<b>Fairlie Water</b>
Project Spend	\$4.23m	\$1.4m
Capital Reserve Balance	-\$3.23m	-\$2.1m
Additional Finance Cost @7% per ratepayer	\$177.17	\$215.40
Current Level of Rates	\$165.34	\$364.79
	=====	=====
Total Ongoing Rates	\$342.51	\$580.19

Increasing internal rates means Council is no longer swapping higher performing investments (Cash) for lower performing assets (Capital Reserves). Council can remain ambivalent to internally or externally funding a project. The general ratepayer is not subsidising individual activities. Raising the internal rate makes this a choice not a product of the process.

### ***Recommendation:***

*Council raise its internal interest rates during the current LTP process. Council peg the internal interest rate to a minimum of Council's average bond portfolio rate, subject to the completion of the budget process where Council can assess the long term effect of this policy change.*

### **Affordability**

Council needs to confront the issue of affordability that arises when undertaking the significant capital expenditure required in the next 1-3 years. This issue is not caused by the proposal to increase internal interest rates but by the magnitude of the expenditure required to be undertaken.

Council will be faced with rising interest costs in the period of the LTP as the official cash rate increases. Therefore interest rate changes can be estimated as the cause of this affordability question.

	<b>Current</b>	<b>Increase Due to Capex</b>	<b>Water Infrastructure Rate Payable</b>	<b>% Increase</b>
Fairlie	364.79	215.40	580.19	59%
Tekapo	181.63	-	181.63	-
Twizel	165.34	177.17	342.51	107.15%
Burkes Pass	774.89	-	774.89	-

The impact on rates demands are detailed below:

	<b>2011/12 Rates</b>	<b>Increase</b>	<b>Revised 2011/12 Rates</b>	<b>% Change</b>
<b>Fairlie</b>				
Low Value House	\$1,400	\$215.40	\$1,615.40	15.39%
Mid Value House	\$1,529	\$215.40	\$1,744.40	14.08%
High Value House	\$1,789	\$215.40	\$2,004.40	12.04%
<b>Twizel</b>				
Low Value House	\$990	\$177.17	\$1,167.17	17.89%
Mid Value House	\$1,053	\$177.17	\$1,230.17	16.72%
High Value House	\$1,210	\$177.17	\$1,327.17	14.62%

Council should ask itself if it believes these increases are affordable. It should also ask itself whether it wants to allow some infrastructure services to fall behind others.

### Options

There are three broad options for Council to review.

- Do nothing
- Amalgamate the various infrastructure
- Cap the maximum level of infrastructure rates payable and subsidise the balance from another income/rates source.

In my opinion the do nothing option is not acceptable. It will lead to the wrong economic signals being sent and incorrect allocation of District wealth. The potential is to make rates unaffordable and therefore constrain town growth. This eventually impacts on other services being provided and makes the town less desirable.

Council has been presented with options to have a common infrastructure rate. It is worth revisiting. Council needs to take a long term 30+ year view of the problem.

	<b>Ratepayers</b>	<b>Rates Cost (incl GST)</b>	<b>Rate Factor (incl GST)</b>	<b>Common Rate (incl GST)</b>
Twizel	1,646	563,771	342.15	352.83
Fairlie	524	304,019	580.19	352.83
Tekapo	639	116,152	181.63	352.83
Burkes Pass	17	13,172	774.89	352.83
	=====	=====		
	2,826	997,115		

The argument that for some towns there is a negative impact holds true for the short term for a township but for the long term it does not.

If we take Twizel a significant portion of its water infrastructure will need to be replaced in 25-30 years. This may cost in today's dollars \$5-\$6 million. Under our current policy the debt incurred within the next three years will not be paid down. Additional financing costs on the additional costs would be (\$5.0 million @7%) \$350,000 or \$212.63 per ratepayer (on current levels) or \$123.84 if that cost is applied over the district.

There are considerable benefits to unifying the various infrastructures which are:

- Debts can be paid down faster as more are paying towards the loan.
- Overall rating impact is lower when significant capex is spent.
- Treats all towns in a uniform manner. The growth dividend is shared.

To make this solution more palatable Council could ensure activities who have capital reserves in funds retain those funds until the need for capital expenditure is established and that money is spent on that town's capex.

Council could cap the level of infrastructure rates paid by ratepayers. The issue then arises how is the shortfall funded and who would fund it.

This could be either by a new rate (direct subsidy) or allocation of investment income (indirect subsidy). Either solution would impact the general ratepayer (including rural) and may not be the best solution.

### ***Recommendation:***

*That Council considers the amalgamation of water rates and sewer rates with the proviso that any capital reserves that are in funds remains earmarked for capital spend in the township to which they relate. This is subject to confirmation through the budgetary process of the Long Term Plan.*

### **Funded Depreciation**

Council funds depreciation on many activities. These are listed below:

- Urban water
- Rural water (Allandale)
- Sewer
- Waste
- Overheads
- Pensioner Housing

Council does not fund depreciation on the balance of its activities such as:

- Community halls
- Pools
- Medical facilities
- Toilets
- Roading

Therefore Council is not funding for the eventual replacement of these assets where it should be. Council can choose which assets to fund and to what level. The list below is considered prudent to fund depreciation due to their nature and importance to the community.

Fund half depreciation as Council's contribution to replacement. Community would fund balance on:

- Mackenzie Community Hall (Fairlie)
- Twizel Events Centre
- Tekapo Community Hall
- Fairlie Pool
- Twizel Pool

Rates impacts would be as follows:

	<b>Depreciation</b>	<b>Funded</b>	<b>Change in Rates</b>
Mackenzie Community Hall	28,206	14,103	1.5%
Twizel Events Centre	70,064	35,032	3.64%
Tekapo Community Hall	6,318	3,159	0.5%
Fairlie Pool	9,886	4,943	0.52%
Twizel Pool	4,743	2,372	0.2%

	<b>Funded Depreciation</b>	<b>Change in Rates</b>
Toilets	5,272	0.3%
Fairlie Admin Building	23,502	1.47%
Twizel Admin Building	8,219	0.5%

Roading - fund the local share of depreciation

	<b>Rate Funded Capex</b>	<b>Depreciation</b>	<b>Local Share Depreciation</b>
Fairlie	68,870	101,672	46,769
Tekapo	59,666	113,765	52,331
Twizel	121,640	200,289	92,132
Rural	654,125	1,290,201	593,492

Currently rate funded capex (total capex – subsidy where appropriate) is less than depreciation. As a starting position Council could commence funding the equivalent of a local share which is currently lower than the projected capex. This could then be incrementally increased over a 5-6 year period to fully fund depreciation.

The benefits of funding depreciation in this manner is that it will immediately smooth rates. Habitually lumpy capital expenditure such as reseals and bridge replacement can be

accommodated through capital reserves. Funding depreciation also means that intergenerational concerns are catered for.

Medical Centres is not discussed as Council has not come to a firm conclusion in the way forward for these assets.

**Recommendations:**

*It is recommended that Mackenzie Community Centre, Twizel Events Centre, Tekapo Community Hall, Fairlie Pool and Twizel Pool activities start to fund 50% of the total depreciation from the 2012/2013 year. It is also recommended that Council fund 100% of the depreciation on toilets, the Fairlie administration building and the Twizel administration building.*

*It is also recommended that Council commence funding the equivalent of the local share of depreciation in the roading activity from the 2012/13 year and increase the amount funded at 10% of total depreciation over time until depreciation is fully funded. These being subject to demonstration of satisfactory rating outcomes in the LTP for 2012-2022.*

# **MACKENZIE DISTRICT COUNCIL**

**REPORT TO:** MACKENZIE DISTRICT COUNCIL  
**SUBJECT:** ANALYSIS OF OTHER CONSULTATION UNDERTAKEN  
BY COUNCIL AS PART OF THE LONG TERM PLANNING  
PROCESS  
**MEETING DATE:** 13 DECEMBER 2011  
**REF:** PAD 2/3  
**FROM:** CHIEF EXECUTIVE OFFICER

## **PURPOSE OF REPORT**

To consider and evaluate the results of the questionnaire survey of ratepayers' and residents'.

## **STAFF RECOMMENDATIONS:**

1. That the report be received.

**GLEN INNES**  
**CHIEF EXECUTIVE OFFICER**

## **ATTACHMENTS:**

Notes from meetings held with St John Fairlie, Fairlie District Promotions, Lake Tekapo Promotions Association, Twizel Promotion and Development Association and Mount Cook Residents Association.

## **BACKGROUND:**

Council produced a questionnaire to encourage some wider debate about the District, its future and the role of Council than was possible through the telephone survey which was focused on customer satisfaction with various Council services.

Copies were published in the Accessible and the Twizel Update which have a combined readership of around 1400 and the form was also available on the Council website.

The response rate was somewhat disappointing with only 80 survey forms being returned. Despite that some general themes can be drawn from the responses. However, it would be unwise to regard the results as having measurable statistical significance.

## **QUESTION: BENEFITS OF LIVING IN THE MACKENZIE**

Respondents overwhelmingly referred to the natural attributes of the area: its landscapes, climate, open spaces, beauty and tranquility. The friendliness of its communities, the slower paced lifestyle, the low population density were all seen as very positive characteristics. Access to a variety of recreational opportunities was mentioned as was the central location of the District within the South Island.

## **QUESTION: ACTIONS COUNCIL SHOULD BE TAKING TO IMPROVE THE QUALITY OF LIFE**

This question produced a wide range of responses.

- Stronger environmental controls dealing with the pace, extent and appropriateness of development was advocated by many (21 references). Two included concerns about dairying in the District.
- Confirmed financial prudence (15 preferences) was another common theme with a desire for Council to be listening and responding to community views and communicating well with its constituents (15 references).
- Improvements to community/social services were currently mentioned with the Twizel medical centre high on the list for improvement (15 references).
- Management of water, the quality of community supplies and the state of natural waterways were seen by many as a priority (12 references).

Other common themes were township tidiness and appearance (10 references), footpath and roading improvements (9 references) and support for business development and tourism (8 references).



### **QUESTION: CHALLENGES FOR THE DISTRICT**

The strongest responses to this question related to managing growth in a sustainable manner so that the District was able to retain those aspects of its lifestyle that it most valued. Encouragement of new business and tourism was generally supported (20 references).

The other themes that emerged were infrastructure improvement (12 references) and financial sustainability (10 references).

### **QUESTION: HOW BEST CAN THE DISTRICT ENHANCE ECONOMIC AND INCREASE JOB OPPORTUNITIES?**

There was support for encouragement, advice and assistance for new and existing businesses and industries (15 references). A more responsive regulatory environment was seen as important (7 references). Encouragement for both agriculture and tourism was also supported (6 references each).

When asked what role Council should play in all of this there was a perceived need for more proactive advice and mentoring to assist people through the regulatory processes with financial concessions favoured by some.

### **QUESTION: WHAT IS NEEDED TO MAKE THE DISTRICT THRIVE?**

Here there was general agreement that encouragement of growth and development was vital, although not at the expense of the environment or the things that make the Mackenzie special.

More businesses were mentioned by 15 respondents and tourism, promotion and marketing were cited by 19 people. There were 17 other responses that referred to other growth related factors as important in the development of the District.

Nine respondents highlighted improvements to a range of social and community services including schools and medical services. Four respondents saw continued financial prudence by Council decision makers as an important factor in securing prosperity for the District.

### **QUESTION: CAN YOU RANK THESE IN ORDER OF IMPORTANCE TO YOU:**

Higher quality of water supplies	1
Tidier, more attractive townships	2
Higher quality public toilets	3
More walking and cycling trails	4
More recycling of waste	5
Tougher control on wandering dogs	6
Better playgrounds and parks	7
More sealed footpaths in townships	8
Sealing of more gravel roads	9

**QUESTION: IS IT VITAL THAT MACKENZIE DISTRICT REMAINS AN INDEPENDENT UNIT OF LOCAL GOVERNMENT FOR THE ONGOING PROGRESS OF THE AREA?**

Strongly Disagree	3
Disagree	3
No Opinion	4
Agree	21
Strongly Agree	41
Not Stated	8
	==
	80

The continuing autonomy of the District was strongly supported.

**QUESTION: HOW COMFORTABLE ARE YOU WITH THE DIRECTION OF DEVELOPMENT?**

Very Uncomfortable	4
Uncomfortable	17
No Opinion	6
Comfortable	41
Very Comfortable	3
Not Stated	9
	==
	80

The direction of current development is supported by a majority of 55% but a significant minority (27%) have a degree of discomfort over this. They argue for a more considered approach to development with tighter controls on activities that may have negative environmental impact.

**QUESTION: WHERE ARE THE SURVEY RESPONDENTS FROM?**

Twizel Resident/Ratepayer	35
Tekapo Resident/Ratepayer	7
Fairlie Resident/Ratepayer	13
Rural Resident/Ratepayer	13
Unspecified	12
	==
	80

# **MACKENZIE DISTRICT COUNCIL**

**REPORT TO:** MACKENZIE DISTRICT COUNCIL  
**SUBJECT:** LONG TERM PLAN RESIDENTS' SATISFACTION  
SURVEY  
**MEETING DATE:** 13 DECEMBER 2011  
**REF:** PAD 2/3  
**FROM:** CHIEF EXECUTIVE OFFICER

## **PURPOSE OF REPORT**

To consider and evaluate the results of the independent survey of ratepayers' and residents' satisfaction with key Council provided services.

## **STAFF RECOMMENDATIONS:**

1. That the report be received.
2. That Council review the adequacy of its provision of public toilets and consider where and when more facilities should be provided.
3. That Council monitor changes in public satisfaction with rubbish collection services as the new contract beds down.
4. That Council consider whether its level of investment in roading and footpaths needs to be increased to meet community expectations.
5. That Council note that upgrading the Twizel Medical Centre is likely to be supported by survey respondents.
6. Council should ask management for its views on how it can lift its game in the areas of building consent and resource consent processing.
7. Council should note community views on its handling of major resource issues when considering the impact of the Plan Change 13 decision and when reviewing its District Plan.

**GLEN INNES**  
**CHIEF EXECUTIVE OFFICER**

## **BACKGROUND:**

A recent independent survey research firm Cintra has concluded that on average, ratepayers in the Mackenzie District believe they receive good value for the rates they pay. Overall the residents surveyed were most satisfied with cemeteries, library services, sewerage, community buildings and communications.

Public toilets, town centres, water and stormwater management were also rated highly by respondents within individual areas and ratepayer groups. However feedback from respondents indicated that more public toilets and trees were desired in town centres.

Lower levels of satisfaction were revealed for rubbish collection, roads, footpaths, building inspection and resource management. Satisfaction with footpaths was lowest in Fairlie and satisfaction with roads was lowest in Lake Tekapo and rural Mackenzie. Satisfaction with rubbish collection was also lowest in Lake Tekapo.

The survey firm has recommended that Council give greater priority and resources to improving rubbish collection, roads and footpaths throughout Mackenzie District.

While the majority of respondents believed the Medical Centres owned by the Council are maintained to a high level, the response in Twizel was less favourable. The survey firm has therefore suggested that Council may need to make improvements to the Twizel Medical Centre.

Community satisfaction over how Council communicates and consults was high (in the top five most satisfied services) and over half of these satisfied were satisfied with Council staff, management and the performance of Councillors and the Mayor.

Over half the respondents also believe that Council promotes the District well to attract visitors.

Elected members can take satisfaction from the survey results, which by and large show the community believes its Council is moving down the right path with the provision of local services and facilities.

The survey, the first conducted by the Council since 2002, will assist the Council in evaluating the importance of some new projects for inclusion in its new Long Term Plan and it will also get a level for measuring performance in certain areas. Performance measures based on existing levels of customer satisfaction will be included in the new Plan.

## **SPECIFIC POINTS FOR CONSIDERATION**

Additional investment in roads and footpaths would appear to be supported by the community.

Dissatisfaction with rubbish collection comes at a time when we are making significant changes (the survey was undertaken between 10 October 2011 and 28 October 2011 and the new rubbish collection contract commenced on 3 October 2011).

Council may wish to review the level of investment in roading and footpaths given the feedback obtained during the survey.

The feedback on most rating and charging issues showed no great pressure for change from existing policies. The only possible exception to this is in the charging for rural fire services, where opinion was evenly divided over whether this should be met by the rural sector alone.

Council should note there is room for improvement in the public's perception of our delivery of building inspection and resource consenting processes.

The number of respondents who believe Council is not adequately managing resource issues is significant at around 20%. However, it is worth noting that the decision on the sometimes controversial Plan Change 13 has not yet been released and Council's response to that may influence public perceptions.

### **CONCLUSION:**

The survey has generally yielded pleasing results with no significant issues of concern being raised by respondents.

# **Meeting with Mt. Cook Residents Association**

## **31st October 2011**

### **WHAT THINGS DO YOU VALUE MOST ABOUT THIS DISTRICT?**

- Lifestyle and unique environment
- Twizel important town for services
- Safety of community
- Mountains, rivers, lakes and wide open spaces
- Willing to exchange conveniences of urban life for lifestyle opportunities
- Tekapo is used for skiing, restaurants, hot pools etc

### **WHAT ARE SOME THINGS THAT COUNCIL COULD DO TO IMPROVE QUALITY OF LIFE IN THE DISTRICT?**

- Community Hall is vital to the community.
- Neutral territory and needs to be kept and maintained to a good standard - insurance, maintenance and rates to DOC. Expecting a \$5000 shortfall this year. Not eligible for funding.
- Limited recreational facilities but do acknowledge National Park on doorstep. Swimming pool lacking. Have to go to Oamaru for lessons. Can Twizel have regular hours, temperatures and structured lessons. Adults would use it if it was heated.
- Resident population varies between 50 and 300. 130 permanent.
- School roll is 7 and due to go to 12 next year. Decile 10
- Civil Defence relationship working well with MDC. Whole village has emergency response plan which includes Glentanner and airport.
- Regular exercises are important for building up relationships. Well sourced with paramedics, fire staff etc.

### **WHAT DO YOU THINK WILL MAKE THE DISTRICT THRIVE AND GROW?**

- Tourism vital to the economy
- Access to health services is poor.
- Twizel doesn't cater for everything. Have to go to Queenstown for physio, labs, x-ray etc. No dentists.
- Is an important service to Mt. Cook residents and visitors 300,000 annually.
- 70% international. 30% domestic
- And similar stats for other things.
- Email notices to [sslatter@doc.govt.nz](mailto:sslatter@doc.govt.nz). [hr@hermitage.co.nz](mailto:hr@hermitage.co.nz)
- Points of contact
- Would be good to receive regular copies of Update and Accessible.

### **ARE YOU COMFORTABLE WITH THE WAY THINGS ARE DEVELOPING IN THE DISTRICT?**

- Dairying is a threat to our landscape and our environments.
- Eco- tourism is a better option than intensive farming with less impact on the environment.
- Ideas- cycleways , starlight reserve, ski areas, walkways combined marketing approach.
- Keeping people in the Mackenzie longer and bringing them in for the shoulder seasons. Highest visitor numbers are highest rainfall period. June is low on numbers but has good weather with clear skies. Just need to dress warmer.
- Affordable rental accommodation for staff because their jobs are not long term and therefore they will not want to invest in property but need somewhere to live.
- LEOTC
- Public/ private partnerships work well as in DOC and Hermitage
- Biggest challenge is lack of population and infrastructure to support the number of tourists coming through.
- Commercial companies pay rates MDC and Local Body Levies.

### **WHAT ROLE SHOULD COUNCIL PLAY IN ENHANCING ECONOMIC DEVELOPMENT?**

- Information centres are vital to tourist operators in the district.
- Tourists still want a face to talk to when getting to the area even though they have done the research before leaving home.
- MCRA Community Hall needs ongoing council support PLEASE! Can't fundraise for everything.
- Volunteers make a huge amount of effort and it is spread over so few. Maintenance and upkeep need to be funded sustainably so as not to burden people unnecessarily.

# **Notes from LTP Stakeholder meeting with St. John, Fairlie November 15th 2011**

## **WHAT ARE THE THREE BEST THINGS YOU VALUE ABOUT LIVING IN THE MACKENZIE?**

- Peace and quiet
- No traffic lights or parking meters
- Small community
- People looking after one another
- Very caring community
- A lot of voluntary workers here
- Attractive town which makes people stop
- Playground very popular
- Charge for public toilets
- Great services such as Drs, schools and kindys, warm pool but small rural community feel
- Seating area beside bakery is lovely and sheltered

## **WHAT DO YOU THINK ARE THE MOST IMPORTANT CHALLENGES FACING THE DISTRICT OVER THE NEXT TEN YEARS?**

- Small ratepayer base but same responsibilities as larger council
- Lose our youth at 18 so volunteers difficult to recruit
- Council needs to encourage an industry here
- Public transport and access to services for elderly.

## **WHAT ARE THREE MOST IMPORTANT ACTIONS THAT COUNCIL COULD TAKE TO IMPROVE THE QUALITY OF LIFE IN THE DISTRICT?**

- Footpaths for townships need improving, difficult for elderly and mothers with children.
- Rural ratepayers would like to see what value they get for their rates. Is there a fairer system?
- The combining of the library with the school has been a backward step. Not vibrant and out of the way. Is this an opportunity for shared services? Mobil library?
- Skatepark or BMX track for young people would be a real bonus.
- Keep Fairlie beautiful - trees and gardens should be maintained.

## **HOW DO YOU THINK THE DISTRICT CAN ENHANCE ECONOMIC DEVELOPMENT AND INCREASE JOB OPPORTUNITIES IN THE DISTRICT AND WHAT ROLE DO YOU THINK COUNCIL HAS TO PLAY IN THIS?**

- Can council encourage local businesses somehow to support our young people into the workforce?
- How can we encourage them to come back?
- With water comes development how do you feel about dairying in the area?
- Plant trees in front of irrigators to try and improve amenity values.



- Explore other industry opportunities that can provide jobs
- Council support for markets and home industries is appreciated

**HOW COMFORTABLE ARE YOU WITH THE DIRECTION OF DEVELOPMENT COUNCIL HAS TAKEN TO DATE?**

- Keep it simple.
- Transparency is valued
- Length of time taken to complete things ie. Pensioner flats an example. More consultation with nurses, welfare agencies etc.
- Need to take a wheelchair on paths etc.
- What are we going to do about Moreh? Look at constitution regarding Council involvement here.

**HOW VITAL DO YOU THINK IT IS FOR THE MD TO REMAIN AN INDEPENDENT UNIT OF LOCAL GOVERNMENT FOR THE ONGOING PROGRESS OF THE AREA?**

- Very important for representation.

**DO YOU HAVE ANY IDEAS ABOUT WHAT WILL MAKE THIS DISTRICT THRIVE AND GROW?**

**OTHER COMMENTS.....**

- Stop signs on Hamilton Rd to stop trucks and cars sailing through.
- A restaurant that could take a busload of visitors would encourage people on tours to stop.
- Things have to be reasonably priced for people to stop and shop.

## **What things do you value about living in this community?**

- Climate
- People
- Lakes, rivers, dishing
- Scenery
- Relaxed lifestyle

## **What should Council provide?**

- Signage is important but told that CB is looking after this.
- More signs pointing to viewing platforms so traffic don't stop in unsuitable areas.
- A fundamental issue is tourism promotion in the area. Ensuring that Council subsidizes or provides an information service not forgetting the weekends. Possibility that TPDA could help with staffing over weekend hours.
- Aging population so future need for pensioner housing is a strong possibility.
- Development requires fundamental services:
- Transport
- Good retail
- Rates subsidies or assistance for business start up
- We want you here, how can we facilitate
- Volunteers and ambulance are an issue, especially when nearest hospital is 160 kms away. Vital service to the community.
- Water quality for health issues is a problem for the town.

## **Should we remove the silo mentality about funding core infrastructure so that the burden of replacement is spread over the whole district?**

- Views: self reliance and self sufficient in Twizel. Don't think that residents would have an appetite for sharing the cost.
- Public toilets?
- Queenstown and toilets in Parnell Rise, Auckland. Stainless steel, self - cleaning.
- Walking track around the town upgrade. Broom needs to be controlled as this a very popular activity for people. Maintenance of walkways and greenways is important.

**Strong agreement that we should remain an independent unit of government.**

**How do we encourage young people to live and work here as well as attracting semi-retired businesses?**

- An increase in population leads to an increase in services and resources. Facilitating development by giving clear boundaries and information to prospective businesses.
- Advocating for local school as this is a vital part of the community. Current building overdue for replacement as it was not designed to last but plans have been derailed due to earthquake in Christchurch.
- Should we sell our land at market rates or should we consider other alternatives to encourage businesses to move to our area. Such as low interest loans or financial incentives such as rates relief. Information posted on Council website. Security over any investment the council makes.
- Staffing of swimming pool in Twizel is an issue.

# MACKENZIE DISTRICT COUNCIL

**REPORT TO:** MACKENZIE DISTRICT COUNCIL  
**SUBJECT:** GENERAL ACTIVITIES REPORT  
**MEETING DATE:** 13 DECEMBER 2011  
**REF:** PAD 2/3  
**FROM:** CHIEF EXECUTIVE OFFICER

## **ACTIVITY REPORT**

### **COUNCIL, COMMITTEE AND BOARD MEETINGS**

6 December	Internal Debt Funding Workshop
7 December	Fairlie Community Board
12 December	Twizel and Tekapo Community Boards
13 December	Extraordinary Council meeting.

### **OTHER MEETINGS AND ACTIVITIES**

28 November	Met with Management Team.
2 December	Met with South Canterbury Territorial Authority CEOs to discuss shared services.
5 December	Attended Alps to Ocean Cycleway governance meeting in Twizel.
7 December	Met with Management Team.
9 December	Met with key staff regarding quarterly reporting.
12 December	Met with Management Team.

### **RECOMMENDATION:**

1. That the report be received.
2. That Council agree that its next representation review be completed in time for the 2016 local authority elections.
3. That Council agree to meet half the costs (\$2,243.75) of the Mayor attending the Kelloggs Rural Leadership Programme in January 2012 from its elected members training budget

**GLEN INNES**  
**CHIEF EXECUTIVE OFFICER**

## **LEAVE**

I returned from leave on 23 November and wish to record my thanks to Nathan Hole who competently acted as CEO in my absence.

## **REPRESENTATION REVIEW**

Council's are required to undertake reviews of representation once every six years and our last one was completed in time for the 2010 elections. Council has the option of conducting a review early but I am not aware of any representation issues that need to be addressed ahead of the 2016 elections. For completeness, I suggest that Council resolve to conduct the next representation review in 2015.

## **SHARED SERVICES AND JOINT PROCUREMENT**

A very positive meeting of CEO's from Ashburton, Timaru, Mackenzie, Waimate and Waitaki District Council's was held in Fairlie on 2 December 2011.

A range of possible shared arrangements and joint procurement possibilities were discussed and a number of these are going to be addressed further. A protocol is also to be developed for the management of each of the Council's to ensure staff don't progress down new pathways without reference to their neighbours.

## **LONG TERM PLAN**

Progress on the Long Term Plan has fallen behind schedule to a degree in recent weeks and the new deadline for completion of asset management plans is now 23 December 2011.

A first draft of the Long Term Plan summary will be completed by then as well as the proposed performance measures.

This meeting will allow Council to assess the results of its ratepayer survey and other communications with interest groups.

Extra meetings will need to be programmed for February to have elected members work through the issues linked to the Long Term Plan.

## **RURAL FIRE AUTHORITY**

It has been drawn to Nathan Hole's attention that local authority representation on the South Canterbury Rural Fire Authority is limited to either a Council staff member or an elected representative. Our current representative and Chair of the Authority, Alastair Munro, does not fall into either of these categories. Mr Munro is aware of this and Council needs to turn its mind to this in the New Year.

## **KELLOGG RURAL LEADERSHIP COURSE**

The Mayor has won a place on the Kellogg Rural Leaders Programme Course XXVIII which will be held at the Lincoln University campus in January 2012.

This course is highly regarded and will have direct relevance to the leadership role of the mayoralty both within Council and in the wider community. The cost for the 10 day programme is:

\$3,737.50	Fees
\$750.00	Accommodation
=====	
\$4,487.50	Total

I recommend that Council meets half of these costs from its elected member training budget where \$15,000 has been allocated for the year. Expenditure to date is \$2,268.05.

I understand the Mayor is seeking sponsorship from other sources for the remainder.

# **MACKENZIE DISTRICT COUNCIL**

**REPORT TO:** MACKENZIE DISTRICT COUNCIL  
**FROM:** CHIEF EXECUTIVE OFFICER  
**SUBJECT:** DELEGATIONS TO COVER EMERGENCY SITUATIONS  
**MEETING DATE:** 13 DECEMBER 2011  
**REF:** PAD 2/3

## **PURPOSE OF REPORT:**

To establish an appropriate delegation to enable any urgent political matters to be dealt with in the period from 14 December 2011 until 31 January 2012.

## **RECOMMENDATIONS:**

1. That the report be received.
2. That the Council delegate to the Deputy Mayor, or in the absence of the Deputy Mayor, any other Councillor, the power to deal with any urgent non- contentious matter that may arise from 14 December 2011 until 31 January 2012.

**GLEN INNES**  
**CHIEF EXECUTIVE OFFICER**

## **BACKGROUND:**

There may be matters that arise over the holiday period in the period following the last meeting of Council that are outside the delegated powers of the Chief Executive Officer. The period is normally a quiet one and I do not envisage anything of consequence arising in that time, but it would be helpful to have such a delegation in place. Any decisions taken under such delegated authority would be reported to the Council at its first meeting for 2012. Similar arrangements have been used in the past.

## **SIGNIFICANCE OF DECISION REQUESTED:**

This is considered to be a routine decision.

## **CONSIDERATIONS:**

Because the Mayor will be away for much of this period, I suggest that the delegation be given to two elected members; being the Deputy Mayor and one other Councillor.

The ability to exercise a delegated power should be subject to the following guidelines:

- The issue must be one that is outside the authority of the Chief Executive Officer to deal with,
- The matter must be urgent, in that it could not reasonably await the decision of the first Council meeting in 2012,
- If the decision is of major significance, there is power for the Deputy Mayor to convene an emergency meeting of Council.

The decision has negligible financial implications and may avoid the expense of calling together Council or a committee to deal with a matter at short notice.

Any decisions taken should be reported to the first ordinary meeting of the Council in 2012.

## **CONCLUSION:**

This is a routine delegation to ensure any urgent but non-controversial business of Council can proceed in the period from the last meeting of Council in 2011 to the first meeting in 2012.



# **MACKENZIE DISTRICT COUNCIL**

**REPORT TO:** MACKENZIE DISTRICT COUNCIL

**FROM:** CHIEF EXECUTIVE OFFICER

**SUBJECT:** MEETING DATES FOR 2012

**MEETING DATE:** 13 DECEMBER 2011

**REF:** PAD 5

## **PURPOSE OF REPORT:**

To set out the meeting dates for 2012.

## **RECOMMENDATIONS:**

1. That the report be received.
2. That the meeting dates as scheduled in the report be adopted for 2012.

**GLEN INNES**  
**CHIEF EXECUTIVE OFFICER**

## **MEETING DATES FOR 2012:**

### **Council Meeting Schedule**

That the Council adopts the following schedule of ordinary meetings for 2012:

- 31 January 2012
- 6 March 2012
- 17 April 2012      Adopt draft Long Term Plan
- 29 May 2012
- 10 July 2012
- 21 August 2012
- 2 October 2012
- 13 November 2012
- 18 December 2012

### **Extraordinary Council Meeting Schedule**

That the Council adopts the following schedule of extraordinary meetings for 2012:

- 5 June 2012      Hear Long Term Plan submissions
- 12 June 2012      Reserve day for decisions on Long Term Plan submissions
- 26 June 2012      Formal adoption of Long Term Plan
- 23 October 2012      Annual Report adoption

### **Committee Meeting Schedule**

That the following schedule of days be set aside for Council Committees in 2012:

- 21 February 2012
- 3 April 2012
- 15 May 2012
- 26 June 2012
- 7 August 2012
- 18 September 2012
- 30 October 2012
- 4 December 2012

### **Reserve Days For Additional Meetings if Required – Please place these in your diary**

- 7 February 2012
- 20 March 2012
- 1 May 2012
- 12 June 2012
- 24 July 2012
- 4 September 2012
- 9 October 2012
- 20 November 2012

### **Tekapo and Twizel Community Board Schedule**

That the following days be recommended to the Community Boards for adoption for their 2012 meetings:

- 13 February 2012
- 26 March 2012
- 7 May 2012
- 18 June 2012
- 30 July 2012
- 10 September 2012
- 15 October 2012
- 26 November 2012

### **Fairlie Community Board Schedule**

That the following days be recommended to the Fairlie Community Board for their 2012 meetings:

- 8 February 2012
- 21 March 2012
- 2 May 2012
- 13 June 2012
- 25 July 2012
- 5 September 2012
- 10 October 2012
- 21 November 2012

## **MACKENZIE DISTRICT COUNCIL**

### **MINUTES OF A MEETING OF THE MACKENZIE DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBERS, FAIRLIE, ON TUESDAY 15 NOVEMBER 2011 AT 9.30 AM**

#### **PRESENT:**

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

#### **IN ATTENDANCE:**

Nathan Hole (Acting Chief Executive Officer)  
Garth Nixon (Community Facilities Manager) for part of the meeting  
Rosemary Moran Committee Clerk)

#### **I      OPENING:**

The Mayor welcomed everyone to the meeting.

#### **II      APOLOGIES:**

There were no apologies.

#### **III     DECLARATIONS OF INTEREST:**

There were no Declarations of Interest.

#### **IV      BEREAVEMENTS:**

The Mayor referred to the recent deaths of John Miller, Frank Waud, Annette Officer and Shirley Allan. A motion of sympathy was passed and the Chief Executive Officer was directed to pass this on to those concerned.

#### **XI     VISITOR:**

The Mayor welcomed Emergency Management Officer Ray Gardner to the meeting.

Mr Gardner updated the Council on his activities including planning, reviews and future projects. He answered questions from the Councillors.

The Mayor thanked Mr Gardner and congratulated him on the manner in which he was undertaking the role.

**V MAYORAL REPORT:**

This was the report of Mayoral activities for the previous six weeks.

Resolved that the report be received.

**Annette Money/Peter Maxwell**

**VI REPORTS REQUIRING COUNCIL DECISION:**

**1. APPOINTMENT OF MEMBERS TO THE TEKAPO PROPERTY SUBCOMMITTEE:**

This report from the Acting Chief Executive Officer referred to the appointment of members to the Tekapo Property Subcommittee.

Resolved that the report be received.

**Graham Smith/Annette Money**

Resolved that the Council confirms the following as members of the Tekapo Property Subcommittee:

- Cr Peter Maxwell
- Leon O'Sullivan
- Glen Innes (Chief Executive Officer)
- Paul Morris (Manager – Finance and Administration)
- Tekapo Community Board Chair.

**Graham Smith/Evan Williams**

**2. ACTING CHIEF EXECUTIVE OFFICER'S GENERAL ACTIVITIES:**

This report from the Acting Chief Executive Officer referred to Council, Committee and Board Meetings, Other Meetings and Activities and Staff.

Resolved that the report be received.

**Evan Williams/Peter Maxwell**

***Alps2Ocean Cycle Trail***

The Acting Chief Executive Officer and Cr Money updated the Council on progress with the project.

Concern was expressed that the agreement with the Waitaki District Council regarding the maintenance of the cycleway had yet to be finalised. Grave concerns were expressed about potential costs and liabilities for the Council.

The Acting Chief Executive Officer advised that the Waitaki District Council had assumed responsibility for accounting and administration for the cycleway project.

**Extraordinary Council Meeting and Workshop**

Resolved that an extraordinary Council meeting be held on Tuesday 13 December 2011 at 9.30 am.

**Annette Money /Graham Smith**

Resolved that a workshop to discuss Internal Debt Funding be held on Tuesday 6 December 2011 at 9.30 am.

**Annette Money/ Graeme Page**

The Acting Chief Executive Officer advised that he had arranged to meet with the General Manager – Destination Mt Cook Mackenzie to discuss issues around the Lake Pukaki Visitor Centre and the Licence to Occupy held by the Council. He said the matter would be discussed at the Workshop on 6 December and included on the Agenda for the Extraordinary Council meeting on 13 December 2011.

**XIII ADJOURNMENT:**

The meeting was adjourned at 10.40 am for morning tea and reconvened at 11.05 am.

**VII INFORMATION REPORTS:**

1. COMMON SEAL

This report from the Committee Clerk advised of documents signed under the Common Seal from 30 September 2011 to 10 November 2011.

Resolved:

1. That the report be received.
2. That the affixing of the Common Seal to document numbers 722 to 724 be endorsed.

**Graeme Page/Annette Money**

**VIII COMMUNITY BOARD RECOMMENDATIONS:**

This report from the Chief Executive officer was accompanied by the minutes of the meetings of the Twizel Community Board and Tekapo Community Board held on 25 and the Fairlie Community Board held on 26 October 2011.

Resolved that the report be received.

**Peter Maxwell /John Bishop**

Resolved:

- That the Council approves that the redevelopment of the **Tekapo Community Centre** proceeds, that the design work be completed and that tenders be called for the project.

- That the Council approves the request to fund the establishment of three tennis courts at the Tekapo Community Centre from the Land Subdivision Reserve.

**Annette Money/Evan Williams**

Resolved that Council adopts the recommendations that the following areas be added to the Schedules of the **Amended Camping on Roadways and Reserves Bylaw**

**2006:**

- Schedule B *Schedule of Prohibited Areas*
  - Roadways and Reserves in the Fairlie Township.
    - Adjacent to the Ruataniwha Camping Ground and on Twizel roadsides.
- Schedule A *Schedule of Permitted Areas:*
  - The Lake Ruataniwha Rowing Course starting area.

**Annette Money/Evan Williams**

Cr Money said she was disappointed with the Community Board's decision not to pursue the **Cancer Society's shade proposal** for the playground in Market Square, Twizel. She suggested a District-wide policy on shade should be developed as part of the Council's support of safe and healthy environments.

Cr Bishop explained the rationale for the Community Board's decision. Cr Money undertook to request that further information to support the proposal be provided by the Cancer Society to the Community Board, including plans to address the future care of the canvas shades, maintenance and costs.

Resolved:

1. That the Council approves the recommendation that Council contributes \$1,000.00 to the **Twizel Promotion and Development Association**.
2. That Council notes that the agreement with Twizel Promotion and Development Association regarding payment for services to the Council was to be clarified.

**John Bishop/Graham Smith**

Resolved:

1. That Council approves the recommendation that the **Dog Control Bylaw** includes provision for the enforcement of the requirement for dogs to be confined so that they cannot freely leave the owners' property.
2. That the Council approves the recommendation that the Dog Control Bylaw be amended to permit dogs on leashes in the Lake Tekapo Village Centre.

**Graham Smith/Graeme Page**

Resolved:

**1. Safety Footpath Lakeside Drive, Lake Tekapo:**

That the Council notes that the reinforced concrete path option was to be used on the safety footpath on Lakeside Drive and that the project was to begin at each

end of the footpath to provide two visual entrances to discourage pedestrians from walking along the roadside.

2. **Lake Ruataniwha Boundary Fence:**

That the Council notes that tenders were to be sought to erect a boundary fence using deer fencing material, between Council land and the Ruataniwha Camping Ground with the view to having the project completed if possible before 30 November 2011.

3. **Twizel Car Park Areas**

- That the Council notes that the Wairepo Road car park was to be repaired in its entirety this season and programmed for a reseal in the next two years subject to available budgets.
- That the Council notes that work on the Mackenzie Drive car park was to be delayed until the siting the proposed new Twizel medical centre has been confirmed.

4. **Cancer Society – Market Square Shade Development Project**

That the Council notes that the Community Board declined to pursue the Cancer Society's shade proposal for the playground in Market Square.

5. **Mistletoe Market – Request for Rubbish Bins:**

That the Council notes that the request for rubbish bins to be supplied at the 2011 Mistletoe Market was granted.

6. **TPDA – Request for Financial Contribution:**

That the Council notes that the Twizel Community Board had contributed \$1,000.00 to the TPDA.

7. **Twizel Volunteer Fire Brigade Fireworks Display – Request for Grant:**

That Council notes that a donation of \$200.00 was to be made towards the Twizel Volunteer Fire Brigade's fireworks display.

8. **Fairlie Market Days:**

That the Council notes that the road area outside the Ski Shack, Fairlie, is to be closed to traffic as per the following schedule:

- 22 October 2011
- 5 and 19 November 2011
- 3, 10, 17 and 31 December 2011
- 7, 14 and 21 January 2012
- 4 and 18 February 2012
- 3 and 17 March 2012
- 7 and 21 April 2012
- 5 and 19 May 2012

9. **Princes Street and Fairlie Township Footpaths:**

- That Council notes that information on the Fairlie Footpath Maintenance Programme including priority footpaths was to be provided for the next Fairlie Community Board meeting.



- That Council notes that cost estimates were to be provided for a range of options for seal widening along the complete length of Princes Street, and beautification work.
- That the Council notes that full report on the proposed safety pathway along School Road to the Lovelock Track, including the funds available, was to be provided to the next meeting of the Community Board.

**Graham Smith Graeme Page**

## **IX COMMITTEES:**

Resolved that the Minutes of the meetings of the Finance Committee held on 8 November 2011, the Projects and Strategy Committee held on 8 November 2011 and the Planning Committee held on 8 November 2011, including such parts as were taken with the Public Excluded, be received.

**Annette Money /Graeme Page**

## **X CONFIRMATION OF MINUTES:**

Resolved that the Minutes of the meetings of the Mackenzie District Council held on 4 and 28 October 2011, including such parts as were taken with the Public Excluded, be confirmed and adopted as the correct records of the meetings.

**Annette Money/Graham Smith**

## **MATTERS ARISING FROM THE MINUTES:**

### **Lake Alexandrina Trust – Request for Funding**

It was advised that the Trust had been asked to provide more detailed justification of the budgets provided; however no response had been received to date. The Community Facilities Manager undertook to pursue the issue.

### **Twizel Medical Centre**

Cr Money advised that, as the Chairman of the Mackenzie Medical Trust, she had met with the Chairman of High Country Health Ltd in an effort to arrange a meeting between the two organisations. She said she hoped she would be in a position to report to Council in the New Year.

### **Twizel Transformer**

The acting Chief Executive Officer undertook to follow up more actively the debt relating to the installation of the transformer.

### **Ombudsman Decision – Raincliff Station**

Cr Williams advised that consideration of the road closure and associated decision by the Ombudsman was in the hands of the lawyers for David Morgan of Raincliff Station and the Council.

The Mayor said that, in general, issues associated with road closures/walking trails were of interest to organisations such as Environment Canterbury and a number of people were watching what was happening in the matter of the Raincliff road closure.

### **Trees in Fairlie Domain**

The Community Facilities Manager undertook to expedite the removal of the trees.

### **LATE ITEM**

Resolved that pursuant to the Local Government Official Information and Meetings Act 1987 the letter 'Lake Pukaki Visitor Centre' be considered.

The letter was not included on the Agenda because it was not available in time. Consideration of the issue at this meeting was required to update the Council on events.

Resolved that the letter be received.

**Annette Money/Graeme Page**

This letter from the General Manager – Destination Mt Cook Mackenzie advised of the closure of the Lake Pukaki Visitor Centre from 11 December 2011.

The Acting Chief Executive Officer reiterated that the Council would have the opportunity to discuss the matter at its next meeting.

### **IX PUBLIC EXCLUDED:**

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

1. PE Minutes Council Meetings 4 and 28 October 2011
2. PE Minutes Finance Committee Meeting 8 November 2011
3. PE Minutes Tekapo Community Board 25 October 2011
4. Twizel Community Board Recommendation
5. Tekapo Property Group

<b><u>General subject of each matter to be considered</u></b>	<b><u>Reason for passing this resolution in relation to each matter</u></b>	<b><u>Ground(s) under Section 48(1) for the passing of this resolution</u></b>
1. PE Minutes Council Meetings 4 and 28 October 2011		48(1)(a)(i)
2. PE Minutes Finance Committee Meeting 8 November 2011		48(1)(a)(i)
3. PE Minutes Tekapo Community Board 25 October 2011		48(1)(a)(i)
4. Twizel Community Board Recommendations	To protect information which is commercially sensitive	48(1)(a)(i)
5. Tekapo Property Group	To protect information which is commercially sensitive	48(1)(a)(i)

This resolution is made in reliance on Section 48(1)(a)(i) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act, which would be prejudiced by the holding

of the whole or the relevant part of the proceedings of the meeting in public are as follows:  
*Twizel Community Board Recommendations* and *Tekapo Property Group* section 7(2)(b)(ii)

**Peter Maxwell /Graeme Smith**

The Council continued in Open Meeting.

**XIII ADJOURNMENT:**

The meeting was adjourned at 12.10 pm for lunch and reconvened at 1.45 pm.

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

**MAYOR:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

## **MACKENZIE DISTRICT COUNCIL**

### **MINUTES OF THAT PART OF THE MEETING OF THE MACKENZIE DISTRICT COUNCIL HELD ON TUESDAY 15 NOVEMBER 2011, TAKEN PUBLIC EXCLUDED PURSUANT TO THE PROVISIONS OF THE LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987**

#### **PRESENT:**

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

#### **IN ATTENDANCE:**

Nathan Hole (Acting Chief Executive Officer)  
Garth Nixon (Community Facilities Manager) for part of the meeting  
Rosemary Moran (Committee Clerk)

#### **I TWIZEL COMMUNITY BOARD RECOMMENDATIONS:**

This report from the Acting Chief Executive Officer referred to the recommendations made by the Twizel Community Board with regard to the provision of information services for Twizel.

#### **Resolved:**

1. That the report be received.
2. That the Council notes that the Mackenzie Tourism and Development Trust was to be requested to continue operating the Twizel Information Centre until the beginning of February 2012 to allow time for the Twizel community to confirm a way forward.
3. That the Council, on behalf of the Twizel Community Board, calls for expressions of interest in providing visitor information services from the Twizel Events Centre or another location.
4. That the Council adopts the Twizel Community Board's recommendation to review the operation of the Twizel Events Centre in conjunction with the Twizel Service Centre.

**John Bishop/Annette Money**

## 2. TEKAPO PROPERTY GROUP:

This report from the Acting Chief Executive Officer provided an update for the Council on the Tekapo Property Group's Workshop held on 21 October 2011. The report was accompanied by Buddle Finlay's proposal for providing legal services.

Resolved that the report be received.

**Annette Money/Peter Maxwell**

### **Buddle Finlay Proposal:**

The Acting Chief Executive Officer explained the reasons for Mr Gubb's suggestion that Buddle Finlay be engaged to provide legal services for agreements relating to the Tekapo land transactions.

He undertook to explore with Anthony Harper and Buddle Finlay potential opportunities for joint services and opportunities for reducing costs.

### **Land Valuations:**

Cr Page said he was not comfortable with the suggestion that there could be merit in pursuing a joint engagement with Foodstuffs' valuer (Ford Baker) whereby the two parties could agree on appropriate ground rules/terms of reference and end up with one figure, thereby obviating the need to negotiate a gap in the valuation figure. He felt he would not be able to defend the process to ratepayers.

The Acting Chief Executive Officer explained that the joint valuation would pertain only to the Foodstuffs site and that Ford Baker would also be providing valuations of the YHA and Earth and Sky sites which would provide a good base line.

He undertook to pass on the concerns to Stephen Gubb and make it clear that the Council would reserve the right to obtain a second valuation if it was not comfortable with the joint valuation.

## II OPEN MEETING:

Resolved that the Council continue in Open Meeting.

**Graham Smith/Annette Money**

**CERTIFIED AS CORRECT**

---

**MAYOR**

# **MACKENZIE DISTRICT COUNCIL**

**REPORT TO:** MACKENZIE DISTRICT COUNCIL

**SUBJECT:** ASSET MANAGEMENT POLICIES

**DATE:** 14 DECEMBER 2011

**REF:** WAS 1/2

## **REASON FOR REPORT**

To review and confirm the current Asset Management Policies that have been adopted by Council over time.

## **RECOMMENDATIONS:**

1. That the report be received.
2. That the policy document entitled Asset Management Department -Schedule of Policies be confirmed as the policy register for Asset Management within Council.

**BERNIE HAAR**  
**ASSET MANAGER**



**GLEN INNES**  
**CHIEF EXECUTIVE OFFICER**

## **BACKGROUND**

The attached policy document was reviewed at a Council workshop on the 6<sup>th</sup> December 2011. Amendments agreed at that workshop have been incorporated into the relevant policy and it is attached to this report for adoption.

## **ATTACHEMENTS**

The Asset Management Department -Schedule of Policies document.

## **CONSIDERATIONS**

The document brings together in one place all the Asset Management policies that have been adopted by Council in previous years and recently reviewed.

## **CONCLUSIONS**

As noted already, the policies contained in the document are now current and still required and I would recommend that it be adopted in its entirety as Council policy.

# **Asset Management Department**

## **Schedule of Policies**

**December 2011**





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Adopted by Council – 8<sup>th</sup> November 2011

# **MAINTENANCE OF CATTLESTOPS**

On 11 October 2005 Council adopted the following policy on charging for the maintenance of Cattlestops for inclusion in its long term plan from 1 July 2006.

## **RATIONALE:**

To develop a funding policy for the maintenance and replacement of cattle stops.

## **GUIDELINES:**

1. That cattlestops on the District's roading network be retained in Council ownership.
2. That maintenance of cattlestops will be carried out by the Council for a uniform annual targeted rate to provide for the maintenance of cattlestops including the sealed approaches and the construction of new sealed approaches where considered necessary for traffic safety.
3. Any new installation shall be subject to Council approval, installed to Council standards by an approved Contractor and costs to be borne by the applicant
- 3 That any capital costs will be charged directly to the landowner benefiting from the cattlestop.

The proposed policy was adopted as part of the Long Term Council Community Plan from 1 July 2006.

# ROADSIDE BEAUTIFICATION

## Operations Committee - 17 August 1994

Residents and organisations who wish to carry out roadside beautification on legal roads are encouraged to do so subject to:

1. Any beautification is at the pleasure of the Mackenzie District Council whose permission may be withdrawn at any stage.
2. Written application must be received by the District Asset Manager whose permission shall be given provided there is due consideration of:
  - Safety of road and footpath users.
  - Current or future development plans.
  - Protection of infrastructural assets of the District Council and other utility companies.
  - Maintenance of any beautification.
  - Only approved species may be planted (see list of prohibited species for guidance)
3. Upon request any beautification shall be removed by the adjacent landowner within a specified time or responsibility and ownership of any beautification will become that of the Mackenzie District Council.

Note: Boundary pegs are to be protected at all times.

Informal note added: Roadside beautification of State highways must be approved by the appropriate road controlling authority (New Zealand Transport Agency)

# **SNOW CLEARING GUIDELINES**

**June 2010**

## **General**

### **Introduction**

During most winters light falls of snow will occur over the Mackenzie and lowland basins.

Occasionally, heavier snow falls of 300mm to 800mm will occur, generally over the higher altitude areas of the District but occasionally over the whole District.

It must be accepted that travel on roads will be disrupted to some degree during snow fall events.

As a Road Control Authority the Council is responsible for the administration of snow clearing operations but works in close liaison with the Road Maintenance Contractors. The Council endeavours to re-establish mobility to as many residents as possible in the shortest time possible, accepting the limitations imposed by snow clearing plant availability and operator safety etc.

The Council will modify snow clearing priorities to accommodate requests from residents with health or safety concerns or acute stock welfare problems etc.

### **General Snow Clearing - NZTA Requirements**

Snow clearing shall be carried out as necessary to maintain the roading network in a condition that can be negotiated by motorists using care. All snow removal shall be done with the most cost-effective equipment.

### **Contractors Resources**

The Contractor shall monitor weather forecasts and have response plans in place (i.e. rostering of staff, equipment in readiness etc.) when snow is predicted.

Snow is most easily dealt with when it is still fresh and in an uncompacted state. The Contractor shall have sufficient staff and plant available, at all times, to commence snow clearing operations as soon as snow starts to settle on the ground. (The Contractor shall be aware of the seasonality of the event and the forecast in determining the appropriate response)

Graders are suitable for light snow falls but snow ploughs mounted on trucks, tractors, graders or loaders are necessary to efficiently clear heavy falls.

Snow ploughs shall be available at short notice (taking into account the plant set-up time) as the severity of the snow fall becomes apparent.

Snow clearing operations shall continue for as many hours per day as possible without compromising driver safety and driver logbook requirements etc.

### **Contractors Response Time**

There are too many variables to prescribe response times, however the Contractor is expected to display an urgent and concerted effort to get staff and plant to affected areas as soon as possible.

Where the Contractor has other snow clearing obligations in the Mackenzie District or neighbouring Districts, unreasonable delays or diversion of resources to these other obligations will not be permitted. The Council does not accept that other snow clearing activities have priority over its own.

#### **Liaison Roles**

The Council has the overall responsibility for administering snow clearing operations. However, the Contractor shall activate and administer the first response to snow clearing. For light or localised snow falls the Contractor shall continue to administer the event until it has ended.

The Council will assume the dominant role of managing a snow fall event when it becomes apparent that significant community disruption is likely to eventuate. An Event Headquarters, manned by Council staff, will be set up at the District Council Building, Fairlie and/or at other locations in the District. In extreme situations a Civil Defence Emergency may be declared.

Council staff and the Contractor shall maintain close liaison to share information and determine priorities etc.

#### **FAIRLIE TOWNSHIP**

##### **Roads**

Urban streets shall be cleared to provide basic single lane access (with occasional passing areas where required) before the clearing of rural roads is commenced. Further widening of cleared access lanes shall be carried out as a second priority activity.

Snow is to be windrowed off the traffic lanes and onto the shoulders, but not onto footpaths. Room should be left on the shoulders to permit the placement of snow cleared from footpaths.

Snow clearance to provide access to emergency and important services shall have priority, such facilities include:

- Fire, Police, Ambulance

- District Council Building when required as an Event Headquarters

- Doctor's residence and surgery, chemist, schools, service stations and shops

- Moray Home and Pensioner housing

Suitable areas for staff / public parking shall also be provided at these locations.

Snow clearing shall start at the town centre and radiate outward, having regard for the emergency and important services mentioned above.

Windrows across intersections shall be cleared immediately.

Snow shall not be heaped where it will cause a roading visibility hazard.

Clearing of the urban State Highway is the responsibility of NZTA's road maintenance contractors. Clearance of streets shall proceed even if the adjoining State Highway is closed.

Fire Hydrants shall be located, cleared of snow and suitably marked.

The Council may request the Contractor to clear snow windrowed in front of accessways as a second priority activity.

**Footpaths**

Residents shall be primarily responsible for clearing the snow that has fallen on the footpath in front of their own driveways and gateways. They are not permitted to dump snow from their properties onto the footpath. They are not permitted to dump snow from their properties onto the footpath. Residents who are incapable of clearing their own driveways and gateways across the footpath can contact the Mackenzie District Council which shall liaise with the Contractor or other groups to arrange the clearing.

If the Council requests footpath clearance, it shall be done to provide basic access, starting at the town centre and radiating outward, but having regard for the emergency and important services mentioned above. Footpath access need only be established on one side of each road.

**LAKE TEKAPO TOWNSHIP****Roads**

Snow is to be windrowed onto the footpaths, on both sides of the roads. The roads shall be cleared to a width sufficient to permit pedestrians to walk along the cleared road edge in reasonable safety (say, a 5m wide cleared strip). Further widening of cleared traffic lanes shall be carried out as a second priority activity. Where the roads are wide enough, the snow may be windrowed off the traffic lanes and left on the road shoulders.

Snow clearance to provide access to emergency and important services shall have priority, such facilities include:

- Fire, Police, Ambulance

- Any building used as an Event Headquarters

- Schools, service stations and shops

Suitable areas for staff / public parking shall also be provided at these locations.

Snow on Commercial Road shall be windrowed to the south side of the road to permit clearing of commercial shop frontages on the north side of the road. The windrowed snow shall then be trucked away on direction of the Asset manager as a second priority activity.

Windrows across intersections shall be cleared immediately.

Snow shall not be heaped where it will cause a roading visibility hazard.

There are several minor access lanes in Lake Tekapo that must also be cleared.

Snow in cul-de-sacs may have to be heaped and trucked away if there are no suitable stockpile locations. Care to be taken to ensure occupied houses in the cul-de-sac head do not have their accessways unduly blocked more than anyone else.

Clearance of streets shall proceed even if the adjoining State Highway is closed. Clearing of the urban State Highway is the responsibility of NZTA's road maintenance contractors.

Fire Hydrants shall be located, cleared of snow and suitably marked.

The Council may request the Contractor to clear snow windrowed in front of accessways as a second priority activity.

### **Footpaths and Parking Areas**

Only the shop frontage footpath on Commercial Road footpath is to be cleared.

Parking areas near the commercial area shall be cleared only to the extent necessary to provide parking for the volume of traffic in the town.

Footpaths on the Outlet Control Gates are to be cleared so that the depth of snow does not reduce the effectiveness of the safety handrails. The section of footpath from the Outlet Control Gates to the Challenge Service Station is also to be cleared.

Residents shall be primarily responsible for clearing the snow that has fallen on the footpath in front of their own driveways and gateways. They are not permitted to dump snow from their properties onto the footpath. Residents who are incapable of clearing their own driveways and gateways across the footpath can contact the Mackenzie District Council which shall liaise with the Contractor or other groups to arrange the clearing.

## **TWIZEL TOWNSHIP**

### **Roads**

Mackenzie Drive and Ruataniwha Road are to be cleared to two full lanes. All other roads shall be cleared to a width sufficient to permit pedestrians to walk along the cleared road edge in reasonable safety (say, a 5m wide cleared strip). Further widening of cleared traffic lanes shall be carried out as a second priority activity. Where the roads are wide enough, the snow may be windrowed off the traffic lanes and left on the road shoulders otherwise it is to be windrowed onto the footpaths, on both sides of the roads.

Care must be taken to avoid blocking swale drains with snow as ponded melt-water can subsequently freeze.

Snow clearance to provide access to emergency and important services shall have priority, such facilities include:

- Fire, Police, Ambulance

- Any building used as an Event Headquarters

- Doctor's residence and surgery, chemist, schools, service stations and shops

Suitable areas for staff / public parking shall also be provided at these locations.

Windrows across intersections shall be cleared immediately.

Snow shall not be heaped where it will cause a roading visibility hazard.

Clearance of streets shall proceed even if the adjoining State Highway is closed. Clearing of the urban State Highway is the responsibility of NZTA's road maintenance contractors.

Fire Hydrants shall be located, cleared of snow and suitably marked.

The Council may request the Contractor to clear snow windrowed in front of accessways as a second priority activity.

### **Footpaths and Parking Areas**

Parking areas near the commercial area shall be cleared only to the extent necessary to provide parking for the volume of traffic in the town.



Residents shall be primarily responsible for clearing the snow that has fallen on the footpath in front of their own driveways and gateways. They are not permitted to dump snow from their properties onto the footpath. Residents who are incapable of clearing their own driveways and gateways across the footpath can contact the Twizel Service Centre which shall liaise with the Contractor or other groups to arrange the clearing.

If the Council requests footpath clearance, it shall be done to provide basic access, starting at the town centre and radiating outward, but having regard for the emergency and important services mentioned above. Footpath access need only be established on one side of each road.

## **RURAL**

Clearance of roads shall generally be prioritised to provide access to the greatest number of rural properties in the shortest amount of time possible. Actual priorities shall be determined between the Contractor and Council staff depending on local conditions and requests received for priority clearances.

Roads between the Mayor's residence and the Council Chambers are to be cleared as a priority to enable a State of Emergency to be declared at the Council Chambers if required.

For stock management purposes farmers require an accurate indication of when roads will be cleared. The Contractor shall maintain a forward programme of road clearance intentions which is to be provided to Council staff. When the clearing of a road will not occur within 48 hours of the commencement of snow fall, the Council will endeavour to contact all affected farmers.

Property owners may wish to clear sections of road to provide access to stock etc. or as a community service. Such requests received by the Contractor shall be directed to Council staff for consideration and approval if appropriate. The Council shall be responsible for these snow clearing activities.

The Contractor may sub-contract local residents and contractors to carry out snow clearing. Responsibility for safety and performance of the sub-contractors rests with the Contractor.

The level of snow clearing necessary on rural road varies considerably depending on the road hierarchy and the depth of snow accumulating. The following comments are intended to provide general guidance to be followed at the Contractor's discretion.

For initial snow clearing operations when snow depth is not greater than about 150mm, the snow clearing of rural roads shall consist of one pass of a snow plough or grader except on no-exit roads where a second pass may be done on the return trip. One lane access should be adequate while vehicles can still put their outer wheels on the un-cleared road shoulders while passing. Additional widening may be carried out at brows, major gateways and intersections to provide additional opportunities for safe passing if required. Godley Peaks Rd (sealed section), Lillybank Rd (first 2km through to the cattlestop) and Haldon Rd (sealed section) shall have snow cleared completely from the seal and the shoulder to prevent melting snow soaking into the pavement. The same treatment shall apply to any other sealed areas on Lillybank Rd that are susceptible to melting snow seeping under the seal and weakening the pavement.

If the depth of snow increases so that passing width is not available then the additional widening mentioned above shall definitely be carried out on local roads. Principal roads shall be cleared to two full lanes width.

# **MAINTENANCE OF ROADS PAST THE LAST HOUSE WITH MORE THAN ONE LANDOWNER**

**Operations Committee - 17 May 1995**

Policy relating to maintenance of roads beyond the last house where there is more than one landowner:

1. That roads will be maintained at their existing standard, except when an event causes significant damage in which case the standard of access will be reviewed.
2. That the structures on the road will be maintained and upgraded if necessary for safety reasons, at the expense of the Council.
3. That if upgrading of the standard of access is required, then the local share will be paid for by the local landowners, with the sharing of costs to be determined by them.

Roads are maintained to a two wheel drive vehicle standard to the last permanently inhabited dwelling and there-after at an appropriate standard to the front boundary of the last property served by that road.

# **UNSEALED ROADS WIDTH**

**Operations Committee – October 2000**

## **POLICY:**

The opportunity shall be taken, when any major metalling or drainage rehabilitation works are being carried out on unsealed roads, to consider whether the existing carriageway width is optimum considering traffic volumes and topographical constraints, and that the attached road geometric standard (or its current equivalent) be used to determine an appropriate standard width.

# **IRRIGATION CULVERTS**

**Operations Committee - January 1999**

This policy applies to any culvert, used for irrigation purposes, which passes under a public road.

## **General**

1. The applicant shall apply to the District Council for approval for the dual use of an existing culvert, or to construct a new culvert, under a public road, for irrigation purposes.
2. In the event that the culvert causes flooding or scouring of the road or surrounding land, or other damaging effects, the use of the culvert may be terminated by the Council.
3. All physical works shall be done by a contractor with roading and drainage experience acceptable to the Council.
4. The applicant (which may be a person, company or 'water user group') shall provide the name and address of a contact person for service. The contact person shall be responsible for arranging payment of all costs imposed by the Council. The contact person may be changed from time to time when the Council is notified. When costs cannot be recovered from the contact person they will be recovered from the present beneficiaries of the culvert.

## **New Culvert**

1. The applicant shall provide the following information:
  - a) A plan and description of the whole irrigation scheme.
  - b) The proposed location of the new culvert.
  - c) A dimensioned sketch plan of the proposed culvert.
2. The applicant shall pay all costs of culvert construction and shall retain ownership of the culvert.
3. Culverts shall be sized so that the headwater depth at maximum design flow does not exceed the culvert diameter.
4. The culvert shall extend a minimum of 3 m from the edge of the carriageway. It may be necessary to extend the culvert further from the edge of the carriageway to clear roadside drainage channels etc.
5. Where head and tail work structures are required, they shall generally be constructed of concreted cobbles.
6. Any underground services shall be re-routed in consultation with the relevant service providers.
7. After the installation of a new culvert all excess spoil shall be removed from the site, roadside drainage channels shall be re-established and the site left in a clean and tidy condition. The Council shall be advised of the culvert completion so that the culvert and site can be inspected and approved.

8. The applicant shall pay all costs of ongoing culvert repairs and maintenance. In the event that repairs and maintenance are not done in a timely or professional manner they will be done by the Council at the applicant's expense. Repairs to the culvert which affect the structure of the road, or vehicular access, shall be carried in consultation with the Council.
9. If the applicant wishes to abandon the culvert the Council may take it over, or order its removal, at no cost to the Council.
10. Other site specific conditions may be applied.

#### **Dual Use of an Existing Culvert (Irrigation and Stormwater)**

1. The applicant shall provide the following information:
  - a) A plan and description of the whole irrigation scheme.
  - b) The location of the proposed dual use culvert.
  - c) A dimensioned sketch plan of the dual use culvert, if culvert modifications are required.
  - d) A description of the method by which:
    - i) water discharging from the culvert is diverted between the irrigation and stormwater channels (if applicable).
    - ii) the in-flow of irrigation water into the stormwater channel is stopped.
2. The Council will retain ownership of the culvert and repair and maintenance cost will be shared in an equitable manner determined by agreement.
3. If the applicant wishes to cease using the culvert the Council may take over, or order the removal of all works associated with the irrigation function of the culvert, at no cost to the Council.
4. The maximum design flow shall be limited so that the headwater depth at maximum design flow does not exceed the culvert diameter.
5. In the event of heavy rainfall or flooding the applicant shall shut off the irrigation scheme intake so that the only water flow through the dual use culvert is stormwater runoff. If this is not done by the applicant it may be done by the Council without notice. The applicant shall be liable for the costs of any damage resulting from irrigation flow not being shut off.
6. Other site specific conditions may be applied.

#### **Private Reticulated Services Under Roads**

All work carried on or under a public road for the purposes of installing or maintaining privately operated reticulated services shall be approved by the Council and carried out by a contractor approved by the Council. All costs will borne by the service owner.

## **PRIVATE RETICULATED SERVICES**

All work carried on or under a public road for the purposes of installing or maintaining privately operated reticulated services shall be approved by the Council and carried out by a contractor approved by the Council. All costs will be borne by the service owner.

# SHARED COSTS ROADING PROJECTS

## Rationale

To address the issues of road improvement works where there is an external beneficiary who is prepared to contribute to the cost of the work and to establish priorities of shared cost sealing projects.

## Guidelines

For shared cost roading projects the external beneficiary shall contribute the current NZTA Maintenance Subsidy Rate.

For sealing projects the following listed funding priorities shall be used:

Sealing projects that can achieve NZTA project subsidy shall be automatically carried out as a first priority.

Sealing projects that attract the external local funding shall automatically be carried out as a second priority.

Sealing projects that do not attract any subsidy shall be carried out as a third priority.

**Note: Any “shared cost roading project “to be at approved at the sole discretion of Council.**

# ROAD VERGE IMPROVEMENT BOUNDARY FENCE REMOVAL

## 1 Introduction

- 1.1 The Council is occasionally requested to tidy up road verges when the adjoining land owner is replacing a road boundary fence. The removal of the existing fences provides the working room for graders and other machinery to efficiently carry out verge tidying and improvement works.
- 1.2 The Council will carry out improvements to a road verge while the adjoining boundary fence is being replaced if:
  - 1 Road safety is improved (sight distances etc).
  - 2 Drainage of the road is improved.
  - 3 Drainage from the road onto adjoining land is improved.
  - 4 Smoothing of the verge will assist maintenance (mowing etc).
  - 5 Unsightly deposits from past road maintenance works are removed.



# PERMANENT FENCES ON ROAD RESERVE

## 1 Introduction

- 1.1 The purpose of this Policy is to regulate the erection of permanent fences on the road reserve and the occupation of the enclosed land.
- 1.2 This Policy does not apply to State Highways.
- 1.3 This Policy shall apply to all new and existing permanent fences on road reserve and the occupation of the enclosed land from the date of its adoption by Council.

## 2 Law

- 2.1 The occupation of road reserve can only be granted in the form of an informal licence which has no legal status.
- 2.2 Note:  
*Local Government Act 1974. Section 357 - Damage to Roads*  
*Every person commits an offence who, not being authorised by the Council, or by or under any Act, -*  
*(a) Encroaches on a road by making or erecting any building, fence, ditch or other obstacle or work of any kind upon, over, or under the road, or by planting any tree or shrub thereon; or*  
*(b) Causes or negligently allows any retaining wall, foundation wall; or fence erected on any land; or any batter or slope of earth, or any building, erection, material or thing, to give way or fall so as to hamper or obstruct a road.*

## 3 Council Approval

- 3.1 In most cases the actual position of the road's legal boundary is difficult to locate. For the purposes of this Policy the position of the road reserve boundary shall be informally located using any of the following methods:
  - 1 Survey Pegs (unlikely)
  - 2 Cadastral map and aerial photograph computer systems
  - 3 Measuring 20m from the opposite fence line
  - 4 Measuring 10m from the carriageway centreline
  - 5 Sighting along adjacent fence lines
  - 6 The crest or toe of road embankments
- 3.2 Persons wishing to erect a fence and occupy land on road reserve shall apply to the Council in writing for permission to do so. Approval may be provided when any road safety issues can be mitigated, no undue public inconvenience is caused and when there are no disadvantages to the Council. Approval will generally be considered only for low traffic volume roads. Appropriate conditions will be applied to each approval.
- 3.3 The approval will be granted in the name of the adjoining land owner (the occupier) and successors in title, who shall be personally responsible for ensuring all conditions of the approval, are complied with.

- 3.4 Approval shall be in the form of a letter of approval from the Council. The approval may be amended or revoked by the Council at any time. If revoked the occupier shall immediately remove the fence and cease occupation of the road reserve without compensation.
- 3.5 Council approval must be granted before any physical works commence.
- 3.6 The occupier shall at all times indemnify the Council in respect of any loss, damage or expense suffered or incurred by the Council as a direct or indirect consequence of any act, error or omission by the occupier and for which the occupier is legally liable.
- 3.7 The occupier shall take out and maintain at his own cost, for the duration of the approval, Public Liability insurance for an amount of not less than \$2,000,000. All such insurance shall be for such terms and with such insurers as the Council may reasonably require. The occupier shall, if reasonably requested by the Council, provide evidence that the insurance required is in force and current premiums are paid.
- 3.8 Any costs incurred by the Council arising from this Policy shall be recoverable from the occupier by the Council as a debt.

#### **4 Location**

- 4.1 Occupation of the road reserve will only be permitted where the applicant also owns the adjoining land.
- 4.2 Occupation of road reserve will not normally be permitted on both sides of the road.

#### **5 Fence Setting Out and Construction**

- 5.1 The applicant shall contact all utility providers to determine the presence and location of underground services, (for example; power, telephone, water) and also land survey marks. The applicant shall be responsible for any damage done to underground services and survey marks.
- 5.2 Fences must generally be a minimum of 5.0 m from the carriageway edge; however a lesser setback distance may be permitted in some instances, for example:
- 1 Presence of embankments at the 5m offset.
  - 2 Presence of underground utilities at the 5m offset
  - 3 Remote location / very low traffic volumes
- 5.3 The proposed alignment of the fence shall be pegged for inspection by a Council officer as part of the approval process. The Council shall take account of issues including, but not limited to, vehicle sight distance, distance from existing accessways, drainage, location of underground utilities, traffic and pedestrian safety, and possible future upgrading of the road.
- 5.4 Fences shall be of a post and wire (or netting) type, as generally described for rural boundary fence purposes in Schedule 2 of the Fencing Act 1978. Barbed wire and electrified wire shall not be used where they may cause a nuisance to other the road verge users, for example pedestrians and horse riders. No stays or tie-backs shall project outside the pegged fence line approved by the Council.

- 5.5 Gates and fencing shall be erected and maintained by the occupier in a workmanlike manner using durable materials. The occupier shall carry out any maintenance requested by the Council. If not carried out in a timely manner the Council may carry out the work at the occupier's expense.
- 5.6 No shade cloth or other screening material shall be placed on the fence so as to limit vehicle sight distance.
- 5.7 Gates shall be located on the true road boundary line with the fence returned to them. The installation of new gates will require a separate approval of the Council.
- 5.8 The Council may require reflectorised hazard markers to be attached to posts near corners etc.

## **6 Use and Care of Fenced Off Land**

- 6.1 The land shall be used for pastoral purposes only and shall not be disturbed to a depth greater than 200mm.
- 6.2 The land shall be kept clear of noxious and brush weeds.
- 6.3 No structure, farm implement or fodder etc. shall be placed or stored on the land so as to limit vehicle sight distance.
- 6.4 The fence owner shall take all practical precautions to prevent erosion, scour, inundation etc. and if this does occur the Council must be immediately notified.

# TEMPORARY FENCES ON ROAD RESERVE

## Introduction

- 1.1 The purpose of this Policy is to regulate the erection of temporary fences on the road reserve and the occupation of the enclosed land.
- 1.2 This Policy does not apply to State Highways.
- 1.3 This Policy shall apply to all new and existing temporary fences on the road reserve and the occupation of the enclosed land from the date of its adoption by Council.

## 2 Law

- 2.1 The occupation of road reserve is granted in the form of an informal licence which has no legal status.
- 2.2 Note:  
*Local Government Act 1974. Section 357 - Damage to Roads*  
*Every person commits an offence who, not being authorised by the Council, or by or under any Act, -*  
*(a) Encroaches on a road by making or erecting any building, **fence**, ditch or other obstacle or work of any kind upon, over, or under the road, or by planting any tree or shrub thereon; or*  
*(b) Causes or negligently allows any retaining wall, foundation wall; or **fence** erected on any land; or any batter or slope of earth, or any building, erection, material or thing, to give way or fall so as to hamper or obstruct a road.*

## 3 Council Approval

- 3.1 Any person wishing to graze the road verge by erecting a temporary fence and occupy land on road reserve, ("the occupier") need not apply to the Council for permission provided all of the requirements of this Policy are complied with.
- 3.2 The animals that may be grazed on road reserve, behind a temporary fence, are cattle (excluding bulls) horses and sheep. Permission must be obtained from Council for any other type of livestock.
- 3.3 The Council may revoke the occupation at any time. If revoked the occupier shall immediately remove the fence and cease occupation of the road reserve, without compensation.
- 3.4 The occupier shall at all times indemnify the Council in respect of any loss, damage or expense suffered or incurred by the Council as a direct or indirect consequence of any act, error or omission by the occupier and for which the fence owner is legally liable.
- 3.5 The occupier shall take out and maintain at his own cost, for the duration of the approval, Public Liability insurance for an amount of not less than \$2,000,000. All such insurance shall be for such terms and with such insurers as the Council may reasonably require. The occupier shall, if reasonably requested by the Council, provide evidence that the insurance required is in force and current premiums are paid.

- 3.6 Any costs incurred by the Council arising from this Policy shall be recoverable from the occupier by the Council as a debt.

#### **4 Location**

- 4.1 Temporary grazing of the road verge is permitted only in rural areas.
- 4.2 Temporary grazing of the road reserve will only be permitted where the occupier also owns the adjoining land.
- 4.3 Temporary fences are not permitted on both sides of the road at the same time.
- 4.4 Steep embankments shall not be fenced.

#### **5 Fence Setting Out and Construction**

- 5.1 Temporary fences shall be installed a minimum of one metre from the carriageway or further if traffic or pedestrian safety considerations require it.
- 5.2 The maximum of any length of temporary fence is 200m.
- 5.3 Waterways shall be fenced 2m back from the top of the bank to prevent stock intrusion.
- 5.4 Temporary fences shall be stock proof for the type of stock to be retained and electric fencing shall be a minimum of one wire for cattle and horses, and three wires for sheep. The fence shall be continuously electrified.
- 5.5 Temporary fences shall be constructed of electrified wires and plastic stakes only. Steel waratahs are not permitted. Wooden posts may be used at corners for tensioning purposes provided they are no larger than 100mm diameter.
- 5.6 Temporary fences shall remain in place for no longer than three months and the Council shall retain the right to have temporary fences removed at any time.
- 5.7 Cattle and horses shall be removed from the road reserve area during the hours of darkness.

#### **6 Use and Care of Fenced Off Land**

- 6.1 The land shall be used for grazing purposes only and shall not be cultivated.
- 6.2 The land shall be kept clear of noxious and brush weeds.
- 6.3 No structure, farm implement or fodder etc. shall be placed or stored on the land.

# Vehicle Accessway and Crossings

Operations Committee - 25 August 1999

## A DEFINITIONS

### Accessway

The part of a vehicle access which crosses the road verge between the road reserve boundary and the edge of the carriageway. The edge of carriageway is defined as:

- a) inside edge of vehicle crossing on urban roads with kerb and channel
- b) edge of seal on sealed roads without kerb and channel
- c) edge of gravel shoulder on unsealed roads.

### Vehicle Crossing

A structure to aid vehicular access across a road side drainage facility.

For example: dish channel crossing  
bridge crossing  
pipe culvert crossing

## B URBAN ACCESSWAYS

### a New Accessways

- Ba1. One accessway is permitted per property. Additional accessways may be permitted at the discretion of the Council.
- Ba2. The property owner shall apply to the Council for approval to install a new accessway (where no accessway has previously existed). The Council will ensure that the proposed accessway does not adversely affect:
  - the road structure
  - pedestrian access
  - roadside drainage
  - safety requirements (sight distances etc.)
- Ba3. When excavations are required the property owner shall ascertain the location of any underground services and shall ensure these are not disturbed and that required cover depths are maintained.
- Ba4. Where the new accessway will be used for a non-residential use which will involve the use of heavy vehicles the Council may require the footpath to paved in a heavy duty finish (eg. heavy duty paving cobbles)
- Ba5. New accessways shall be constructed by a person or contractor approved by the Council, at the property owner's expense.

**b Proximity to Intersections**

Bb1 Vehicle accessways shall be located as far as practical from any road intersection and, where possible, shall not be closer than the distance given in table below.

Frontage Road	Intersecting Road Type (Distance in Metres)					
	Urban			Rural		
	Arterial	Collector	Local	Arterial	Collector	Local
Arterial	30	25	20	200	200	200
Collector	20	20	15	60	55	55
<u>Local</u>	15	15	10	60	55	55

(see PDP Table 4 Section 14)

**c Proximity to Other Accessways**

Bc1 The minimum distance between two accessways serving the same property shall be 7.5 m.

Bc2 The minimum distance between two accessways serving adjoining properties shall be 10 m.

**d Sight Distances**

Bd1 Minimum sight distances shall be as described in the table below.

Speed Limit	Minimum Sight Distance
(kph)	(m)
50	85
60	115
70	140
80	170
100	250

(see PDP Section 14q)

The required sight distance shall be checked using the following procedure:

The entranceway centre line shall be projected across the road to intersect the centre lines of both traffic lanes. The appropriate distance from the table above shall be measured from these intersection points, along the lane centre lines, in the vehicle approach directions. There must be a clear line of sight, 1.15 m above finished ground levels, from these points to a point on the entranceway centre line 5.0 m from the centre of the traffic lane nearest the entranceway.

(See also Road & Traffic Standards "Guidelines to Visibility at Driveways")

Lines of sight shall remain completely in the road reserve where there is the possibility that future landscaping or development of adjoining properties may obstruct visibility across them.

**e Plan Dimensions of Accessways**

Be1 The widths of accessways shall be as described in the table below.

<b>Zone</b>	<b>Potential No of Lots</b>	<b>Length</b>	<b>Legal Width (m)</b>	<b>Carriage- way Width (m)</b>	<b>Turning Area</b>	<b>Passing Bay</b>	<b>Footpaths</b>
Residential	0-2	Over 50	3.5	3.0	Required	Optional	Optional
Residential	3-6	0-50	4	3.5	Required	Required	Optional
Residential	3-6	Over 50	4.5	4.0	Required	Required	Required
Rural	Any No.	All Lengths	5.0	4.0	Optional	Optional	Optional
All Other Zones	Any No.	All Lengths	6.0	4.0	Required	Optional	Optional

(see PDP Section 14q)

**f Vertical Dimensions of Accessways**

- Bf1 Accessways across footpaths and verges shall follow the existing contours so pedestrian access and drainage patterns etc are not disturbed.
- Bf2 Where the gradient of the accessway, adjacent to a footpath is greater than 1 in 8, no reverse manoeuvres onto or from the accessway will be permitted.
- Bf3 Accessways shall be constructed so that a laden 90 percentile vehicle (car) can negotiate the accessway without bottoming.
- Bf4 The minimum height clearance for accessways is 3.5 m

**g Metalling and Sealing**

- Bg1 Construction shall be as per Plan 1.
- Bg2 Granular Fill Material (bulk fill) shall consist of AP50 or similar well graded granular material containing no clay or organic matter.
- Bg3 The top 100 mm of fill (basecourse layer) shall consist of Transit NZ Specification M4 material.
- Bg4 All fill shall be compacted to a uniformly dense stable condition.
- Bg5 Accessways on sealed roads shall be sealed with a 2 coat grade 4 chip seal for 5.5 m from the edge of the carriageway or to the property boundary, whichever is the lesser. Where the



road verge is wider than 5.5m the remainder of the accessway to the boundary shall be metalled to an all-weather standard or chip sealed if desired.

Bg6 Accessways on unsealed roads shall be metalled to an all-weather standard.

## **h Maintenance of Accessways**

Bh1. Maintenance of accessways shall be the responsibility of the property owner except in the following instances:

- When road improvements have necessitated alterations to the accessway, the maintenance of the alterations will be the responsibility of the Council until they have become stabilised.
- Where an accessway crosses a formed footpath, the Council will maintain the footpath, to a standard suitable for the pedestrians. Any damage to the footpath caused by vehicles will be repaired at the property owner's expense.

Bh2. The property owner shall maintain the accessway in a safe and tidy condition, this shall include:

- maintaining pedestrian access
- maintaining road side drainage
- ensuring gravel is not brought onto the road or footpath

## **C URBAN VEHICLE CROSSINGS**

### **a New Crossings**

Ca1. All new vehicle crossings (where no crossing has previously existed) shall be paid for by the property owner, except when alterations to road side drainage necessitate the installation of a vehicle crossing.

Ca2. The lengths of crossings shall be 3.0 m (min.) to 6.0 m (max.).

(see PDP Table 4 Section 14)

Ca3. The type of crossing shall be approved by Council staff prior to construction.

Ca4 Construction of new crossings shall be carried out by a contractor approved by the Council.

### **b Replacement Crossings - Condition**

Cb1. Where an existing crossing has deteriorated to a condition where repairs or replacement is necessary, Council staff shall assess the cause of the deterioration.

- Where the deterioration is due to reasonable wear and tear, the Council will repair or replace the crossing at its own expense.
- Where the deterioration is due to unreasonable use by the property owner (eg. damaged by heavy or construction vehicles) the property owner shall pay for any repairs or replacement.

- If there is a combination of causes a cost sharing arrangement may be determined by the Council.
- Cb2. Existing crossings would have been constructed to a strength compatible with the property use at the time of construction. Crossings constructed for light residential vehicles may not be suitable for heavy vehicles. If a change in property use causes accelerated deterioration of a crossing then its repair or replacement will be paid for by the property owner.
- Cb3. When a property owner requests a replacement crossing to be 'heavy duty' then the additional costs shall be at the property owner's expense.

**c Replacement Crossings - Performance**

- Cc1. When an urban property owner complains about the change of grades of a crossing, (causing 'bottoming' of a vehicle) then a cross section of the crossing shall be surveyed. The cross section shall be matched with the clearance characteristics of a laden 90 percentile vehicle (car) to determine whether the crossing has the correct grade requirements. If the crossing does not comply with the requirements the Council will modify or replace the crossing to meet the correct grade requirements on an equal cost sharing basis with the property owner.
- Cc2. Crossing replacement may not necessarily be done immediately but may be programmed for when funds become available, this may not be until the next financial year. Alternatively the work may be delayed to coincide with a programmed general street upgrade. Should the property owner have an urgent need for the work to be completed it may be done at the property owners expenses at the Council's discretion.
- Cc3. Where a property has more than one vehicle crossing The above provisions shall apply only to the principal crossing, ie. the one which serves a garage or driveway to a garage.
- Cc4. If the match with laden 90 percentile vehicle indicates that there is not a problem but the property owner still wishes to proceed with modification or replacement of the crossing, then the property owner will be liable for the full cost, including any footpath and carriageway alterations required.
- Cc5. Modification or replacement of the crossing will normally be done by installing a slot crossing, either by pouring a raised lip on the existing crossing, or by installing a new crossing with a slot profile. The effect of the reduction in flow capacity of the channel shall be taken into account before agreeing to a slot type channel. If a slot crossing is not suitable, then the Council may seek alternative options at its discretion.

**d Maintenance of Crossings**

- Cd1. The maintenance of all existing crossings and new crossings approved by the Council shall be the responsibility of the Council.
- Cd2. Prior to accepting the maintenance responsibilities, Council staff shall be given the opportunity to inspect the crossing

## **D RURAL ACCESSWAYS**

### **a New Accessways - General**

- Da1. The number of accessways serving a property shall be kept to the practicable minimum for the particular residential, agricultural or commercial use of the property.
- Da2. The property owner shall apply to the Council for approval to install a new accessway (where no accessway has previously existed). The Council will ensure that the proposed accessway does not adversely affect:
- the road structure
  - pedestrian access
  - roadside drainage
  - safety requirements (sight distances etc.)
- Da3. When excavations are required the land owner shall ascertain the location of any underground services and shall ensure these are not disturbed and that required cover depths are maintained
- Da4. New accessways shall be constructed by a person or contractor approved by the Council, at the property owner's expense.

### **b Proximity to Intersections**

- Db1 Vehicle accessways shall be located as far as practical from any road intersection and shall not be closer than the distance given in table below.

Frontage Road	Intersecting Road Type (Distance in Metres)					
	Urban			Rural		
	Arterial	Collector	Local	Arterial	Collector	Local
Arterial	30	25	20	200	200	200
Collector	20	20	15	60	55	55
<u>L o c a l</u>	15	15	10	60	55	55

(see PDP Table 4 Section 14)

### **c Proximity to Other Accessways**

- Dc1 The minimum distance between two accessways, on the same side of the road, and excluding paddock gateways, shall be not less than distance given in the table below for the relevant posted speed limit.

Speed Limit (km/h)	Minimum Distance to Existing Access on Same side of Road (m)
50	10
60	15
70	40
80	100
100	200

**d Plan Dimensions of Accessways**

Dd1 The widths of accessways shall be as described in the table below.

Zone	Potential No. of Lots	Length (m)	Legal Width of Accessway (m)	Carriageway Width (m)
Rural	Any No.	All Lengths	5.0	4.0

(see PDP Section 14q)

Dd2 Rural residential accessways and accessways to paddocks which do not contain any buildings and which are exclusively used for grazing or cropping shall be constructed in accordance with Plan 2 attached.

Dd3 Rural accessways used regularly by heavy vehicles shall be constructed in accordance with the appropriate diagram on Plan 3

**e Vertical Dimensions of Accessways**

De1 For rural residential properties the first 6 m from the edge of the carriageway shall have a maximum gradient of 1 in 5. For other activities a distance equivalent to the maximum length of vehicle likely to use the accessway (or the length of vehicle used with Plan 3) shall have a maximum gradient of 1 in 8. Suitable transition curves shall be formed between changes in grade. Where the topography does not permit the required gradient to be achieved a steeper gradient may be permitted at the Councils discretion, specific conditions may be applied.

De2 Accessways serving rural residential properties shall be constructed so that a laden 90 percentile vehicle (car) can negotiate the accessway without bottoming.

De3 The minimum height clearance for accessways is 3.5 m

**f Metalling and Sealing**

Df1 Construction shall be as per Plan 1.

Df2 Granular Fill Material (bulk fill) shall consist of AP50 or similar well graded granular material containing no clay or organic matter.

Df3 The top 100 mm of fill (basecourse layer) shall consist of Transit NZ Specification M4 material.

Df4 All fill shall be compacted to a uniformly dense stable condition.

Df5 Accessways on sealed roads shall be sealed with a 2 coat grade 4 chip seal for 5.5 m from the edge of the carriageway. Where the road verge is wider than 5.5m the remainder of the accessway to the boundary shall be metalled to an all-weather standard or chip sealed if desired.

Df6 Accessways on unsealed roads shall be metalled to an all-weather standard.

**g Maintenance of Accessways**

Dg1. Maintenance of accessways shall be the responsibility of the property owner except in the following instances:

- Where road improvements have necessitated alterations to the accessway, maintenance of the alterations will be the responsibility of the Council until they have become stabilised.

Dg2. The property owner shall maintain the accessway in a safe and tidy condition, this shall include:

- maintaining pedestrian access
- maintaining road side drainage
- ensuring gravel is not brought onto the road.

**h Sight Distances**

Dh1 Minimum sight distances shall be as described in the table below.

Speed Limit (kph)	Minimum Sight Distance (m)
50	85
60	115
70	140
80	170
100	250

(see PDP Section 14p)

The required sight distance shall be checked using the following procedure:

The entranceway centre line shall be projected across the road to intersect the centre lines of both traffic lanes. The appropriate distance from the table above shall be measured from these intersection points, along the lane centre lines, in the vehicle approach directions. There must be a clear line of sight, 1.15 m above finished ground levels, from these points to a point on the entranceway centre line 5.0 m from the centre of the traffic lane nearest the entranceway.

(See also Road & Traffic Standards "Guidelines to Visibility at Driveways")

**i Sight Distances - Vegetation Control**

Di1 The initial clearing and ongoing control of vegetation on adjacent private property and the road reserve necessary to maintain the required sight distances shall be the responsibility of the property owner using the accessway. Should the property owner not control vegetation it shall be done by the Council at the property owner's expense.

**j Site Clearing and Excavation**

Dj1 All trees, vegetation, grass and top soil shall be removed from the construction site of the entranceway. Clearing of the Surface Water Channels shall be carried out beyond the construction site to clear blockages and to make improvements to the course of the channel.

**k Gates**

- Dk1 Gates shall be positioned sufficiently far off the carriageway edge so that, according to the type of vehicle which will use the entranceway, the entire length of the vehicle can be parked off the road carriageway.

**E RURAL VEHICLE CROSSINGS**

**a New Crossings**

- Ea1. All new vehicle crossings (where no crossing has previously existed) shall be paid for by the property owner, except when alterations to road side drainage necessitate the installation of a vehicle crossing

- Ea2 Vehicle crossings serving rural residential properties shall be constructed so that a laden 90 percentile vehicle (car) can negotiate the accessway without bottoming.

**b Replacement Crossings - Condition or Performance**

- Eb1. Where an existing crossing has deteriorated so that the flow of storm water is adversely affected the Council shall replace the crossing. Where the crossing requires replacement for any other reason the property owner shall pay the cost of replacement.

**c Maintenance of Crossings**

- Ec1. The Council shall maintain the flow of storm water by periodic cleaning of water channels and culverts pipes. All other maintenance shall be the responsibility of the property owner.

**d Culverts**

Ed1 Specific culverts specifications shall be provided by Council but shall generally consist of a 225 mm diameter concrete or corrugated steel pipe

- Ed2 Culverts shall extend at least 1.5 m from the entranceway carriageway edge.

- Ed3 Where the foundation material under the proposed position of the culvert is not suitable a further 300 mm of material shall be removed and replaced with selected granular material, well compacted.

- Ed4 Culverts shall be laid true to line and level and bedded in selected granular material with a minimum compacted cover of 300 mm

- Ed5 Where the Council requires head walls to be constructed they shall consist of concreted cobbles.

- Ed6 Culverts may be omitted from entranceways where an unlined or chip sealed dished channel is sufficient.

# **FAIRLIE FOOTPATH UPGRADES**

## **RATIONALE**

To establish standards for upgrading footpaths in Fairlie.

## **GUIDELINES**

Hotmix shall be the preferred surfacing for future footpath upgrades.

The preferred footpath layout shall be a sealed strip adjacent to the kerb with the remainder of the footpath being laid in grass.

The existing chip seal footpath shall be overlaid with hotmix as budgets permit.

Future footpath upgrades shall be a mix of establishing new footpath (on one side of the street) and upgrading existing footpath to a hot mix surface.

Adopted: 28 February 2003

# SEALING PAST HOUSES

Mackenzie District Council – Sept 2005

## POLICY:

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

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



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

# DEER CROSSINGS

Operations Committee – 4 February 2000

## Council Approval

The applicant shall apply to the Council for approval to install a deer crossing prior to any construction commencing.

Approval to install and operate a deer crossing shall be in the form of a letter of approval to occupy Council road reserve. The approval may be amended or revoked by the Council at any time. If revoked the crossing operator shall be responsible for the immediate removal all structures at his own expense.

The crossing operator shall remain responsible for the safety and operation of the deer crossing.

## Indemnity

The crossing operator shall at all times indemnify the Council in respect of any loss, damage or expense suffered or incurred by the Council as a direct or indirect consequence of any act, error or omission by the crossing operator and for which the crossing operator is legally liable.

## Insurance

The crossing operator shall take out and maintain at his own cost, for the duration of the approval, Public Liability insurance for an amount of not less than \$2,000,000. All such insurance shall be for such terms and with such insurers as the Council may reasonably require.

The crossing operator shall, if reasonably requested by the Council, provide evidence that the insurance required is in force and current premiums are paid.

## Vehicle Sight Distance

Deer crossings shall be erected at a location where the following sight distance can be achieved in both approach directions:

Unsealed Roads (environmental speed approx. 80 kph)	170 m
Sealed Roads	250 m

## Structures

All permanent structures shall be erected in a workmanlike manner of durable materials and at no cost the Council.

All permanent structures shall be setback a minimum distance of 5.0 metres from the edge of the carriageway. A lesser setback distance may be permitted when the following conditions exist:

- ‘Remoteness’ of location (i.e. no-exit road, low traffic volumes).
- Low environmental speed of road.
- Roadside drainage facilities will not be affected.
- Transportation of Wide Loads on road is unlikely.

If a reduced setback distance is approved the following additional conditions may apply:

- Posts nearest the road edge shall be painted white.
- Posts nearest the road edge shall have bridge end markers installed.
- Pre-warning "Road Narrows" signs shall be installed.
- The passage of Wide Loads will be accommodated by the crossing operator and may necessitate the temporary dismantling of a portion of the crossing at the crossing operator's expense.

No permanent structure shall impede visibility of existing road signs.

No permanent structure shall impede the function or maintenance of roadside drainage facilities. The installation of culverts across raceways may be required.

Any permanent gates, which can be swung across the road to form a race, shall be padlocked in the stored position when not in use.

The Council's Policy for Vehicle Accessways and Crossings shall apply to deer crossing gates that are also used for general paddock access.

### **Operation of Deer Crossing**

Transit TW-20A "ROAD CLOSED AHEAD" signs shall be placed at the Sight Distance mentioned above from the deer crossing in each vehicle approach direction just prior to the gates being closed. These signs shall be manned by a warning persons and the signs and persons shall be visible for a further 120m.

No motorist shall be delayed for more than 5 minutes. Holding pens may need to be provided on each side of the deer crossing to reduce the deer crossing time to a practicable minimum. The road shall be closed only while the deer are actually crossing.

The deer crossing shall only be used during the hours of daylight and when there is good visibility.

The frequency of use of the deer crossing shall be no more than 10 times per year.

The crossing operator shall consider whether it is necessary to notify Emergency Services that the road is to be closed.

## **PERMISSION TO ERECT GATES CATTLESTOPS and CATTLE UNDERPASS' ACROSS ROADS**

Permission to erect and maintain gates and/or cattlestops/cattle underpass across the road is granted in accordance with Section 344 of the Local Government Act 1974, subject to the following conditions:

1. That they shall only be erected adjacent to the property (legal description required).
2. That they remain in position at the pleasure of Council, and must be removed without the payment of compensation of any kind, at any time that the Council may so direct.
3. That the applicant accepts full responsibility for any claims or damages which may arise as a result of the erection of gates and/or cattlestops/cattle underpass.
4. That this permit shall not be operative until after the applicant has signed and returned the enclosed duplicate copy acknowledging the acceptance of the conditions contained herein.
5. Prior to the commencement of any work the applicant shall submit to the Roding Manager and have approved by him a plan of works.
6. No vested right shall be hereby created and this licence shall not be transferred.
7. The work of erecting the gates/ cattlestops/cattle underpass shall be carried out to the satisfaction of the Roding Manager or his representative.
8. That the licensee shall in erecting, repairing, or removing the gates/ cattlestops/cattle underpass to ensure that no interference is caused to the use of the road by the public.
9. On the breach of any of the conditions of this licence the Council may withdraw the licence by giving notice to the licensee who shall immediately remove the gates/ cattlestops/cattle underpass and leave the road in good order and condition to the satisfaction of the Roding Manager.
10. Any gate erected under this licence shall have fixed to each side a sign with the words "Public Road" legibly painted thereon, in letters not less than 75 millimetres high. The signs to be maintained in a legible condition at all times.
11. The cost of any work required by the Council to remedy any failure by the licensee to comply with these provisions may be recovered by the Council as a debt.
12. The licensee will not be entitled to any compensation on the withdrawal or termination of this licence.
13. Nothing in this licence shall be constructed to derogate from the rights of the Crown, the Council or any Service Authority to enter upon the land for the purpose of installing, maintaining, repairing or removing any new or existing service over, under or on the land or for any other lawful purpose.
14. That the licensee will during the continuance of this keep the gates/ cattlestops/cattle underpass in the order and condition specified by the Roding Manager.

15. That the licensee will not disturb the surface of the land near the cattlestops beyond a depth of 200mm nor do anything to cause change in the surface shape of the land.
16. That the licensee will be responsible for contacting the service authorities and ascertain the exact location of any services in the area before carrying out work in their vicinity.
17. The Council shall install and maintain permanent warning signs at the site of any cattlestop. The full cost of providing the signs shall be the licensee's responsibility.
18. No gate shall be locked or in any way discourage or prohibit public use of the road.

Approved By:

\_\_\_\_\_  
**ROADING MANAGER**

Date:

\_\_\_\_\_

I hereby accept the conditions set out above and in consideration of it granting me permission to erect the said temporary gates/cattlestops/cattle underpass. I agree to indemnify the Council against any claims whatsoever which may arise as a result of the erection of the gates/cattlestops/cattle underpass.

\_\_\_\_\_

(Signature)

\_\_\_\_\_

(Printed Name)

\_\_\_\_\_

(Date)

# FENCES ACROSS WATERWAYS NEAR BRIDGES

## 1 Introduction

- 1.1 Many of the District's roads cross small creeks and streams. Farmers need to continue their road boundary fences across these creeks and streams. Such fences are generally erected, adjacent to but separate from bridge structures, but in some instances they are attached to bridges.
- The Council recognised the difficulty of effectively fencing these sites, but is also aware that improperly designed and maintained fences can cause debris to accumulate during times of flooding which, in turn, can dam the water flow causing scour and structural damage to bridges.
- The purpose of this Policy is to ensure that adjoining land owners are aware of their responsibilities and that fences erected adjacent to roads are constructed to an acceptable design and are adequately maintained.
- 1.2 This Policy does not apply to State Highways.
- 1.3 This Policy shall apply to all new and existing fences across waterways on, or adjacent to, road reserve from the date of its adoption by Council.

## 2 Law

- 2.1 The law pertaining to boundary fences adjoining road reserve is contained in Section 353 (c) of the Local Government Act 1974 which should read in conjunction with this Policy. (Repeated below)

*353. General safety provisions as to roads— The Council shall take all sufficient precautions for the general safety of the public and traffic and workmen employed on or near any road and, in particular, shall ---*

*(c) Whenever the public safety or convenience renders it expedient, require the owner or occupier of any land not separated from a road by a sufficient fence to enclose the same by a fence to the satisfaction of the council.*

Note also:

*Local Government Act 1974. Section 357 - Damage to Roads*

*Every person commits an offence who, not being authorised by the Council, or by or under any Act, -*

*(a) Encroaches on a road by making or erecting any building, **fence**, ditch or other obstacle or work of any kind upon, over, or under the road, or by planting any tree or shrub thereon; or*

*(b) Causes or negligently allows any retaining wall, foundation wall; or **fence** erected on any land; or any batter or slope of earth, or any building, erection, material or thing, to give way or fall so as to hamper or obstruct a road.*

## 3 Council Approval

- 3.1 Persons wishing to erect a fence across a creek or stream adjacent to the road reserve need not apply to Council for permission provided all of the requirements of this Policy are complied with.

- 3.2 Persons wishing to erect a fence across a creek or stream attached to a bridge, or other road structure, shall apply to the Council in writing for permission to do so. Appropriate conditions will be applied to each approval.
- 3.3 Council approval will be granted in the name of the applicant ("the owner") and successors in title, who shall be personally responsible for ensuring all conditions of the approval are complied with.
- 3.4 Council approval shall be in the form of a letter of approval. The approval may be amended or revoked by the Council at any time. If revoked the fence will be immediately removed by the owner without compensation.
- 3.5 Council approval must be granted before any physical works commence.
- 3.6 The owners of fences erected under Clauses 3.1 and 3.2 of this Policy shall be responsible for any loss, damage or expense incurred by the Council as a direct or indirect consequence of a fence inhibiting the passage of flood waters and flood debris.
- 3.7 Fences that are not maintained in a tidy and stock proof condition shall be removed by the Council.
- 3.8 Any costs incurred by the Council arising from this Policy shall be recoverable from the owner by the Council as a debt.

### **3 Structures**

- 3.1 All fencing shall be erected and maintained by the owner in a workmanlike manner using durable materials. The owner shall carry out any maintenance or improvement works requested by the Council. If not carried out in a timely manner the Council may carry out the work at the owner's expense.
- 3.2 The following general principles will apply to fences across waterways:
- 1 Fences shall preferably be situated downstream of bridges.
  - 2 Fences shall preferably be constructed separate from bridges.
  - 3 Fences shall permit the passage of flood waters and flood debris by:
    - a Pivoting upwards on an overhead supporting wire
    - b Breaking at a deliberate weak point and pivoting out of the way
    - c Being of such light construction (for example; electrified tapes) such that the fence will fail under the load of flood water.

# OPERATION OF GATES ACROSS ROADS

## **1 Introduction**

- 1.1 The purpose of this policy is to regulate the erection and operation of gates across public roads.
- 1.2 This Policy does not apply to State Highways.
- 1.3 This Policy shall apply to all new and existing gates across public roads from the date of its adoption by Council

## **2 Law**

- 2.1 The law pertaining to gates across public roads is contained in Section 344 of the Local Government Act 1974 and which should read in conjunction with this Policy.

## **3 Council Approval**

- 3.1 Persons wishing to erect and operate a gate across a road shall apply to the Council in writing for permission to do so. Approval may be provided when:
  - 1 All road safety issues can be mitigated,
  - 2 No undue public inconvenience is caused
  - 3 There are no other reasonable alternatives.

Approval will generally be considered only for remote, unsealed, low traffic volume roads. Appropriate conditions will be applied to each approval.

- 3.2 Where the gate is on a boundary between neighbouring properties, the applicant shall obtain the written consent of the neighbouring property owner. If the proposed gate is likely to have an effect on the wider community the Council may advertise the application (at the applicants cost) and consider submissions received.
- 3.3 The approval will be granted in the name of the applicant ("the owner"), and the successors in title, who shall be personally responsible for ensuring all conditions of the approval are complied with.
- 3.4 Approval shall be in the form of a letter of approval from the Council. The approval may be amended or revoked by the Council at any time. If revoked the gate will be immediately removed by the Council without compensation to the owner.
- 3.5 Council approval must be granted before any physical works commence.
- 3.6 Neither the Crown, the Minister of Transport nor the Council shall be liable for damages in respect of any accident arising out of the existence of a gate across any road erected under a permit granted pursuant to this section. (refer to Section 344 of the Local Government Act 1974)
- 3.7 Any costs incurred by the Council arising from this Policy shall be recoverable from the owner by the Council as a debt.



#### **4 Vehicle Sight Distance**

- 4.1 Gates shall be erected at a location where the following sight distance can be achieved in both approach directions:

Unsealed Roads (environmental speed approx. 80 kph)	170 m
Sealed Roads	250 m

#### **5 Structures**

- 5.1 The gate and associated fencing shall be erected and maintained by the owner in a workmanlike manner using durable materials. The gate owner shall carry out any maintenance or improvement works requested by the Council. If not carried out in a timely manner the Council may carry out the work at the owner's expense.

- 5.2 Gate posts and associated fencing shall be positioned not less than 3m outside the edge of the carriageway. A lesser setback distance may be permitted when the following conditions exist:

Remoteness of location (i.e. no-exit road, low traffic volumes).  
Low environmental speed of road.  
Roadside drainage facilities will not be affected.  
Use by over width vehicles is unlikely.  
Good vehicle approach visibility

- 5.3 The passage of over-width vehicles shall be accommodated by the gate owner and may, in the worst instance, necessitate the temporary dismantling of a portion of the gate and associated fencing at the gate owner's expense.

#### **6 Signage and Delineation**

- 6.1 The gate shall have PUBLIC ROAD signs attached facing both vehicle approach directions. The sign lettering shall be not less than 75mm high.

- 6.2 The gate shall be made highly visible by the following means, as appropriate:

Being painted white  
Having white painted sight boards attached

- 6.3 Gate pre-warning signs may be required.

- 6.4 Depending on the gate post setback distance approved, the following additional requirements may apply:

Posts nearest the road edge shall be painted white.  
Posts nearest the road edge shall have Bridge End Markers attached.

- 6.5 No temporary or permanent structures shall impede the visibility of road signs.

## **7 Operation of a Gate**

- 7.1 These requirements apply to gates that are normally open and also those that are normally closed.
- 7.2 The gate shall never be padlocked and the public shall have freely available access at all times. The gate shall be maintained to swing open and closed without undue effort.
- 7.3 The gate shall be left open when not required for stock control purposes. It is recommended that gates are padlocked in the open position to prevent unauthorised closure.
- 7.4 When the gate cannot be opened due to stock movement operations, no motorist shall be delayed for more than 5 minutes. Motorists arriving at the gate shall be immediately informed of the stock movement operations being carried out and duration of the delay. The stock movement operations shall only be carried out during the hours of daylight and when there is good visibility. Additional temporary pre-warning signs may also be required.

# PRIVATE SERVICES

## 1 Introduction

- 1.1 The purpose of this Policy is to regulate the installation of privately owned services upon, over or under roads.
- 1.2 This Policy does not apply to State Highways.
- 1.3 This Policy shall apply from the date of its adoption by Council.
- 1.4 A separate policy applies to private irrigation scheme culverts

## 2 Law

- 2.1 Local Government Act 1974. Section 357 - Damage to Roads  
*Every person commits an offence who, not being authorised by the Council, or by or under any Act, -*  
*(a) Encroaches on a road by making or erecting any building, fence, ditch or other obstacle or work of any kind upon, over, or under the road, or by planting any tree or shrub thereon.*

## 3 Council Approval

- 3.1 Persons wishing to install a service upon, over, or under a road shall apply to the Council in writing for permission to do so. Applications shall include well drawn and scaled location and site plans. Appropriate conditions will be applied to each approval.
- 3.2 Approval shall be in the form of a letter of approval from the Council. The approval may be amended or revoked by the Council at any time. If revoked the service owner shall immediately remove the reticulated service from the road reserve without compensation.
- 3.3 The approval will be granted in the name of the applicant who shall be personally responsible for ensuring all conditions of the approval are complied with.
- 3.5 Council approval must be granted before any physical works commence.

## 4 Installation Requirements

- 1 No new pipes or cables shall be installed in drainage culverts. Existing pipes and cables shall be removed when the opportunity arises. The Council accepts no responsibility for damage to existing pipes or cables installed in drainage culverts resulting from road maintenance activities.
- 2 Trenching across roads shall be carried out by a competent contractor approved by the Council. On sealed roads the Council's trench reinstatement policy shall apply. The applicant will be responsible for the repair of any subsequent subsidence of the trench.
- 3 Specific conditions will apply to over-head wires and pipes.

# STOCK DROVING

## 1 Introduction

- 1.1 The purpose of this Policy is to set minimum safety standards for the droving of stock on local roads
- 1.2 This Policy does not apply to State Highways.
- 1.3 This Policy shall apply to all stock droving carried out on local roads from the date of its adoption by Council

## 2 Law

- 2.1 *Local Government Act 1974. Section 353 - General safety provisions as to roads -  
The council shall take all sufficient precautions for the general safety of the public and traffic and workmen employed on or near any road - - -*

## 3 Council Approval

- 3.1 Any person wishing to drive stock on a local road need not apply to the Council for permission provided all of the requirements of this Policy are complied with.

### 3.2 General Droving Requirements

#### a Indemnity

The livestock owner shall at all times indemnify the Council in respect of any loss, damage or expense suffered or incurred by the Council as a direct or indirect consequence of any act, error or omission by the livestock owner and for which the livestock owner is legally liable. Any costs incurred by the Council shall be recoverable by the Council as a debt.

#### b Insurance

The livestock owner shall take out and maintain at his own cost, Public Liability insurance for an amount of not less than \$2,000,000. All such insurance shall be for such terms and with such insurers as the Council may reasonably require. The livestock owner shall, if reasonably requested by the Council, provide evidence that the insurance required is in force and current premiums are paid.

#### c Livestock to be Under Control

- (i) The drover in charge shall determine the number of drovers and dogs necessary to maintain complete and continuous control of the livestock, taking into account unforeseen events that may occur on route.
- (ii) Droving along the road verge shall be done in preference to using the carriageway.
- (iv) The livestock shall be kept moving continuously.
- (v) Droving along the road shall not be done for the purpose of grazing the road verges.
- (v) No tired, injured or dead animal shall be left on the carriageway.

- d **Motorists shall have Sufficient Warning**
  - (i) Stock shall not be droved during the hours of darkness or when visibility is less than 250m (except for the purposes of returning any livestock that have escaped to the nearest secure area, or in an emergency e.g. flooding)
  - (ii) Stock must be clearly visible to motorists for a distance of 250m in each approach direction
  - (iii) Where the above visibility is not achievable "Stock Ahead" warning signs shall be used. Signs shall be conspicuous and clearly legible to passing motorists. For droves of 1km or less fixed signs shall be placed 120m beyond the start and finish gateways of the drove. For droves of greater than 1 km the signs shall be fixed to vehicles, which shall lead and trail the driven livestock by a distance of 120m.
  
- e **Drover shall Take Care**
  - (i) All necessary measures shall be taken to prevent livestock from leaving the road reserve and / or causing damage to public or private property.
  - (ii) Livestock shall not be driven in urban areas without the prior written permission of the Council.
  - (iii) As far as is practicable the roadway shall be kept clear of debris and other matter that may cause danger, inconvenience or nuisance to other road users.
  - (iv) Motorists shall not be unreasonably inconvenienced by the droving of livestock and shall be permitted to move through the herd when practical to do so. Time delays should not exceed 5 minutes.

### 3.3 Additional Requirements for Regular Dairy Herd Movements

The following requirements are in addition to, or modify, the General Droving Requirements.

- f **Miscellaneous Requirements**
  - (i) Regular droving routes shall be established on private property wherever possible
  - (ii) Permission to drove regularly on or across the road reserve will be granted by way of a licence and shall be subject to conditions set by the Council
  
- g **Droving in Limited Visibility**
  - (i) Dairy herds requiring milking may be driven in limited visibility conditions provided drovers (wearing high visibility vests) are positioned in each vehicle approach direction to wave down approaching vehicles using hand held torches. At permanent road crossing points permanently mounted amber flashing lights may be attached to the warning signs required in item h (g) below.

**h**

**Dairy Herd Crossing Design**

- (i) The following are standard requirements for dairy herd crossing construction, they may be modified for specific sites requirements.

- a) The crossing shall be aligned perpendicular to the road centreline.
- b) The crossing shall be sited so that there is 250m sight distance in each vehicle approach direction. This distance may be reduced at the Council's discretion in low environmental speed locations.
- c) The road surface shall be cleansed of debris and matter that may cause inconvenience to road users immediately after the movement of stock. All debris must be removed from the road reserve.
- d) The use of wires or tapes across the road is not permitted.
- e) All permanent structures shall be kept at least 5m back from the edge of the carriageway.
- f) SWC culverts may be required under approach races.
- g) (TW-32 "Cattle") 750mm x 750mm signs with a "Crossing" supplementary sign shall be erected 160m from the crossing in each vehicle approach direction. The signs must be visible from a further distance of 120m. The signs shall be displayed only when the crossing is in use and shall be folded closed or covered when not required.
- h) An underpass may be required on any Principal road with a traffic volume greater than 300 VPD.

# STREET ASSET PROTECTION DEPOSIT

## 1 Introduction

- 1.1 The purpose of this Policy is to ensure that damage to Council infrastructure during property maintenance and development is identified, quantified and repaired at the property owner's cost.

## 2 Law

- 2.1 *Local Government Act 2002 Section 8 Clause 150 - Fees may be prescribed by bylaw—  
A local authority may prescribe fees or charges payable for a certificate, authority, approval, permit, or consent from, or inspection by, the local authority in respect of a matter provided for—*

- 2.2 *Local Government Act 1974 Clause 357. Penalties for damage to roads—*

*Every person commits an offence who, not being authorised by the council or by or under any Act,—*

- (j) Does or causes or permits to be done any act whatsoever by which any damage is caused to a road or any work or thing in, on, or under the same.*

## 3 Council Approval

- 3.1 Notwithstanding any other provisions in this Policy, property owners are responsible for all damage done to all Council infrastructure assets as a result of accessing their property.
- 3.2 The property owner's responsibility for damage applies to his/her own actions and also those of contractors engaged by the property owner.
- 3.3 It must be noted that vehicle accessways servicing residential properties are constructed for light duty use only (family cars) and are not suitable for use by heavy construction vehicles without additional protection.
- 3.4 The Mackenzie District Council requires a cash bond to be paid at the time of uplifting a Building Consent for any new building, replacement building, additions or alterations to any existing building, including demolition, valued at over \$5,000 and located anywhere in the District.

The amount of the cash bond required is stated in the Council's Annual Plan and shall change from time to time. For the 2005/2006 financial year the bond is \$1,500 of which \$1,350 is refundable if not damage is done.

The purpose of the cash bond is to cover the cost of any damage to the street or road frontage, including road surface, kerb and channel, footpath, and grass berm, and all street furniture, such as street trees, lighting standards, signs, etc. as a result of development activity on the site. The term 'street' also applies to roads in this policy.

The Building Consent holder will be required to certify the extent of any existing frontage damage at the time of the application for Building Consent. Any existing damage notified by the applicant will be inspected and photographed during consent processing. If no damage is notified, no inspections of the site will take place prior to consent approval and it will be deemed that no pre-existing damage is present.

The Building Consent holder will be held liable for the cost of repairing any damage on any street frontage where it can be reasonably determined by the Roading Manager that the damage is due to the construction activity on the Consent site.

The street frontage of the property and neighbouring properties will be inspected at the time of the final Building Consent inspection, and any street frontage damage recorded. If no street frontage damage is reported, the bond will be refunded to the Building Consent holder, within 14 days of the street inspection.

If street frontage damage is reported, the damage will be:

- a) repaired by the Council and the actual cost of the repair work deducted from the bond held, or
- b) repaired by a contractor nominated by the Consent holder and approved by the Council, with the cost of the repair work being met fully by the Consent holder.

At the completion of the repair work, the balance of the bond left after meeting any repair costs will be refunded to the Building Consent holder within 14 days of final approval of the repairs. If the cost of the repair works exceeds the value of the bond, the Consent holder will be invoiced for any additional costs incurred by the Council



# ROAD VERGE FOR STORAGE

## 1 Introduction

- 1.1 The purpose of this Policy is to regulate the use of road verge for storage purposes
- 1.2 This Policy does not apply to State Highways.
- 1.3 This Policy shall apply from the date of its adoption by Council.

## 2 Law

- 2.2 Local Government Act 1974. Section 357 - Damage to roads  
*Every person commits an offence who, not being authorised by the Council, or by or under any Act, -*  
*(a) Encroaches on a road by making or erecting any building, fence, ditch or other obstacle or work of any kind upon, over, or under the road, or by planting any tree or shrub thereon or*  
*(b) Places or leaves on a road, any timber, earth, stones or other thing.*
- 2.3 Local Government Act 1974. Section 356 Removal of abandoned vehicles from roads. This section permits the Council to remove vehicles from roads if they appear to be abandoned.

## 3 Council Approval

- 3.1 Persons wishing to store hay bales on the road verge, need not apply to Council for permission provided all of the requirements of this Policy are complied with.
- 3.2 Persons wishing to store any other item or material on the road verge shall apply to the Council in writing for permission to do so. Appropriate conditions will be applied to each approval.
- 3.2 Approval shall be in the form of a letter of approval from the Council. The approval may be amended or revoked by the Council at any time. If revoked the applicant shall immediately remove the item or material and return the road verge to its prior condition without compensation.
- 3.3 The approval will be granted in the name of the applicant who shall be personally responsible for ensuring all conditions of the approval are complied with.
- 3.5 Council approval must be granted before any physical works commence.
- 3.6 The applicant shall at all times indemnify the Council in respect of any loss, damage or expense suffered or incurred by the Council as a direct or indirect consequence of any act, error or omission by the occupier and for which the occupier is legally liable.
- 3.7 The applicant shall take out and maintain at his own cost, for the duration of the approval, Public Liability insurance for an amount of not less than \$2,000,000. All such insurance shall be for such terms and with such insurers as the Council may reasonably require. The applicant shall, if reasonably requested by the Council, provide evidence that the insurance required is in force and current premiums are paid.

- 3.8 Any costs incurred by the Council arising from this Policy shall be recoverable from the applicant by the Council as a debt.

#### **4 Storage of Hay Bales**

- 4.1 There must be clear visibility along the roadway of 210 metres from each end of the storage area of hay bales,
- 4.2 The hay bales must be removed by the end of the winter following their initial placement.
- 4.3 At no time shall hay bales be placed closer than three metres from the carriageway.
- 4.4 Any baling wrap, string etc that becomes separated from the bale contents must be immediately removed from the site.
- 4.5 All mud and debris that is tracked on to the road by machinery must be immediately removed. The cost of removal of mud and debris required to be carried out by the Council shall be recoverable from the hay bale owner as a debt.
- 4.6 Any damage to the road or drainage system required to be carried out by the Council shall be recoverable from the hay bale owner as a debt.

# VEGETATION ON ROAD RESERVES

## 1 Introduction

- 1.1 The purpose of this Policy is to regulate vegetation on road reserves and includes wilding trees, ornamental and utility plantings, and cultivated crops
- 1.2 This Policy does not apply to State Highways.
- 1.3 This Policy shall apply from the date of its adoption by Council.

## 2 Law

- 2.1 Local Government Act 1974. 316. - Property in Roads  
*(1) Subject to section 318 of this Act, all roads and the soil thereof, and all materials of which they are composed, shall by force of this section vest in fee simple in the council of the district in which they are situated. There shall also vest in the council all materials placed or laid on any road in order to be used for the purposes thereof.*
- 2.2 Local Government Act 1974. Section 357 - Damage to Roads  
*Every person commits an offence who, not being authorised by the Council, or by or under any Act, -  
(a) Encroaches on a road by making or erecting any building, fence, ditch or other obstacle or work of any kind upon, over, or under the road, **or by planting any tree or shrub thereon.***
- 2.3 The Council has significant powers under the Local Government Act 1974 and Public Works Act 1981 to order the cutting down, lowering or trimming of trees on, overhanging or adjacent to road reserve.

## 3 Council Approval

- 3.1 Persons wishing to mow the road verge, for aesthetic or baling purposes, need not apply to Council for permission provided all of the requirements of this Policy are complied with.
- 3.2 Persons wishing to cultivate the road verge, or plant or remove any vegetation shall apply to the Council in writing for permission to do so. Appropriate conditions will be applied to each approval.
- 3.2 Approval shall be in the form of a letter of approval from the Council. The approval may be amended or revoked by the Council at any time. If revoked the applicant shall cease the activity being carried out and shall return the road reserve to its prior condition without compensation.
- 3.3 The approval will be granted in the name of the applicant who shall be personally responsible for ensuring all conditions of the approval are complied with.
- 3.5 Council approval must be granted before any physical works commence.

#### **4 Mowing the Road Verge**

- 4.1 Where the person wishing to mow of the road reserve is not the adjoining land owner he/she shall consult with the adjoining land owner.
- 4.2 The period of occupation for mowing purposes shall be one summer season.
- 4.3 The person carrying out the mowing shall be responsible for any damage done to reticulated services, survey marks, roading assets and other private property located on the road verge.
- 4.4 At the end of the occupation period the site shall be left in a tidy condition.

#### **5 Cultivation of the Road Verge**

- 5.1 'Cultivation' means the ploughing or drilling of the road verge to establish and harvest a crop.
- 5.2 Cultivation of the road reserve will only be permitted where the applicant also owns the adjoining land.
- 5.3 The period of occupation shall generally be limited to the period of one crop rotation.
- 5.4 The applicant shall contact all utility providers to determine the presence and location of underground services, (for example; power, telephone, water) and also land survey marks. The applicant shall be responsible for any damage done to underground services and survey marks.
- 5.5 At the end of the occupation period the site shall be smoothed, replanted in grass and left in a tidy condition..
- 5.6 The applicant shall be responsible for the control of scrub and noxious weeds during the period of occupation and for 12 months there-after.
- 5.7 All cultivation shall be carried out in such a manner so as to not interfere with surface water channels and drains or cause damage to culverts, the roadway, or any other roading assets.
- 5.8 No cultivation shall extend within 3 metres of the edge of the carriageway.

#### **6 Existing Trees on Road Reserve**

- 6.1 All trees on road reserve are the property of the Council. Trees that have been planted by adjoining landowners with the approval of the Council shall be maintained and trimmed by the adjoining landowner in accordance with the conditions of approval or as otherwise directed by the Council.
- 6.2 Self propagating trees (wilding trees), for example, wild fruit trees, pines, willows, and sycamores are a nuisance and will generally be controlled or removed by the Council.

Good specimens of others species can make a worthwhile contribution to the landscape of the District and will be retained unless there is good reason for their removal, as listed below.

## **7 Removal of Trees from Road Reserve**

7.1 The Council will remove trees from the road verge for the following reasons:

- 1 The trees are self-propagating species
- 2 The trees are causing an actual or potential traffic hazard
- 3 The trees are dead, dying, diseased, or have lost their aesthetic value.
- 4 The trees promote icing of the road which is deemed to be a traffic hazard.
- 5 The trees have become a danger to the public
- 6 The trees interfere with reticulated services etc.
- 7 The trees interfere with drainage channels, watercourse, streams or rivers.
- 8 The trees are causing damage to public or private property.
- 9 The trees interfere with the quality of life of adjoining land owners to an unreasonable extent.

7.2 No other person shall remove trees from the road reserve without the prior approval of the Council.

## **8 Planting of Trees on Road Verge**

8.1 Only plantings that offer some aesthetic value will be considered. Self propagating species such as those on the Council's 'Prohibited Species List' shall not be permitted.

8.2 To avoid winter shading of the road, plantings will generally only be permitted on the southern side of sections of roads aligned within 45 degrees of an east-west line.

8.3 The applicant shall contact all utility providers to determine the presence and location of underground and overhead services, (for example; power, telephone, water) and also land survey marks. The applicant shall be responsible for any damage done to underground and overhead services and survey marks.

Note: Netcon Ltd. advises that trees must be trimmed when they come within a 4m vertical separation distance from power wires. If they become too close to the wires they must be trimmed by the network operator, at the applicants cost.

8.4 All plantings shall be a minimum of 5.0m from the road edge.

8.5 Plantings shall be of species with a mature height not exceeding 5.0m, and shall be spaced not closer than 5.0m apart.

8.6 Issues including, but not limited to, sight distance, distance from existing accessways, drainage, known safety concerns, and possible road upgrade plans shall be considered by the Council when considering applications.

## **9      Vegetation on Neighbouring Property that Causes a Nuisance**

- 9.1      Trees and shrubs etc. situated on adjacent private property may be ordered by the Council to be cut down, lowered, or trimmed when they overhang or overshadow a road to such an extent that they cause damage to the road or obstruct use of the road or obstruct the maintenance of the road.

## **10     Noxious Weeds and Scrubs**

- 10.1     The eradication of noxious weeds and scrub on road reserve, out to the centreline of the road, is the responsibility of the adjoining land owner. Should this not be carried out Environment Canterbury will instigate enforcement proceedings.
- 10.2     The Council may carry out weeds and scrub control on road reserves for road safety and maintenance purposes.

# Misc Roding

## Vehicle Access

- 1 Generally only one single-lane vehicular accessway is permitted, as of right, to each property. Any variation to the above is subject to specific approval by the Asset Manager.  
2
- 2 Where no formed footpath exists new accessways shall slope upwards from the rear of the drop kerb crossing at a grade of 2 percent.
- 3 When existing accessways become redundant due to property redevelopment they shall be removed and normal footpath / drainage facilities reinstated at the property owners expense.
- 4 When heavy duty accessways are being repaired or upgraded the cost of the 'heavy duty' component of the cost involved shall be charged to the property owner.
- 5 The maintenance of vehicles accessways across footpaths (between the property boundary and the surface water channel) shall be the responsibility of the Council.
- 6 In urban areas, the maintenance of vehicles accessways between the surface water channel and the edge of the sealed carriageway is the responsibility of the property owner

## Drainage

- 1 The discharge of storm water from properties into road side drainage facilities is not permitted except where not practical alternative is available 4/07

## Misc

- 1 The planting strips on Twizel footpaths shall be removed as footpaths are upgraded/resealed 4/07

## New Seals and Reseals

- 1 No sealing or resealing of surfaces belonging to, or will belong to, the MDC shall take place between the 15 May and 15 of September. 6/05

# BUILDING IN CLOSE PROXIMITY TO PUBLIC SERVICES

## MDC 5



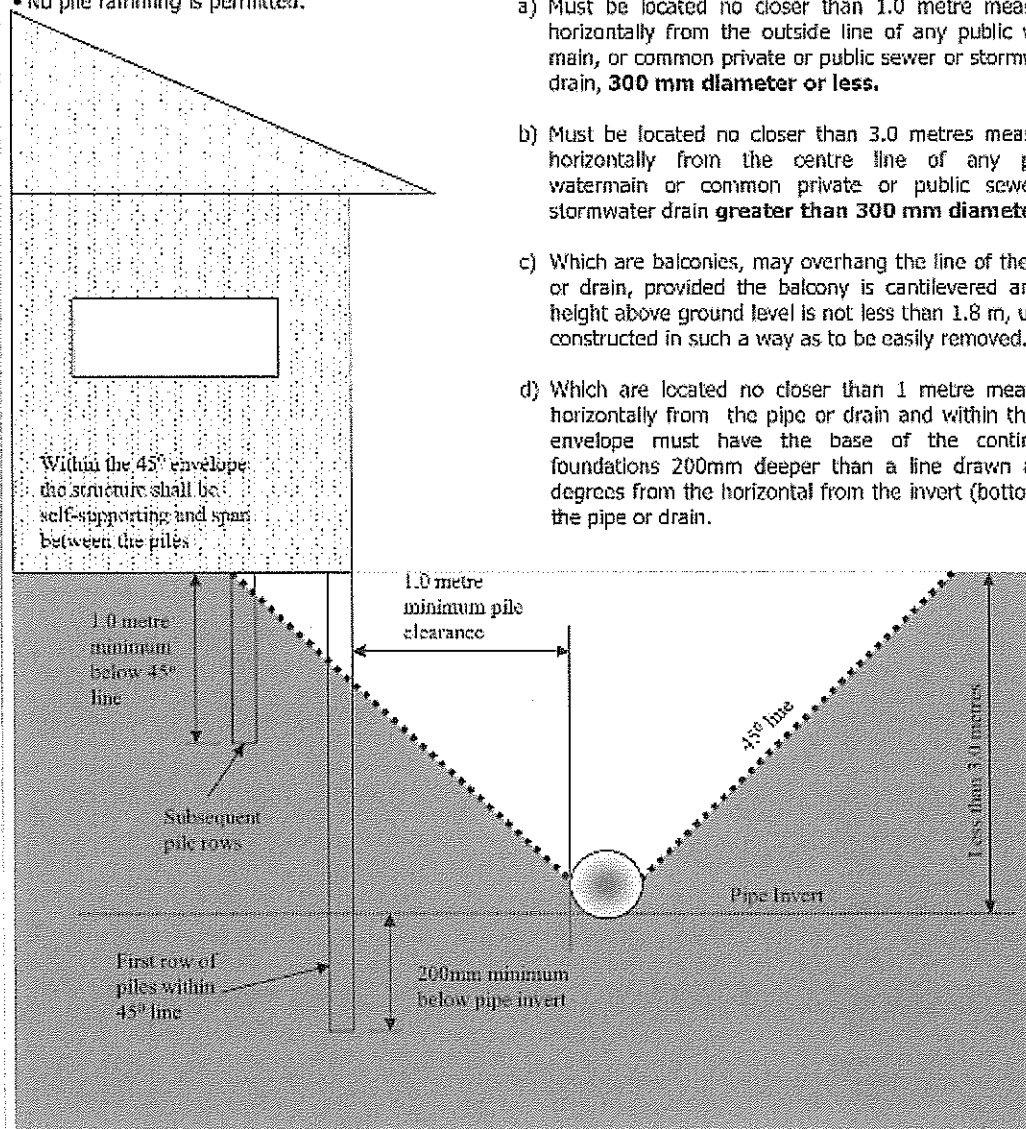
## BUILDING IN CLOSE PROXIMITY TO PUBLIC SERVICES

- No structural loads are to be placed on public services.
- All structural loads on piles shall be absorbed outside the 45° envelope and below the pipe invert level for the first row of piles.
- No pile ramming is permitted.

Building alongside any common, private or public stormwater or sewer drain is only a "permitted activity" if it complies with the following engineering requirements.

### 1. STRUCTURES

- Must be located no closer than 1.0 metre measured horizontally from the outside line of any public water main, or common private or public sewer or stormwater drain, **300 mm diameter or less**.
- Must be located no closer than 3.0 metres measured horizontally from the centre line of any public watermain or common private or public sewer or stormwater drain **greater than 300 mm diameter**.
- Which are balconies, may overhang the line of the pipe or drain, provided the balcony is cantilevered and its height above ground level is not less than 1.8 m, unless constructed in such a way as to be easily removed.
- Which are located no closer than 1 metre measured horizontally from the pipe or drain and within the 45° envelope must have the base of the continuous foundations 200mm deeper than a line drawn at 45 degrees from the horizontal from the invert (bottom) of the pipe or drain.



Date: September 2005

Y/Asset Management/Policies





## **BUILDING IN CLOSE PROXIMITY TO PUBLIC SERVICES**

**2) As an alternative to 1), residential structures may be located over common private or public sewer or stormwater drains, if they comply with the following table.**

The pipe diameter shall not be greater than 150mm and the depth not greater than 2.0m.

**If approved, drains installed under buildings shall:**

- Be replaced with uPVC.
- If the depth of the pipe is 600mm or greater, the stiffness class shall be SN8 for 150mm diameter and SN6 for 100mm diameter. If the depth of pipe is less than 600mm, the stiffness class shall be SN16 for all sizes.
- Be straight and of even gradient, laid to the requirements of NZS 7643 and NZS/AS 2033.
- Have no connection closer than 1m to the building.
- Be separated from the building foundation by at least 25mm.
- Have access points within 2.0 m outside the building designed for appropriate loading where a service enters or exits from under the building.
- Corner foundations must be a minimum of 800mm off the pipeline centre line.
- The foundations of any structures built over such services will be subject to specific design.

**Industrial or commercial structures over a public or common service;**  
The requirements will be subject to specific design.

**NOTE:- Approval will only be considered by Council subject to an application in writing, complete with a scale drawing of the section and the house in the desired position, giving sound reasons why the building can not be located clear of the service.**

**Where main drains must be aligned through private property, easements in favour of the Council may be required.**

# **UPSIZING OF STRATEGIC PIPE NETWORKS**

## **Rationale**

To allow for the upsizing of strategic networks with Council paying the marginal cost.

## **Guidelines**

1. That the upsizing of strategic new pipe networks in new subdivisions be considered by Council.
2. That the marginal cost be met from the financial contributions paid for these subdivisions.
3. That the proposed upsizing and marginal cost of any proposal suggested by the Asset manager be confirmed by the Council.

# **ASSET MANAGEMENT**

## **Rationale**

To ensure that Council's assets are maintained appropriately.

## **Guidelines**

Work on Council's assets, ie roads, water and sewer networks, will only be carried out by Council contractors or those directly authorised by Council.

# **ASSET MANAGEMENT PLANNING**

## **Rationale**

To set the level of Asset Management Planning criteria for the preparation of the Councils various Activity Management Plans.

## **Guidelines**

That level of Asset Management Planning criteria be set at the Core level for all infrastructural assets.

# **MACKENZIE DISTRICT COUNCIL**

**REPORT TO:** MACKENZIE DISTRICT COUNCIL

**SUBJECT:** LEAKY HOMES FINANCIAL ASSISTANCE PACKAGE

**MEETING DATE:** 13 DECEMBER 2011

**REF:** REG 2/1/21

**FROM:** MANAGER – PLANNING AND REGULATIONS

**ENDORSED BY:** CHIEF EXECUTIVE OFFICER

## **PURPOSE OF REPORT:**

To seek the Council's support for Mackenzie District Council to sign up to the Government's Financial Assistance Package in relation to leaky buildings.

## **STAFF RECOMMENDATIONS:**

1. That the report be received.
2. That the Council agrees to Mackenzie District Council signing up to the Government's Leaky Homes Financial Assistance Package.

**NATHAN HOLE**  
**MANAGER – PLANNING & REGULATIONS**

**GLEN INNES**  
**CHIEF EXECUTIVE OFFICER**

## **BACKGROUND:**

The Government passed legislation in July this year to provide for a financial assistance package to the owners of leaky buildings and invited local authorities to sign up to this scheme.

Basically the aim of the package is to get homes fixed faster without the parties being caught up in dispute resolution where the Government will pay 25% of the repair costs, the Council pays 25% and the home owner will pay the remaining 50%. The key part of this is that home owners that accept the package will agree not to sue the Council or the Crown, but may pursue other parties such as builders if they wish to do so.

To date there have been no leaky building claims in the Mackenzie, but that does not mean that claims may not arise in the future. We are lucky that our dry climate has protected us to date.

## **ATTACHMENTS:**

I have attached two letters from the Department of Building and housing which give a brief overview of the scheme.

## **SIGNIFICANCE OF DECISION REQUESTED:**

This is a significant decision as by signing up to the scheme the Council is agreeing to meet 25% of the cost of claims of participating home owners. However, what has occurred in other districts, is that where a claim is made against a council, the costs awarded are often more than 25%. This is usually due to the Council being the “last man standing” due to building companies being liquidated at the hint of a problem.

## **CONSIDERATIONS:**

I do not believe there are any real negatives to signing up, and not signing up potentially leaves the Council exposed to claims larger than 25% in the future. As you will see in the DBH’s letter of 4 November, a number of councils have already signed up to the scheme.

## **CONCLUSION:**

There is no urgency to sign up the scheme, but the sooner the Council is signed up, then the more certainty there is to resolving any claims that arise in the future. As mentioned above, to date there has been no leaky building claims made against the Mackenzie District Council.



Department of  
**Building and Housing**  
*Te Tari Kaupapa Whare*

Level 6, 86 Customhouse Quay  
PO Box 10 729, Wellington  
Tel +64 4 494 0260  
Fax +64 4 494 0290  
[www.dbh.govt.nz](http://www.dbh.govt.nz)

28 July 2011

Glen Innes  
Chief Executive  
Mackenzie District Council  
P O Box 52  
FAIRLIE 7949

PDF letter by email & post  
Email to: [glen@mackenzie.govt.nz](mailto:glen@mackenzie.govt.nz)

Dear Glen Innes

## **SUPPORTING INFORMATION FOR PARTICIPATION IN THE LEAKY HOMES FINANCIAL ASSISTANCE PACKAGE**

The Weathertight Homes Resolution Services (Financial Assistance Package) Amendment Act was passed by Parliament on 12 July 2011 and the scheme contribution criteria were gazetted on Thursday 28 July 2011. As a result, the Leaky Homes Financial Assistance Package is now available to owners of leaky homes, and territorial authorities have been invited to sign-up to the scheme.

The Department has been working with Auckland Council, Wellington City Council, Christchurch City Council, Tauranga City Council and Local Government New Zealand to develop the details of the Leaky Homes Financial Assistance Package.

The enclosed information is provided in support of other information sent to you from Local Government New Zealand and will assist your council assess the benefits of the Package. Included are:

- Financial Assistance Package – Summary for territorial authorities
- Overview of scheme processes
- Homeowner journey
- Resources
  - Relationship Agreement, including the standard homeowner agreement
  - Contribution Criteria
  - Addendums for various scenarios
  - Territorial Authority Information Request Form

Also, information packs provided to the public, covering various topics, such as funding requirements, and how to engage a designer or builder are available at [www.leakyhomes.govt.nz](http://www.leakyhomes.govt.nz)

### *Key benefits of Financial Assistance Package*

The new scheme is voluntary and offers homeowners an additional option to the current Weathertight Homes Resolution Service. The aim is to get homes fixed faster and more cost effectively, where the Government will pay 25 per cent of the repair costs and local authorities will pay 25 per cent. Eligible homeowners will pay the remaining 50 per cent. Homeowners who accept the package will agree not to sue their local authority or the Crown, but may sue other parties such as builders, developers and manufacturers of building products and services. The financial assistance package doesn't require time consuming and expensive litigation, so more dollars go to getting homes fixed, faster.

If you have any queries about the Financial Assistance Package, please contact me on: [jeff.montgomery@dbh.govt.nz](mailto:jeff.montgomery@dbh.govt.nz) (04 817 4240). Alternatively you can contact Emma Taylor, Relationship Manager – Weathertight Services Group. Her contact details are email: [emma.taylor@dbh.govt.nz](mailto:emma.taylor@dbh.govt.nz) phone: (09) (3756414).

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Jeff Montgomery', with a stylized, cursive script.

Jeff Montgomery  
**Manager Weathertight Services Group**





Department of  
Building and Housing  
*Te Tari Kaupapa Whare*

Level 3, 41 Shortland Street  
PO Box 90 172, Auckland 1142  
Enquiries: 0800 83 62 62 (Tenancy)  
0800 32 44 77 (Weathertight)  
Fax +64 9 375 6402  
[www.dbh.govt.nz](http://www.dbh.govt.nz)

4 November 2011

Glen Innes  
Chief Executive Officer  
Mackenzie District Council  
PO Box 6  
Kaikoura 7340

Dear Glen

**CHOOSING TO SIGN UP TO THE FINANCIAL ASSISTANCE PACKAGE AFTER 18 NOVEMBER 2011**

The Leaky Homes Financial Assistance Package became available to owners of leaky homes on 29 July 2011, and an invitation was extended to all territorial authorities to sign up to the scheme at that date.

A number of territorial authorities have since signed up, so far Mackenzie District Council has not indicated whether they will be participating.

To facilitate the progress of claims, as of 18 November 2011, the Department will treat territorial authorities that have yet to make a decision, as non-participating for any current claims.

Mackenzie District Council is still able to sign up to the scheme at a later date. When you request a Relationship Agreement, the Department will provide you with a letter setting out any current claims in your region that have expressed an interest in FAP prior to the date that Mackenzie District Council signs up:

- a) For the purposes of contribution criteria 1A, 1B and 1C (as published in the Gazette on 28 July 2011) Mackenzie District Council will be treated as non-participating for these claimants, and if these claimants have been provisionally accepted for the Crown contribution, then once the claimant fulfils the remaining criteria they will receive a Crown contribution; and
- b) Because Mackenzie District Council will be a non-participating territorial authority for these claims, Mackenzie District Council will only be able to contribute to these claimant's repairs (and get the benefit of the statutory immunity in s125G of the WHRS Act 2006) if the claimant agrees.

If you would like any further clarification on this issue please contact Emma Taylor on 09 306 0379 or [emma.taylor@dbh.govt.nz](mailto:emma.taylor@dbh.govt.nz).

Yours sincerely

  
Allan Galloway  
Acting Manager Weathertight Services Group.

Enc.



# **MACKENZIE DISTRICT COUNCIL**

**REPORT TO:** MACKENZIE DISTRICT COUNCIL  
**SUBJECT:** COMMON SEAL AND AUTHORISED SIGNATURES  
**MEETING DATE:** 8 DECEMBER 2011  
**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 15 November 2011 to 13 December 2011.

## **STAFF RECOMMENDATIONS:**

1. That the report be received.
2. That the affixing of the Common Seal to document numbers 724 to 725 be endorsed.

**ROSEMARY MORAN**  
**COMMITTEE CLERK**

Number	Detail of Document	Date Signed & Sealed
724	Contract Agreement 1197 – Clayton Road Seal Widening, Mackenzie District Council and Sicon Contracting Ltd	28 October 2011
725	Contract Agreement 1198 – Minor Improvements 2011/2012, Mackenzie District Council and Ashburton Contracting Ltd	25 November 2011



**OCTOBER 2011:**

**Governance:**

A2OL Business Plan working Group workshop was delayed due to Mike and Denis having to deal with storm damage – now rescheduled for 11<sup>th</sup> November. 10k has been approved as a grant by MED to seed the business plan. Work started on pre plan “Business Plan”.

Chris Eden Project Manager resigned – 60 days notice last day being 23<sup>rd</sup> December 2011. Joint Committee next meets 19<sup>th</sup> November. Several options are available to JC for progressing project management. Phil and Thunes are meeting with Tim Denis and Hamish Seaton of Southern Land CKL next week. Tim Denis was the other final applicant selected in the first project manager selection process. He and Hamish are both highly recommended by John Dunn and Jonathon Kennet of the NZCT.

Newsletter sent to Mackenzie & Waitaki database, good response overall to first official newsletter – next edition due out end of November. Some negative comment from Duntroon due to lack of information. This is being addressed.

Additional businesses and individuals have been asked to be added to database.

The next newsletter is due end November.

Official Partner Programme launched via NZCT, liaising with local businesses – on a national level. Links into the work/support A2O L will be doing for promotion.

**Construction:**

**Consents**

**Pukaki \_MDC**

Submission received from Arowhenua Met on site, & reply sent awaiting on their reply/confirmation expected week beginning 7<sup>th</sup> November, seeking clarification re change of route near Nohoanga site.

1. After finalising agreement we ask MDC to resume consent process (currently on hold) and include these agreed actions as consent conditions.
2. NT's concerns will then have been met and it will withdraw its submission or advise MDC that it does not request a hearing
3. MDC can then complete the consent process and (hopefully) grant consent.

**Ohau \_WDC**

Consent application: Submissions period closed. Two opposing submissions. Likely that these can be negotiated to agreements outside of hearings process. Timeframes depend on whether hearing is required. Planning, specs, contracts etc will be worked on in the meantime.

**Quailburn\_WDC**

Draft consent with DOC (the landowner) for endorsement. Will be submitted to Waitaki Council soon. At this stage construction in about March 2012 is possible unless WDC decides to notify the application. This timeframe coincides with the best weather for trail construction.



A Cycle trail specialist, Hamish Seaton, has been engaged to provide initial design advice on the specific route. Field trip with iwi 19<sup>th</sup> November planned for future consents.

## **Trail route**

In the past month Project Manager has met or phoned the landowners again and has visited 4 landowners again with consulting engineer. All these landowners have indicated that they will sign. But it is not in the bag until they do. Rex Stringer will stay close to this one and give quick service to any new concerns over the next month.

## **Section 6 Otematata to Kurow**

Engineer inspected private easement route to avoid highway bottleneck. Negotiations continuing.

## **Section 7 Kurow to Duntroon**

Negotiations underway with landholder to provide alternative route around one dangerous section of highway.

## **Section 8 Duntroon - Tokorahi Ngapara – Weston**

- Trail, fencing and easement plans prepared and delivered to landholders for easements at Elephant Rocks and old rail alignment.
- Engineering specifications being prepared for section of trail from Duntroon to Elephant Rocks. Tender documents being prepared. Subject to approvals trail may be built in this section in early/mid summer.

## **Section 8 Weston (limestone quarry) to Oamaru (& other business)**

- Resource consultants engaged to undertake scoping exercise and initiate consents process for all remaining consent requirements on whole trail.
- Draft signs concept plan prepared for whole trail.
- Weekend field trip with local Iwi arranged.

Source: NZCT October report filed Chris Eden 28/10/2011