

MACKENZIE DISTRICT COUNCIL**MINUTES OF A MEETING OF THE
MACKENZIE DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBERS,
FAIRLIE
ON TUESDAY 31 MAY 2011 AT 9.30 AM****PRESENT:**

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

IN ATTENDANCE:

Glen Innes (Chief Executive Officer)
Paul Morris (Manager – Finance and Administration)
Keri-Ann Little (Relief Committee Clerk)

I OPENING:

The Mayor welcomed everyone to the meeting.

II APOLOGIES:

Nil

III DECLARATIONS OF INTEREST:

There were no Declarations of Interest.

The Mayor noted the following changes to the Agenda:

1. Heads of Agreement will be heard in Public Excluded
2. Brian and Helen Beattie will be arriving at 3pm for a presentation
3. Trees – Riverview Terrace – remove from Agenda
4. Farewell and Thank You to Frank Ledingham, retiring Manager – Roading.

IV BEREAVEMENTS:

The Mayor referred to the recent deaths of Mavis Clarkson, Findlay Dick, Bill Harris, Fiona Shanks, Thomas Groundwater and Murray Page. A motion of sympathy was passed and the Chief Executive Officer was directed to pass this on to those concerned.

V MAYORAL REPORT:

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

Resolved that the report be received.

Annette Money/ John Bishop

Twizel Clinic:

Cr Money asked The Mayor to elaborate on her meeting with Twizel moteliers. The Mayor explained the meeting was with the Paardekoopers and they discussed targeted rates. The Mayor continued on to say that her monthly Twizel Clinic was very successful with 3 to 5 appointments every month.

Andrew Simpson regarding future of Tekapo:

Cr Money asked The Mayor for further information concerning her meeting with Andrew Simpson. The Mayor stated herself, Chief Executive Officer – Glen Innes, Stephen Berge, Christian Burtcher and Andrew's daughter, Amanda met at the request of Andrew to discuss and to gain a feel of what the Council planned for Lake Tekapo, so they can reach an understanding before the adoption of the Long Term Plan.

Jenn Miller – Forest and Bird:

Cr Page asked the Mayor to recall her meeting with Jenn Miller. The Mayor stated this was a phone call from Jenn regarding the application for judicial review of Council's granting of Certificates of Compliance for irrigation on two high country properties. The Mayor advised that the query had been forwarded on to Nathan Hole – Manager Planning and Regulation.

Penny Murray – Mackenzie Sustainable Trust:

The Mayor stated this was an informal meeting regarding the direction of the Trust and Zone Committee.

VI REPORTS REQUIRING COUNCIL DECISION:

1. LETTER FROM FAIRLIE LIONS CLUB – MACKENZIE MEDICAL TRUST:

This letter from the Fairlie Lions Club dated 30 April 2011 referred to the Mackenzie Medical Trust and asked Council to facilitate its reinstatement as soon as possible.

The Mayor advised she would meet with representatives of the appointing organisations with a view to appointing replacements for the Trustees who had have resigned from the Mackenzie Medical Trust.

Resolved that the letter be received.

Graham Smith/Evan Williams

Resolved that the Chief Executive Officer and the Mayor respond to the Fairlie Lions Club's suggestion that the Trust be reactivated.

Annette Money/Evan Williams

2. EAST ROAD: OHAU GOLF CLUB

This report from the Asset Manager was accompanied by a letter from the Ben Ohau Golf Club in Twizel to rip up the sealed formation on the East Road entrance to the course and grass the area down.

Resolved that the report be received.

Graham Smith/Peter Maxwell

Resolved:

1. That the Council approves the area of seal on the Council owned land known as East Road, being ripped up by the Ben Ohau Golf Club and relayed in grass.
2. That Ben Ohau Golf Club be responsible for all costs associated with the work including the reinstatement into grass.

Annette Money/Evan Williams

3. DISPOSAL OF COUNCIL CARAVAN

This report from the Community Facilities Manager sought Council's approval to dispose of a surplus caravan.

Resolved that the report be received

Annette Money/Graeme Page

Resolved:

1. That the caravan be water blasted.
2. That Council advertise for expressions of interest from Mackenzie community groups in the purchase of the caravan.

Graeme Page/Evan Williams

4. TEKAPO PROPERTY GROUP TERMS OF REFERENCE

The draft terms of reference formalising the Tekapo Property Group as a Subcommittee of the Finance Committee were considered.

Cr Maxwell expressed some concern that the work of the group might be in conflict with more recent initiatives by some Tekapo residents.

The Mayor suggested that the meeting was merely a desire for locals to be more involved in developments rather than supplant the work already accomplished by the Property Group.

Resolved:

1. That the draft Terms of Reference of the Tekapo Property Group be revised so that Clause 2(e) reads as follows:
 - e) the Lake Tekapo Property Group will establish the pricing for the sale of land, subject to maximising Council's returns as far as practicable;*
3. That the revised terms of reference as follows be adopted:
 1. **Purpose**
The purpose of the work described in these Terms of Reference is to develop lakefront land commonly known as VC1 and VC2 land that allows Tekapo township to grow and develop.
 2. **Scope**
To achieve the purpose of this Terms of Reference, the Tekapo Property Group shall action or undertake the following:

- a) Develop appropriate plans, concepts and prepare the appropriate design and planning work necessary for a high quality development of the VC1 and VC2 land.
- b) Undertake the necessary consultation with interested parties of the VC1 and VC2 land and endeavour to achieve the aims of all parties by conciliation and negotiation. This consultation will include situations where the decision required to be made by the Tekapo Property Group may not provide a financial return but will demonstrate a strong corporate citizen ethic.
- c) Seek appropriate legal and professional advice.
- d) Ensure all statutory requirements are met as well as ensuring all ethical and moral issues that arise are dealt with in a professional and transparent manner.
- e) The Tekapo Property Group will establish the pricing for the sale of land.

3. Delegations

The Tekapo Property Group is a subcommittee of Council's Finance Committee.

The Tekapo Property Group has the following delegations:

- a) The authority to commit the Council to defined contract items to the value of \$10,000 (Ten Thousand Dollars + GST) without the need to consult with Council.
- b) The Council must approve all contracts over that value.
- c) Negotiate to the stage where agreement can be signed. Council retains final signing rights of any contracts for sale.
- d) All opportunities relating to the leasing of land or improvements with tenants of the VC1 and VC2 will be approved by the Council.

4. Reporting

The Tekapo Property Group is required to report to the Council on a quarterly basis but more frequently where delegation authorities are required to be exceeded.

5. Project Team Member Remuneration

All members of the Project Team will be eligible for mileage claims as paid to Council elected members.

6. Tekapo Property Group

The membership of the Group shall be appointed by Council in the first instance. The Group can co-opt members.

7. Finances of the Project Team

By the 28th February in any year the Tekapo Property Group will outline its projected expenditure and revenues for the coming 12 month budget period ending 30 June for the Council. Funding will be allocated as per the budget process and will be ratified by the Council adoption of the budget.

8. Tekapo Property Group

- a) The Tekapo Property Group should hold such meetings at such times at places as it shall from time to time appoint. The rules regulated in the proceedings of the Project Team should be those set out in NZS 9202: 2003, "Model Standing Orders for Meetings of Territorial Authorities, Regional Councils and Community Boards" as adopted by the Council.

- b) Councillors are entitled to attend all meetings. Councillors do not have speaking or voting rights at meetings. The Chairman may allow Councillors to speak by invitation.
- c) Tekapo Property Group agendas will normally be issued as Public Excluded due to the commercially sensitive information contained within them.

John Bishop/Graham Smith

5. ALPS 2 OCEAN CYCLE TRAIL LTD

This report from the Chief Executive Officer was tabled at the meeting. It is attached to these minutes as an appendix. It dealt with the submissions on the proposal to establish a company – Alps 2 Ocean Cycle Trail Ltd, to manage the interests of both Councils in operating the cycle trail once constructed.

Cr Smith raised concern over the budget and whether costs would be shared jointly.

The Chief Executive Officer explained that Council's share of the establishment costs would be an unbudgeted amount of up to \$4,000.00.

Steve Thompson had been approached by both councils to advise on establishment and taxation issues.

Resolved:

1. That the report be received.
2. That the submissions on the statement of proposal for Alps 2 Ocean Cycle Trail Ltd have been considered.
3. That the Alps 2 Ocean Joint Committee be instructed to constitute Alps 2 Ocean Cycle trail Ltd and deal with all matters in accordance with the Committee's terms of reference.
4. That the Alps 2 Ocean Joint Committee be instructed to prepare and recommend to the Councils a Shareholders' Agreement for their approval.

Graham Smith/Evan Williams

6. AMENDMENT TO DELEGATIONS MANUAL:

This report from the Manager, Finance and Administration, dealt with the delegation to staff of routine matters relating to rating and valuation.

He advised that a recent check of the legislation by the Revenue Officer had revealed items where staff lacked the necessary delegation to perform all of their functions. No matters of policy were involved.

Resolved that the report be received.

Annette Money/Evan Williams

Resolved:

1. That the Council delegates authority to the Chief Executive Officer to undertake on Council's behalf the powers and functions described below:

Local Government (Rating) Act 2002

Section 35(b)	Authority to remove names from the Rating Information Database (RID).
Section 41	Authority to issue amended rates assessments.
Section 42(3)	Authority to fix interest rates to be charged on additional rates.
Section 48	Authority to issue rates invoices with rates assessments.
Section 50	Authority to issue invoices based on previous years rates.

Rating Valuations Act 1998

Section 14 and Section 16	Authority to determine whether a new valuation will be provided upon request from an owner or ratepayer.
Section 34(4)	Authority to determine to alter a valuation or decline to alter a valuation.

2. That the Chief Executive Officer be delegated power to delegate these powers and functions to the Manager, Finance and Administration.
3. That in the interests of efficiency the Manager, Finance and Administration be authorised to sub-delegate to the Revenue Officer the following powers and functions:

Local Government (Rating) Act 2002

Section 35(b)	Authority to remove names from the Rating Information Database (RID).
Section 41	Authority to issue amended rates assessments.
Section 48	Authority to issue rates invoices with the rates assessments.

Rating Valuation Act 1998

Section 14 and Section 16	Authority to determine whether a new valuation will be provided upon request from an owner or ratepayer.
Section 34(4)	Authority to determine whether to alter a valuation or to decline to alter a valuation.

Graeme Page/Annette Money

VII ADJOURNMENT:

The meeting was adjourned at 10.40 am for morning tea and reconvened at 11.00 am.

VIII FAREWELL TO FRANK LEDINGHAM

The Manager – Roading, Frank Ledingham and the Asset Manager joined the meeting. The Mayor advised that Mr Ledingham would be retiring from Council's employment on the 15 June 2011 after working for the Mackenzie District Council for the previous three and a half years. On behalf of Council, the Mayor thanked Mr Ledingham for his services and wished him all the best for his retirement.

VI REPORTS REQUIRING COUNCIL DECISIONS (Continued):

7. ADOPTION OF THE ALPINE ENERGY LTD DRAFT STATEMENT OF CORPORATE INTENT:

This report from the Manager, Finance and Administration dealt with the need to annually review the Statement of Corporate Intent for Alpine Energy Limited, a company in which the Council held a minority interest.

Resolved that the report be received.

Graham Smith /Annette Money

Resolved that the draft Statement of Corporate Intent for Alpine Energy Limited for the year ended 30 June 2011 and two subsequent years be adopted.

John Bishop/Evan Williams

8. CIVIC ASSURANCE STATEMENT OF INTENT 2011:

This report from the Manager, Finance and Administration dealt with Civic Assurance's Statement of Intent for the year ended 31 December 2011 and the two subsequent years and Council's current policies that were held with that company.

Resolved that the report be received and the information noted.

Graham Smith/Peter Maxwell

TWIZEL COMMUNITY BOARD WORK PRIORITIES:

This was a request from the Twizel Community Board for Council's endorsement of their wish to proceed with next year's project work programme before the commencement of the 2011/12 financial year. Informal approval had been given earlier.

Resolved that the Mackenzie District Council confirms its earlier informal endorsement of the Twizel Community Board's request to proceed early with its project work programme prior to the commencement of the 2011/12 financial year.

Peter Maxwell/Graham Smith

9. REMUNERATION OF CANTERBURY WATER MANAGEMENT STRATEGY ZONE COMMITTEE MEMBERS:

This verbal report from the Chief Executive Officer dealt with proposals from some zone committees to increase the amount of remuneration received in the first year of the committees' operation.

While acknowledging the high workload, the Chief Executive Officer expressed reservations about the sustainability of such an increase for smaller councils and the relativity with other elected members such as community board members.

The Chief Executive Officer was asked to clarify whether or not a formal proposal for an increase had been accepted by the Mayoral Forum.

10. COMMON SEAL

This report dealt with documents signed under the Common Seal from 16 April 2011 to 27 May 2011.

Resolved that the report be received.

Annette Money/Graham Smith

Resolved that the affixing of the Common Seal to document numbers 706 and 707 be endorsed.

Annette Money/Graham Smith

11. CHIEF EXECUTIVE OFFICER – GENERAL ACTIVITIES REPORT

This report from the Chief Executive Officer referred to Council, Committee and Board meetings, Other Meetings and Activities, Report from the Zone 5 and 6 meeting and Proposed Changes in Vehicle Allowances.

Gudex Road

In response to a question, the Chief Executive Officer advised that the Ombudsman had inspected the site and met with the landowner and other parties to the dispute over access to the river. The Mayor and he had outlined Council's attempts to broker a reasonable compromise. The matter was now with the Ombudsman's office and it was anticipated he would produce a report to Council with his recommendations.

Meeting with Rebecca Larking

The Chief Executive Officer advised that this was a courtesy visit on behalf of Genesis Energy. The company was due to assume control of the two Tekapo dams the following day. They had assumed the same obligations as had been previously negotiated with Meridian Energy.

Possible Canterbury Earthquake Presentation

Cr Page suggested a presentation or speech from some of the local volunteers who helped out after the Canterbury Earthquake in Christchurch would be worthwhile. The Mayor agreed and stated that this would be very useful in respect to our own planning for emergencies and what we, the Mackenzie District may be required to do if this occurs again both in our own district and in neighbouring areas. It was agreed that the Chief Executive Officer would arrange for such a presentation to be made.

Clayton Road – Road legalisation

The Chief Executive Officer advised that this related to a long standing land issue that arose when the Station Stream Bridge on Clayton Road was replaced. A valuation was being obtained as a basis for further negotiation. He was working toward a resolution with minimal cost to the Council.

Vehicle Allowances

This part of the report referred to the option offered by the Remuneration Authority for Council's to revise their expenses policies to incorporate an increased rate for motor vehicle usage from 1 July 2011. A rate increase from 70 cents per kilometre to 74 cents per kilometre would be accepted by the Authority.

Resolved that the report be received

Annette Money/John Bishop

Resolved that the Council amend its expenses policy from 1 July 2011 to provide for a mileage reimbursement of 74 cents per kilometre for the first 5,000km travelled by elected members in the course of their duties and that the revised policy be submitted to the Remuneration Authority for its approval.

Graham Smith/Evan Williams

VIII COMMUNITY BOARD RECOMMENDATIONS

This report from the Chief Executive officer was accompanied by the minutes of the meetings of the Twizel Community Board held on 9 May 2011, the Tekapo Community Board held on 9 May 2011 and the Fairlie Community Board held on 11 May 2011. s.

Resolved that the report be received.

Annette Money/Graham Smith

Resolved that:

TWIZEL COMMUNITY BOARD

1. **Water Supply**

The Council notes the Board's recommendation that a temporary chlorination plant be installed to provide protection for the Twizel Water Supply from harmful bacteria and viruses (but not from cryptosporidium) and assessors feedback from the public on this matter before actioning the recommendation.

2. **Community Transport Service**

The Council notes the Board's support in principle for a community transport service for Twizel as advocated by the Twizel Community Patrol Group Steering Committee and its desire to be involved before a final decision on the project is made.

3. **Twizel Rating Boundary**

The Council notes that Peter Bell, John Bishop, Kieran Walsh, the Chief Executive Officer and Manager – Finance and Administration be appointed at the subcommittee to investigate the extension of the Twizel Community Rating Boundary with particular regard to the desired outcomes for the Community and the impacts of an extended rating base on adjoining areas and that a draft proposal be developed by the end of 2011.

4. **Upper Waitaki Shared Vision Forum**

The Council notes that Kieran Walsh has been appointed the Twizel Community Board's representative on the Upper Waitaki Shared Vision Forum.

5. **Unauthorised Tree Felling On The SH 8 Tree Belt**

The Council endorses the Board's recommendation that Peter Nicol be warned in writing that if he removes any more trees from the Community greenbelt the matter will be referred to the Twizel Police.

TEKAPO COMMUNITY BOARD:

6. **Lake Tekapo Community Hall – Dishwasher and Fridge**

The Council notes the Board has authorized the Community Facilities Manager to purchase a second had dishwasher and double door fridge for the Lake Tekapo Community Hall.

7. **Criticism Of Flying Fox Project**

The Council notes the Board's decision to thank Ms Satterwaite for her comments and advise her that the flying fox was part of the playground project which would provide an amenity for children; that it had been sited with sensitivity to the landscape and views, complied with the height restrictions in the District Plan and was part of an overall plan for the Village Centre area.

8. **Walking and Cycling Strategy For The Mackenzie**

The Council notes that the proposed Walking and Cycling Strategy for Lake Tekapo is to be raised at the meeting to be hosted by the Lake Tekapo Promotions Association on 19 May 2011 as one of the community facilities projects being fostered by the Community Board and that following the LTPA meeting, interested

parties will be invite to attend a workshop facilitated by staff, to progress the development of a Walking and Cycling Strategy.

9. **Sustainable Futures Trust – Upper Waitaki Shared Vision Forum**

The Council notes that Murray Cox has been appointed the Tekapo Community Board representative on the Upper Waitaki Shared Vision Forum and that Peter Munro is to be the alternative representative.

FAIRLIE COMMUNITY BOARD:

10. **Strathconan Park Croquet Site**

The Council endorses the Board's support for the Mackenzie Rugby Football Club's proposal to redevelop the former Croquet Club area in Strathconan Park.

11. **Mackenzie Community Centre Lighting Equipment**

The Council endorses approval of the Mackenzie Theatre Group taking ownership and control of the lighting equipment and that an agreement for the change of ownership of the lighting equipment will be formalised between Council and the Mackenzie Theatre Group and that the agreement include:

- A schedule of the equipment, including its condition, and the level to which it would be maintained.
- Arrangements for its insurance.

12. **Mackenzie Community Centre**

That the Council endorses the Board's approval of expenditure for the recovering of the seats and notes that the quotes will be sought for:

- Painting the stadium walls
- Painting the theatre backdrop and pillars
- Cleaning and painting the stadium ceiling

and that the Chairman will have power to act to accept a quote for painting.

Evan Williams/Annette Money

IX COMMITTEES:

Resolved that the Minutes of the Finance, Projects and Strategies and Planning Committees held on 24 April 2011, including those parts as were taken with the Public Excluded, be received.

Graham Smith/Graeme Page

X CONFIRMATION OF MINUTES:

Resolved that the minutes of the meeting of the Mackenzie District Council held on 19 April 2011, including such parts as were taken with the Public Excluded, with the following corrections to the record of the meeting with the directors of High Country Health:

- The spelling of High Country Health Chairman Simon *Williamson*'s name (not Williams).
- The reference to the second choice of site for a new medical centre to be *Ohau Road* (not Rhoboro Road,

be confirmed and adopted as the correct record of the meeting.

Annette Money/Graham Smith

IX ADJOURNMENT:

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

X VISITOR:

The Mayor welcomed Kelvin Cross, from JLT Insurance Brokers.

Mr Cross gave an overview of the current climate for insurance following recent natural catastrophes in New Zealand and overseas and the potential impact on the Council when it came to renew its current policies

The Mayor thanked Mr Cross who left the meeting at 1.15 pm.

X CONFIRMATION OF MINUTES (Continued):

MATTERS UNDER ACTION:

Seal past Houses Policy

The Asset Manager was requested to provide a timeframe for completion of this task.

XII PUBLIC EXCLUDED:

Cr Page queried the need for the report on the Tourism Trust to be considered with the Public Excluded. After discussion it was agreed that potential negotiations with staff could be compromised if it was considered in Open Meeting.

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

1. Medical Centre Rental Policy
2. Heads of Agreement – Solid Waste Management
3. Ongoing Funding Support for Tourism and Development Trust

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
Medical Centre Rental Policy	Commercial Sensitivity	48(1) (a) (i)
Heads of Agreement – Solid Waste	Commercial Sensitivity	48(1) (a) (i)
Ongoing Funding Support for Tourism and Development Trust	To enable the Council to carry on (without prejudice or disadvantage) negotiations.	48(1) (a) (i)

This resolution is made in reliance on Section 48(1)(a)(i) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows: *Medical Centre Rental Policy* section 7(2)(b)(ii) *Heads of Agreement – Solid Waste Management* section 7(2)(b)(ii) and *On-going Funding Support for Tourism and Development Trust* section 7(2)(i).

Annette Money/Evan Williams

**THERE BEING NO FURTHER BUSINESS,
THE MAYOR DECLARED THE MEETING CLOSED AT 1:20 PM**

MAYOR: _____

DATE: _____