

TO THE MAYOR AND COUNCILLORS OF THE MACKENZIE DISTRICT COUNCIL

Membership of the Council:

Mayor Claire Barlow
Cr Russell Armstrong
Cr Murray Cox
Cr Noel Jackson
Cr James Leslie
Cr Graham Smith
Cr Evan Williams

Notice is given of a meeting of the Mackenzie District Council to be held on Tuesday December 9, 2014, at 9.30am.

VENUE: Council Chambers, Fairlie

BUSINESS: As per the attached agenda.

WAYNE BARNETT
CHIEF EXECUTIVE OFFICER



MACKENZIE DISTRICT COUNCIL

Agenda for Tuesday December 9, 2014, at 9.30am

OPENING AND APOLOGIES

CITIZENSHIP CEREMONY

At 9.30am the Mayor will conduct a ceremony for three new citizens.

PRESENTATION OF BRUCE SCOTT MEMORIAL PRIZE BY LIZ SCOTT This will be followed by morning tea.

DECLARATIONS OF INTEREST

BEREAVEMENTS

MAYOR'S REPORT	5
REPORTS:	
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B) HERITAGE FUND APPLICATION – MRS CORDES AT 11AM	9
C) CHRISTCHURCH AND CANTERBURY TOURISM REPORT	25
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E) ORARI OPIHI PAREORA WATER ZONE COMMITTEE REFRESH	45
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G) AMENDMENT TO DELEGATIONS MANUAL	62
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I) REVIEW OF BYLAWS	65
COMMUNITY BOARD RECOMMENDATIONS AND MINUTES: The Twizel and Tekapo Community Board meetings held on November 17 and the Fairlie Community Board meeting held on November 24.	193
A) Twizel Community Board Minutes	198
B) TEKAPO COMMUNITY BOARD MINUTES	205
C) FAIRLIE COMMUNITY BOARD MINUTES	216
RECEIVE COMMITTEE MINUTES:	
Receive the minutes of the committee meetings held on November 25	

Receive the minutes of the committee meetings held on November 25 2014, including parts taken with the public excluded.

A) STRATEGY AND POLICY COMMITTEE MINUTES	224
B) FINANCE COMMITTEE MINUTES	227
C) ASSET AND SERVICES COMMITTEE MINUTES	233
D) PLANNING AND REGULATION COMMITTEE MINUTES	239

RECEIVE MINUTES OF SUBMISSION HEARING AND MEETING: 246

Receive the minutes of the hearing of bylaw submissions by the Planning and Regulation Committee on November 27, 2014, and the meeting of the Planning and Regulation Committee that followed the hearing.

CONFIRM COUNCIL MINUTES:

263

Confirm and adopt the minutes of the Mackenzie District Council meeting held on October 28, 2014, as the correct record of the meeting, including those parts taken in public excluded.

CONFIRM EXTRAORDINARY COUNCIL MINUTES:

281

Confirm and adopt the minutes of the Extraordinary Mackenzie District Council meeting held on November 7, 2014, as the correct record of the meeting, including those parts taken in public excluded.

PUBLIC EXCLUDED:

<u>Resolve</u> that the public be excluded from the following part of the proceedings of this meeting namely:

A)	TWIZEL PUBLIC TOILETS (ATTACHED)	286
B)	EXCESS WATER USE INVOICES (ATTACHED)	290

- C) LAND AVAILABILITY AT FAIRLIE (TO BE CIRCULATED)
- D) LAKESIDE DRIVE PROPERTY SALE (VERBAL UPDATE)
- E) TWIZEL PROPERTY SALES (VERBAL UPDATE)
- F) PREVIOUS MINUTES TEKAPO COMMUNITY BOARD NOVEMBER 17.
- G) Previous minutes Finance Committee November 25.
- H) PREVIOUS MINUTES ASSET AND SERVICES NOVEMBER 25.
- I) Previous minutes Planning and Regulation committee November 25.
- J) PREVIOUS MINUTES COUNCIL OCTOBER 28.
- K) Previous minutes Council November 7.

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
Twizel Public Toilets	Commercial sensitivity	48(1)(a)(i)
Excess Water Use Invoices	Protect privacy of persons	48(1)(a)(i)
Land Availability at Fairlie	Enable commercial negotiations	48(1)(a)(i)
Lakeside Drive Property Sale	Enable commercial negotiations	48(1)(a)(i)
Twizel Property Sales	Enable commercial negotiations	48(1)(a)(i)
Previous minutes Tekapo Community Board November 17	Commercial sensitivity	48(1)(a)(i)

Previous minutes Finance Committee November 25	Enable commercial negotiations	48(1)(a)(i)
Previous minutes Asset	Commercial sensitivity	48(1)(a)(i)
and Services Committee November 25	Maintain legal professional privilege	
	Enable commercial negotiations	
Previous minutes Planning and Regulation Committee November 25	Maintain legal professional privilege	48(1)(a)(i)
Previous minutes Council meeting October 28	Enable commercial negotiations	48(1)(a)(i)
20	Commercial sensitivity	
	Maintain legal professional privilege	
Previous minutes Council meeting November 7	Enable commercial 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: Twizel Public toilets, Previous minutes Tekapo CB, Previous minutes Asset and Services, Previous minutes Council under section 7(2)(b)(ii). Excess water use invoices under section 7(2)(a), Land availability at Fairlie, Lakeside Drive property sale, Twizel property sales, Previous minutes Finance, Previous minutes Asset and Services, Previous minutes council on Oct 28 and Nov 7 under section 7(2)(i). Previous minutes Asset and Services, Previous minutes Council under section 7(2)(g).

ADJOURNMENTS:

10.30AM MORNING TEA

12.00PM LUNCH

3:00pm Afternoon Tea

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL

SUBJECT: GENERAL ACTIVITIES REPORT

MEETING DATE: 9 DECEMBER 2014

REF: PAD 2/3

FROM: MAYOR

ACTIVITY REPORT

COUNCIL, COMMITTEE AND BOARD MEETINGS

31 October	Re-adjourned Council meeting to adopt Annual Report.
7 November	Council workshop.
11 November	Tekapo Property Group meeting.
25 November	Committee meetings.
27 November	Freedom Camping Bylaw hearing.

OTHER MEETINGS AND ACTIVITIES

29 October	Met with Pat Shuker as part of the Twizel Clinic Day. Drove to
	Tekapo School in evening to participate in their Book Week
	celebrations and read a bed time story.
30 October	The CEO and I met with Dermott O'Sullivan, Tony McCormack and
	David Henshaw. In the afternoon I met with Jen Miller and Mike
	Nielson.
31 October	Met with Waitaki & South Canterbury Mayors.
5 November	PORT FM Radio Show in morning. In evening travelled to Timaru and
	attended the South Canterbury JP's Association AGM.
7 November	Attended the opening of the new Twizel Public Toilets.
17 November	Attended NZ Walking Access Commission forum in Geraldine. Went
	to the Tekapo Stargazing in the evening.
20 & 21	With the CEO and Councillor Graham Smith I attended the Rural
November	Provincial meeting in Wellington.
26 November	Attended the District Licensing Committee meeting in Timaru. Then
	travelled to Christchurch to attend the Kiwibank Local Heroes
	Awards in evening.
28 November	Attended the Beef and Lamb Big Day Out at Grampians Station with
	the CEO.
29 November	Attended the opening of the new Waitaki bridges.
30 November	Attended the Kimbell Art and Music Day.
2 December	Met with Malcolm Cameron from 4ME events. In evening
	participated in the Tekapo Lakeside Development Drop In Session.

3 De	ecembe	r	Travel to Christchurch to attend the Canterbury Police Pay Parade.	
4	&	5	Attended the Canterbury Mayoral Forum Workshop with the CEO,	
Dec	ember		and the Mayoral Forum. Attended the Civil Defence Emergency	
			Management meeting Joint Committee meeting in the afternoon.	
			Travelled back to Fairlie.	

1. That the report be received.

CLAIRE BARLOW MAYOR

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL

SUBJECT: CHIEF EXECUTIVE OFFICER'S GENERAL ACTIVITIES REPORT

MEETING DATE: 9 DECEMBER 2014

REF: PAD 2/3

FROM: CHIEF EXECUTIVE OFFICER

ACTIVITY REPORT

COUNCIL, COMMITTEE AND BOARD MEETINGS

31 October	Re-adjourned Council meeting to adopt Annual Report.
7 November	Council workshop.
11 November	Tekapo Property Group meeting.
17 November	Twizel and Tekapo Community Board meetings.
24 November	Fairlie Community Board meeting.
25 November	Committee meetings.
27 November	Freedom Camping Bylaw hearing.

OTHER MEETINGS AND ACTIVITIES

The Mayor and I met with Dermott O'Sulivan, Tony McCormack and
Dave Henshaw.
Paul Morris and I interviewed three candidates for the Projects and
Administration Manager role.
Met with Michelle Read of Strategic Pay.
Attended Canterbury LTP Group meeting in Christchurch. Followed
by a meeting with David Rhodes of LINZ also in Christchurch.
Met with Sally Jones from DOC Twizel.
Attended the official opening of the new Twizel Public Toilets.
Met with Nigel Ross and Stephen Gubb.
Met with Charles Anderson in morning and then Murray and
Margaret Turley late afternoon.
Attended presentation of strategic position of Council.
Attended CEO Forum and CEG meeting at Waimakariri District
Council.
Met with Daniel Naude of South Canterbury Roading Safety Group
Met with Mrs Brien followed by Peter McClelland of the Bluewater
Corporate Committee.
With the Mayor and Councillor Graham Smith, attended the Rural
Provincial meeting in Wellington.
Met with Raewyn Bell of ADBT in the morning.
Met Managers in the morning with a LTP Assumptions meeting. In
afternoon met with Paul and Eunice Taylor.
Attended the Beef and Lamb Big Day Out at Grampians Station with
the Mayor.
Travelled to Christchurch and met with a Valuer and Council's

	solicitor.
2 December	Management Team met with Environment Canterbury Directors in Fairlie. In evening participated in the Tekapo Lakeside Development
	Drop In Session.
4 & 5	Attended the Canterbury Mayoral Forum Workshop with the Mayor
December	and the Mayoral Forum. Attended the Civil Defence Emergency
	Management meeting Joint Committee meeting in the afternoon.
	Travelled back to Fairlie.

1. That the report be received.

WAYNE BARNETT CHIEF EXECUTIVE OFFICER



MACKENZIE DISTRICT COUNCIL

APPLICATION FOR FUNDING FROM THE HERITAGE PROTECTION FUND

To: Mackenzie District Council PO Box 52 Phone: (03) 685-9010 Fax: (03) 685-8533

FAIRLIE
DETAILS OF APPLICANT Mackenzie Cenotaph Memorial Full Name Jehmifer Mary CORDES (Chair) Committee
Full Name Jehnifer Mary CORDES (Chair)
Postal Address 38 9/ay ST, Fairle 1925
Daytime Contact Person Jennifer Cordes
Telephone 03 685-8294 Fax email jennifercordes 2 clear, net. nz
DETAILS OF HERITAGE ITEM
Name of Item Mackensie District Cenotoph, Fairlie Address/Location Intersection State Highways 8 and 79 Legal Description Current Use Memorial to the faller of WNI, WN2 and Koreo
SIGNIFICANCE OF ITEM (attached further pages if necessary) The Machense Memorial is the Mackenzie Districts Vecognition of those men from the avea, who were both in agained education at local schools, or were working on the County at enlistment.
PROPOSED WORK FOR WHICH FUNDING IS SOUGHT Tunding is sought to add the names of servicemen, to this Memorial, their names which have previously been omitted due to lack of information, on the part of those ex-servicemen or family members the orginal inscriptions. Out of respect for those not listed, I seek assistance to rectify the situation.

WHY THE PROPOSED WORK IS NECESSARY
I think this is applicable to last question
previous page. A number of local residents I
May spoken to agree that alle respect should be
given to the missing names of fallen servicement who, fitting the three criteria should be acknowledged.
WHY FUNDING IS REQUESTED AND WHETHER OTHER
FUNDING APPLICATIONS HAVE BEEN MADE OR
CONSIDERED funding is requested as previous reasons in last two
palagraphs. With the advent of digitised records and
information from Internet sites, it is easier to find
information from Internet sites, it is easier to find lelevant information as to the new links with the Machenaie
District I have not requested any other funding.
QUOTES
I have enclosed a minimum of two quotes providing a breakdown of labour
and material costs for the work the funding would apply to. Alading roals
AMOUNT REQUESTED FROM FUND Les + Dir lones
I request the following amount from the fund \$
es the Pourcil Timara.
sees fit.
Signature of Applicant lessifer loldes Date 24 November 2014
Date 24 November 2014

Note: The Council will notify the applicant of its decision in writing following consideration of the application. Approved funding is paid as a reimbursement, once the work has been inspected and confirmed to be of a professional standard by a suitably qualified person.

For all enquiries please contact the Mackenzie District Council, PO Box 52, Fairlie.

Phone: (03) 685 9010 Fax: (03) 685 8533 Email: info@mackenzie.govt.nz

38 Gray St Fairlie 7925 28 January 2014 Сору.

Fairlie Community Board Mackenzie District Council Main Street Fairlie

Dear Members,

Re: WW1 and WW2 fallen personnel from the Mackenzie District whose names have been omitted from the District War Memorial at Fairlie.

I am writing for your consideration as to providing some funding for additions to the names of soldiers from the Mackenzie District who died in the First World War 1914-1918 and the Second World War 1939-1945.

I have been researching the missing names for quite some time to find the links with the Mackenzie District.

The criteria I have used are the following which are also used by other researchers doing similar projects throughout New Zealand.

- 1 Born in the district
- 2 Enrolled at a school in the district.
- 3 Person was living/working in the district at the time of enlistment.

There are about 24 names missing from WW1 and possibly 12 from WW2, which I consider with due respect should be added to the District Memorial.

As there is no room for adding the names to the existing marble plaques, I have discussed the addition of new plaques with Mr Les Jones of Aorangi & Harding Memorials.

Yours faithfully

Jennifer Cordes

Our Grateful Prayers are due as for all the Satiors and Soldiers of the King, so in particular for the following Churchmen and others connected with the Parish:

THE FALLEN

" May the Souls of the Faithful fallen in Battle, by the Mercy of God, Rest in Peace."

Licut Cyrll Blaheney Corp. C. F. Bartram Trooper C. P. Sorman Privato T. Driger Lieut, R. Fergusson

Cot. L. O Gallachan Sergi. R. F. Piper

L. Gorp. J. P. Roberts Private W. J. Raa Corp. R. J. Sima Private II. Tarrant

Private A. J. Bernblow Private S. Kimber Private W. G. Loomes

.....

Trasper C. K. K. Tinckler Private Harvey Wild

PRISONER OF WAR IN GERMANY FLIGHT LIEUT. F. D. H. SAMS

RETURNED FROM SERVICE

J. A. Burgess W. F. Buckley J. R. C. Russell

O. B. Bartrum

F. Stamp T. Stamp

S. Gillingham H. Hammond

C. E. West

ON ACTIVE SERVICE

E. J. ASKEW

T. S. ANDREWS E. ANDERSON C. BUCKLEY

W. M. BUCKLEY
A. R. BUSHELL
H. C. BRAY
J. W. H. BRAY
G. W. A. COOLING
H. J. CODLING
A. G. CAPILL
G. DRIVER, Juny
G. FODEN

G. FODEN

P. A. FODEN A. GILLINGHAM

GILLINGHAM

R. GILLINGHAM E. GOODWIN

C. H. HOLLAND

K. HAMMOND

J. HAMMOND

A. HAMMOND J. A. JACOB (Ven.) V. LeCREN

H. LOOMES

R. LOOMES

A. M. LOOMES S. MAYNARD

L. A. MARSHALL J. F. McMILLAN

E. MILLICHAMP

G. J. MORRALL H. N. ROBERTS (Rev.) R. RAPLEY

E. T. READING

R. J. ROBERTSON H. F. ROBERTSON

W. M. H. SAMS

H. W. H. SAMS

C. SHAILES

R. SHUTE

L. C. SCOTT

P. G. SCOTT B. S. M. SLOW

K. B. TENNENT

E. A. WATERS A. H. WATERS

WHITE

"God Bless Our Soldiers, Sailors and Airmen, and Grant to our Nation Victory and Peace."

This card was given out to parishioners 1918

The Yaller includes to names not on the district lenotaph.





Mrs Jennifer Cordes 38 Gray St FAIRLIE 7925

Dear Jennifer,

Thank you for your time last week, and the opportunity to look at the project of additional names on the Fairlie War Memorial.

As we discussed there is not sufficient space on the existing plaques for the required names. A possibility is to cut into the limestone wall, and insert new plaques (indented), but there are complications with this as the WW1 plaque has a verse at the bottom, and the WW2 has the Korean War at the bottom. For these reasons, and the cost, I think this option is less desirable.

The most cost-effective and simple solution is to add new plaques onto the wall with a beveled edge. This can be done in either matching white marble, or black granite.

The black granite is cheaper, and would fit below the existing plaques.

The white marble could be attached over the lower part of the existing plaque, with the wording that is covered being inscribed on the new plaques (as per the photos attached).

I have priced both options to "hand-cut" the lettering, so they match exactly to the existing lettering. There is a cheaper option to "computer-cut" the lettering to get a close similarity to the existing lettering. I am allowing for 18 names to be added to WW1, and 13 to WW2.

These prices are only estimates at this stage. I can provide exact quotes if you decide to proceed, and I can map out the names to get the exact sizing and lettering required.

I hope this helps. Please feel free to contact me if you have any questions.

Thanks and regards,

Les Jones Director

F. CRILLS, D. M. M°VEY, W. R. M°VEY, T. NELSON, A. HORNBLOW, C. CAMPBELL, W. LAWTON, W. SEYB, S. K. JONES, C. CASWELL, W. CASWELL, W. WALLS, C. IRVING, W. MAYLEN, A. M°INNES, S. VINCENT, J. MORRISON, J. TREMBATH, F. C. YEATES, E. O'REILLY, J. O'REILLY, A. CARDINER, R. JOHNSTON, L. C. NEILL.

"REMEMBERING THESE DEAD LET THE LIVING BE HUMBLE." C. BLAKENEY, L. C. O'CALLACHAR, A. FRAGUHAR,
R. A. FURGUSON, W. WADE, R.J. SING, T. KEWY,
C. HAYTER, C. W. DIUES, C. F. BARTENN, D. COLL,
J. F. ROBERTS, E. ANNIES, T. G. BLLL,
W. ANDTRON, D. CLARIE, T. GASER, Y. DORMAR,
A. CORRETT, C. ALAITER, E. GANER, Y. J. R. E.
R. FINIERTON, C. M. SAUNDERS, J. SULLIVAN,
C. SMART, F. J. SMALL, D. SMALL, T. W. DRIVER,
H. E. SHUSHALL, C. WALTON, H. WILLON,
C. SMART, E. J. SMALL, T. W. DRIVER,
H. E. SHUSHALL, C. YALTON, H. WILLON,
E. J. WODDELL, C. STEVENSON, M. BALLANTYNE,
F. GALLS, D. M. MYEY, W. R. WYEY, T. RESON,
A. RORNELOW, C. CAMPBELL, W. LAWTON, W. SEYE,
S. K. JOHGS, C. CAMPBELL, W. LAWTON, W. SEYE,
C. TRYING, W. MATLLIN, A. MEHNER, S. WINGENY,
J. MORRIERON, J. TREMBARH, F. C. TEATE,
C. TRYING, W. MATLLIN, A. MEHNER, S. WINGENY,
J. JOHNSTON, L. C. NEILL.
R. JOHNSTON, L. C. NEILL.
THE LIVING OF HUNBLER,
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F. CRILLS, D. M. M°VEY, W. R. M°VEY, T. NELSON, A. HORNBLOW, C. CAMPBELL, W. LAWTON, W. SEYB, S.K. JONES, C. CASWELL, W. CASWELL, W. WALLS, C. IRVING, W. MAYLEN, A. M°INNES, S. VINCENT, J. MORRISON, J. TREMBATH, F. G. YEATES, E. O'REILLY, J. O'REILLY, A. GARDINER, R. JOHNSTON, L. C. NEILL.

"REMEMBERING THESE DEAD LET THE LIVING BE HUMBLE!"

Rain Gravite W. Anderson, D. Clarke, T. Caskey, P. Dorman A. CORBETT, C. HALSTEAD, C. KIMBER, W. J. RAE. E. KEEFFE, W. C. LOOMER, P. MCRECOR, F. SLOW C. SMART, F. J. SMALL, D. SMALL, T W. DRIVER H.E. SNUSHALL, C. WALTON, H. WILD, N. MAZE C. WALKER, W. A. SMITH, J. CALDER, E. DILLON, F. CRILLS, D. M. MIVEY, W. R. MPVEY, T. NELSON A. HORNBLOW, C. CAMPBELL, W. LAWTON, W. SEY R. A. FURGUSON, W. WADE, R. J. SIMS, T. HERY C. HAYTER, C. W. DINES, C.F. BARTRUM, D. COL. R. PINKERTON, C. W. SAUNDERS, J. SULLIVAN, J.P. Roberts, E.Anniss, T. Burnett, C. Bell., F. J. WADDELL, C. STEVENBON, N. C. IRVING, W. MAYLEN, A.A. REMEMBERING TH

F. CRILLS, D. M. MOVEY, W. R. MOVEY, T. MELSON, A. HORNBLOW, C. CAMPBELL, W. LAWTON, W. SEYB, S.K. JONES, C. CASWELL, W. CASWELL, W. WALLS, C. IRVING, W. MAYLEN, A. MOINNES, S. VINCENT, J. MORRISON, J. TREMBATH, F. G. YEATES, E. O'REILLY, J. O'REILLY, A. GARDINER, R. JOHNSTON, L. C. NEILL.

"REMEMBERING THESE DEAD LET

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			Block
PRIDE.	ICHAM S SEHAR	ERRY RIDDLE T. ROBERTSON T. ROBERTSON IHANKS STRUTHERS JONES . STRUGM.	
NATA NATA	W. FISHER B. GILLINGHAM HORNE C. HOWES J. KANE D. M ^e KERCHAR	P. PERRY B. C. RIDDLE A.C. T. ROBERTSON E. B. T. ROBERTSON T. SHANKS T. SHANKS G. S. JONES C. S. JONES RTIN. d. E. BURBDROUGI	
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		HIGH X	

I. D. MCKERCHAR . CHARTERIS T. H. COOK P. PERRY L. D. CORDES B. C. RIDDLE C. S. CUTHILL A. C. T. ROBERTSON E.C.H. DOYLE E.B.T. ROBERTSON C. R. ELLIS T. SHANKS G. I. ELLIS H. E. STRUTHERS T. G. MCVEY C. S. JONES J.C. MARTIN. KOREA - 1954 - J. E. BURBOROUGH.



Estimate

MEMORIALS

Estimate No

Q000495/1

Date

28 May 2013

Valid To

27 June 2013

The Jones Co NZ Ltd P O Box 3010 Timaru 7943 Phone: 0800 684466

Cordes, Jennifer 38 Gray St

Fairlie

GST Number: 66-890-813

FAIRLIE CENOTAPH

To supply and install plaques with additional names onto WW1 and WW2 memorials

(White Marble plaques - hand-cut lettering)

Costs

Description	Quantity
Granite Plaque - White Marble - 840 x 500mm - bevelled edge	
Inscription - additional - matching startill - additional - addition	2.00
Inscription - additional - matching stencil - 31 names plus footer from WW1	6.00
Installation - plaque	2.00
Travel - Fairlie	2.00
Sub Total	4,088.00
GST	613.20
Total	4,701.20





Estimate

MEMORIALS

Estimate No

Q000496

Date

28 May 2013

Valid To

27 June 2013

Phone: 0800 684466

The Jones Co NZ Ltd P O Box 3010 Timaru 7943

Cordes, Jennifer

GST Number: 66-890-813

38 Gray St Fairlie

FAIRLIE CENOTAPH

To supply and install plaques with additional names onto WW1 and WW2 memorials

(Black Granite plaques - hand-cut lettering)

Costs

Description		
·		Quantity
Granite Plaque - Black Granite - 840 x 400mm - bevelled edge		2.00
Inscription - additional - matching stencil - 31 names Installation - plaque		5.00
Travel - Fairlie		2.00
		2.00
	Sub Total	2,960.00
	GST	444.00
	Total	3,404.00

WILLIAM BRASS

SERVICE NUMBER: 6/807

RANK: CORPORAL

REGIMENT: CANTERBURY INFANTRY BATTALION

UNIT: MAIN BODY

DATE OF DEATH AND PLACE: 25 APRIL 1915,

GALLIPOLI, TURKEY.

AGE: 26

CASUALTY TYPE: KILLED IN ACTION

GRAVE: LONE PINE MEMORIAL, ANZAC TURKEY

William was born on 27 December 1888 at the Orkney Islands, the son of James Gillies and Isabella Bews Brass of Kelton St, St Ola, Kirkwall, Orkney. He was single and at enlistment he gave his address as the Hydro Grand hotel, Timaru. He left Lyttelton on the 16 October 1914 on the "Tahiti" or "Athenic", destination Suez, Egypt.

"He came to New Zealand, in 1908 and joined the guiding staff at the Hermitage, Mt Cook in 1913, where he remained until war broke out. He was a man of superb physique and in perfect health and was a great favourite with his brother guides, who appreciated his strength and his good nature. He was well known and liked by all visitors to the Hermitage who were placed in his charge. His kind, thoughtful and cheerful nature won for him many warm friends, and the death of such a fine man was deeply regretted by all"

(New Zealand Alpine Journal volume 3 No.10, March 1921)

His name is remembered on the South Canterbury Memorial Wall, Timaru and the Commonwealth War Graves website.

Also on Memorials at Kirkwall and Rendall, Orkney.

He was Killed on the 25th April 1915, the first landing at Gallopoli

PERCY MELVILLE CLOSE

SERVICE NUMBER: 33237

RANK: Private

REGIMENT: NZEF

UNIT: 22nd Reinforcements Specialist Company, Machine gun

section.

DATE AND PLACE OF DEATH: 13 January 1918

AGE: 35

CASUALTY TYPE: Died of wounds

GRAVE: Buttes New British cemetery. Polygon Wood,

Zonnebeke, West-Vlaanderen, Belgium.

Percy was born at Fairlie Creek on 25 February 1883, the son of William and Mary Eleanor nee Dines, who married 1873 in New Zealand. The Close family lived in North St, Timaru and Percy was enrolled in the Infant school at the Timaru Main School, coming from Oamaru on 5 March 1889. He left school on 15 November 1899, destination work. His brother William left the Main school in 1896. A sister was called Jane.

Percy's occupation at enlistment was engine driver. He married Mary Geraldine Buck in 1917. At enlistment his wife was listed as next of kin, her address being 24 Bath St, Parnell, Auckland,

He embarked from Wellington on 16 February 1917 on the troop ship "Aparima" for Plymouth, England.

He served with the machine gunners in France and Palestine.

His name is remembered on the South Canterbury Memorial Wall at Timaru and the Cenotaph at the Auckland War Memorial Museum.

Notes re names missing of World War I and 2 on the Mackensia District War Memorial at Fairle. I Consider I have been very diligent with the information from various sources as to the inclusion of the names, which fit the eriteria for adding to the Cenotaph.

Cemeteries Patabase - Mackensie District Pouncil. References: Auckland War Memorial Museum Database. Commonwealth War Glaves Commission Database South Cantorbury Memorial Wall, Timaru National Archives, Wellington 'Archways' website. -Records to December 1921, Hilitary, Army records.

Local Knowledge School admission registers and memorials. Register General, birtho, deatho and marriages website 'Tapers Past' website, eq 'The Timam Herald' St stephens Anglican Church, Remembrance card 1918 John Cranford, historian, Trentham Military lamp The late Paul McNicol, South Panterbury historian Tony Rippin, research officer, Timara Meseum Jeremy Sutlerland, historian.

Jenifer Cordes.

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NEW-ZEALAND-L Archives

Archiver > NEW-ZEALAND > 2007-12 > 1196637931

From: Christine Clement < cmclement@clear.net.nzcmclement@clear.net.nz>

Subject: Re: [NZ] Criteria for names on War Memorials

Date: Mon, 03 Dec 2007 12:25:31 +1300

References: <006901c83517\$db9600e0\$0601010a@StargateCommand>

Heather

The criteria thing is quite interesting. A gentleman from the local RSA and I have been working on our WWl War Memorial - I included all who had died while in uniform from whatever reason i.e. KIA, MIA, DOW, POW, Illness, from injuries/illness/accident received during war service, injuries/illness/accident during Training (see Featherston Cemetery) BUT the RSA seem to think that the person has to be basically Killed in Action!

Te Puke's current World War One Memorial does not appear to have been erected to about 1963!!! so is missing around 40 names. Even though the memorial is to the fallen there are three names of men who were still alive when the memorial was erected!

On my web page I have a collection of names on War Memorials around New Zealand and am always on the lookout for more. If you (or anyone else) would like to add yours please let me know.

Christine Clement Te Puke (Kiwifruit Capital of the World)

New Zealand

http://freepages.genealogy.rootsweb.com/~sootycmclement@clear.net.nz

List Manager for Ballinger-UK, Boulcott, Shand, and Audas on Rootsweb.com

---- Original Message --

From: "Heather Bray" < kandh.bray@xtra.co.nzkandh.bray@xtra.co.nz>

To: <new-zealand@rootsweb.comnew-zealand@rootsweb.com>

Sent: Monday, December 03, 2007 8:16 AM Subject: [NZ] Criteria for names on War Memorials

> Can anyone tell me if there was a criteria for whose name went up on

> particular War Memorials i.e.

```
· P-
   > 1. Did someone need to have been born in an area
    > 2. Did someone need to have been educated in an area
    > 3. Did someone need to work in an area
    > 4. Did someone need to just live in an area
    > 5. Did someone need to recruit in an area
    > Is it possible that someone can have met the criteria for all of the above
    > and therefore appear on 5 War memorials.
    > I am not meaning war memorials outside schools or workplaces but more the
    > large war memorials which grace many small rural towns throughout New
    > Zealand.
    > I ask this because I am finding references to people who I can find no
   > association with an area i.e. they were not born there (according to birth > certificates), educated there (no reference in APWs), worked there (all
    > indications in directories have them working elsewhere), lived there (no
    > reference in directories or electoral rolls) or recruited there but they
    > are on that War Memorial.
    > Any thoughts on this.
    > Heather
    > Heather and Kevin BRAY
    > 28 Milburn Street
    > Corstorphine
    > Dunedin 9012
    > NEW ZEALAND
    > Telephone (03) 487.6558
    > Email: kandh.bray@xtra.co.nzkandh.bray@xtra.co.nz
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    'unsubscribe' without the
    > quotes in the subject and the body of the message
```

This thread:

• [NZ] Criteria for names on War Memorials by "Heather Bray" < kandh.bray@xtra.co.nzkandh.bray@xtra.co.nz>

• Re: [NZ] Criteria for names on War Memorials by "TW & CR Smith" <TW-CR.Smith@xtra.co.nzTW-CR.Smith@xtra.co.nz>

Re: [NZ] Criteria for names on War Memorials by Christine Clement

<cmclement@clear.net.nzcmclement@clear.net.nz>

- Re: [NZ] Criteria for names on War Memorials by "Mary Legarth" legarthm@levin.pl.net
- Re: [NZ] Criteria for names on War Memorials by Diâne Taylor
 taylormaid@paradise.net.nz
- Re: [NZ] Criteria for names on War Memorials by Carole Perwick <jandcperwick@paradise.net.nzjandcperwick@paradise.net.nz>
- Re: [NZ] Criteria for names on War Memorials by "Stuart Park" <spark@xtra.co.nzspark@xtra.co.nz
 - Re: [NZ] Criteria for names on War Memorials by Christine Clement cmclement@clear.net.nz
- o Re: [NZ] Criteria for names on War Memorials by "John Wilson" <hugo@actrix.co.nzhugo@actrix.co.nz>
- o [NZ] Criteria for names on War memorials by "Heather Bray" < kandh.bray@xtra.co.nzkandh.bray@xtra.co.nz>

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Overview

Administration

The current two-year Memorandum of Understanding (MOU) between MDC and CCT continues until 30 June 2016.

This report summarises the agreed activity outlined in the current MOU for the past quarter 8 September – 30 November. The next quarterly report will be provided in March 2015.

Breakdown by Activity

Industry Communications

Industry Newsletter

The fortnightly Industry Newsletter is currently sent to 292 Mackenzie tourism operators. For the period 8 September – 30 November, one special notice and six newsletters have been sent with an average open rate at 46.3%. The key topics covered include:

- Christchurch Airport news
- Regional events
- Business listings on newzealand.com
- Industry Workshops
- Tourism New Zealand statistics
- Where to list your event and how
- TNZ & CCT campaign information

- Tourism New Zealand webinars and market updates
- Emerging and special interest markets
- Regional operator news and awards
- TRENZ trade event information
- New products within the region
- Mackenzie Official Visitor Guide

Monthly Columns in Local Publications

Columns in the Fairlie Accessible and Twizel Update continue to be submitted on a monthly basis. They provide a good avenue to communicate with the wider region on key marketing activity. See examples in Appendix I.

Drop in Sessions

Drop in sessions are an open invitation and provide the regions tourism operators the opportunity to have one-on-one time with the Mackenzie District Marketing Coordinator. In the last quarter, 2 drop in sessions have been held in Fairlie and Twizel. Topics discussed with operators who visited included international market insights, Tourism New Zealand activity, website assistance and trade information.

Industry Training

In October CCT sponsored two 'Getting ready for China' workshops for operators in the region. Although these have been run in the past, it was important to include as many front line staff hired for the 2014/15 summer season.



The morning session was an introduction to the Chinese market with topics including:

- Who is the Chinese traveller?
- How to build a relationship
- What do they want?
- What can I do?

The afternoon session was targeted information for business including:

- Protocol & etiquette
- Customising for the Chinese market
- Social media & online tools

The workshop was well-received totalling 68 attendees over both workshops. A post-workshop survey was conducted with the following results:

Overall assessment of the event	4.85 out of 5
Knowledge gained useful/applicable	3.77 out of 4
Organisation of event	4.85 out of 5

The next workshop is scheduled for February 2015 with the topic yet to be confirmed.

Online Presence and Content Development

The following updates/improvements have been made to the website in the last quarter:

- Winter campaign development including:
 - Five new winter pages
 - 'Snow' animation incorporated into the winter pages to align with the branding.
- Five new business listings have been set up and 14 listing updates have been made on mtcooknz.com.

The Mackenzie Marketing Coordinator has posted regularly on social media platforms – Twitter and Facebook. It is important to have ongoing and interesting activity on these platforms to enhance reach and engagement across social media. There has been no paid activity to date so all growth is relying on organic reach.



Mtcooknz.com Winter Campaign homepage



Joint Venture Campaign Activity

Domestic Market Winter Campaign



The purpose of this campaign was to increase Christchurch and Canterbury visitors to the Mt Cook Mackenzie region during the winter period for skiing and other winter-related activities. With an increase from 11 to 16 investors, the campaign could ensure it included some well positioned advertising. A range of advertising channels were utilised including print, online and radio beginning 14 July until September.

The full domestic winter campaign report can be read in appendix II.

Trade Activity

Travel Trade

MDC have agreed within the MoU, a sum of money will be allocated towards the Mackenzie District's representation by Christchurch & Canterbury Marketing at international trade training events and sales calls.

International trade activity conducted in the last quarter includes:

Trade Activity	Market	Action	Date
MATTA Travel Fair	Kuala Lumpur, Malaysia	Promote the region and Sth Island touring	5-6 September
Malaysia Market Sales Calls	Kuala Lumpur, Malaysia	Six key trade companies including Managers and front line staff	7 September
Kiwilink South & South	Singapore	300 delegates from Indonesia,	25 September – 4
East Asia including		Singapore, Malaysia and	October
frontline training		Thailand	
Southeast Asia Frontline	Bangkok, Surabaya and	Updating over 260 travel	5-6 October
training	Jakarta	agents	
Western Australia	Perth, Australia	Updating key frontline staff	8 October
Training (South & TNZ)			
Frontliners Roadshow	Guangzhou, Hong	Valuable face-to-face	1-7 November
China	Kong, Beijing and	networking and relationship	
	Shanghai	building opportunities	
Kiwilink China	Shanghai, China	Updating key trade product	10-12 November
		managers	



International Trade Familiarisation

Travel trade familiarisations (famils) are a collaboration between TNZ and CCT. The costs of the famils are generally covered by TNZ, however the Mackenzie component of the famils are often hosted by the Mackenzie Marketing Coordinator or the CCT trade team.

Famil Name	No's. Hosted	Market	Destinations	Date
TNZ CIAL Japan Famil	10	Japan	Mackenzie, Christchurch	11-14 September

Media Activity

International Markets

International media programme famils (IMP) are organised through TNZ. The cost of these are covered by TNZ, however the Mackenzie component of the famils are often hosted by the Mackenzie Marketing Coordinator or the CCT media team.

Since 8 September the following media have visited the Mackenzie District:

Famil Name	Market	Reach	Medium	Timing	TNZ IMP
Sekia no Kaido	Japan	3,500,000	Broadcast	8/10/14	TNZ
CIAL China Canterbury Showcase	China		Print/Online	25/10/14	ССТ
Lonely Planet USA	USA/UK/AU	4,000,000	Print/Online	9/11/14	TNZ
National Geographic Traveller	UK	60,000	Print/Online	20/11/14	TNZ

Annabelle Bray
Mackenzie District Marketing Coordinator
Christchurch & Canterbury Tourism

APPENDIX I

O Christchurch Canterbury Tourism



The Fairlie Accessible

Aoraki Mount Cook Mackenzie Marketing Update - November 2014

The weather is still setting but the approaching summer season is looking promising according to feedback from fourism businesses in the region. Forward bookings are looking good. and the excitement of more visitors is in the air

AA 101 Must Do's 2014

It's that time again and the Acraki Mount Cook Mackenzie region. is once again a favourite for kiwis. AA's 101 Must Do campaign is running again and you can vote for your favourite 'Must Do'. Highlighted within the region is The Caims Golf Course in Lake Tekapo and Glacier Kayaking with Southern Alps Guiding in Annaki Mt Cook. Images are also uploaded by viewers which have included.

Lake Pukalu and Mt Cook Cycling around Lake Tekapo Church of the Good Shepherd The Sealy Tams & Hooker Valley

Lake Ruataniwha

Visit www.natrayel.co.nz/101/ to view and votal

Christchurch Airport News

Christchurch will receive the largest increase in airline seat capacity compared to other NZ ports. An increase of 11% will come from most airlines as strong global inbound demand outpaces supply. New services by China Airlines, and increasing frequencies by Air New Zealand, Fiji Airways, Jetstar, Qantas, Singapore Airlines and Virgin Australia have led to a double-digit increase this coming season. The increase in demand for seat capacity will result in a significant expansion of regional tourism benefits for the entire South Island

Christidium Arport was the fastisst growing point of entry for Chinese travellers arriving in New Zealand last year, with an increase of 48% in Chinese arrivals for year ended June 2014. Christithurch Airport have announced an expanded charter programme during Chinese New Year 2015. They have also announced a partnership between Christchurch Airport and one of China's largest travel agencies, GZL International Travel Service Ltd. With a full calendar of marketing activities to further raise the South Island's profile, GZL triternational Travel Service Ltd will work with artines to bring Chinese visitors to the South bressei

Come and meet me in Twizel!

I will be in Twizel this Friday for a 'drop-in' session. This provides an opportunity to come and discuss your fourism related issues one-on-one. I look forward to seeing you! Date: Friday 21 November

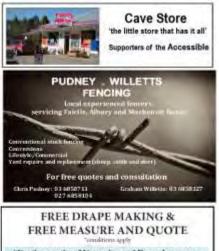
Venue: Shawtys Caté, Market Place, Twizel Time: 11am - 1.30pm

Out and About on our tracks and trails

If you're out and about on the regions walking tracks, whether cycling, hiking or going on a family stroll, take a snap and send it to mel I would love to post locals photos on our social media throughout the summer season.

If you have any questions about the information in this column or regarding tourism in the Mackenzie region, please contact me, I would love to talk to you

Annabelle Bray - Mackenzie District Marketing Coordinator 027 474 8687 Annabelle.bray@chrietchurchnz.com



"For the months of November and December we are offering 15% off Luxaflex Duette blinds!"

We can call on you in our mobile showyoom.





a Street, Main Book (opposite Applia Polytechnic) Tima These 60 etc 0764 - were more distributed from to its cells owned and operated. Voltor as an incoloral

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The Twizel Update





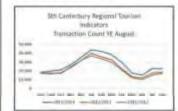
Aoraki Mount Cook Mackenzie Marketing Update - October 2014

Agraki Mount Cook Mackenzie statistics snapshot

There have been a few people asking about how tourism in performing throughout the region so I thought I would provide a snapshot for you information from Statistics NZ's Commercial Accommodation Monitor: International guest nights increased 12.4% for the year ending August 2014 compared to August 2013. Total guest nights increased 7.8% for the year ending August 2014 compared to August 2013. In August 2014 there was an increase in total bed nights of 10.5% compared to August 2013

Below illustrates a successful 12 months for the South Canterbury area. Regional Tourism Indicators provide a transaction count of electronic card data (number of transactions within a given month) for South Canterbury (Maskerute, Ashburton, Timaru). These indicators are broken down by territorial authority areas defined by Statisics New Zealand.

Throughout the last 12 months there has been a 19.5% average increase in transactions from 2012/2013 to 2013/2014 which is an absolutely fantactic result!



Attracting Sydney Visitors

Over the past two weeks, Christchurch and Canterbury Toursm have been running a campaign called 'Centerbury Tales Yet To Be Told. Focused salely on the market of Sydney "Independent Professionals", educating and enticing them about short break holiday options in the Canterbury region.

The campaign tone was a modern day take on Chaucer's Tales, paying tribute to medieval illustration with an iconic Kiwi twist. At its heart, the campaign promoted seven short break fineraries and a competition that highlighted the unique experiences that are on offer in the region. A town orier roamed Sydney's CBD and spread the word about the Canterbury region.

The Adraki Mount Cook Madvenzie featured in The Sound's Tale showcasing Canterbury's 'big scenery and big expenences". The Mackenzie region looks forward to hosting an increase of Sydneysiders out exploring the Canterbury region.

If you have any questions about the information in this column or regarding tourism in the Mackenge region, please contact me. I would love to talk toyou.

Annabelle Bray - Mackensie District Marketing Coordinator Phy 027 474 8687 annabelle, bray@christchurchez.com

www.facebook.com/twizelupdate

facebook





APPENDIX II

Mackenzie Domestic Winter Campaign Report

Campaign: Domestic Winter Campaign
Campaign Period: 14 July – 31 August

Planned Budget: \$44,000 Actual Spend: \$43,766.31 Prepared by: Annabelle Bray

Background

For the previous campaign, the main objective of the domestic winter campaign was to install awareness of the quality winter attractions the Mackenzie District has to offer Christchurch and Canterbury residents. This campaign was aimed at families with the majority being through online advertising.

Results from last year suggested that the placement of digital advertising and winter website (mackenziewinter.co.nz) did not perform to satisfactory levels.

The Mackenzie region enjoys a peak period during the July school holidays (including high pressure on bed nights). Outside of this peak period, there is potential to increase the number of domestic bed nights throughout most of the winter season. 2013 saw a decline in the domestic market through July – September from 13,222 beds in July to 11,158 beds in September (CAM Statistics, www.med.govt.nz). This information forms part of the background when considering the target markets and setting the timing of the 2014 winter campaign.

Campaign Objectives

To increase domestic visitors to the Aoraki Mount Cook Mackenzie region throughout the 2014 winter season.

• Increase the number of domestic guest nights in the Mackenzie region by 10% during the winter July to September period, compared to the same period in 2013.

Domestic Bed Nights	2013 (actual)	2014 (target)
July	13,222	14,544
August	11,542	12,696
September	11,158	12,274

• Increase domestic web traffic by 30% for the period of June to September, compared to the same period in 2013.

Domestic web traffic	2013 (actual)	2014 (target)
mackenziewinter.co.nz	3,622	4,709





Target Audience/s

The core target market is the Christchurch and Canterbury residents looking for short winter getaway options, either families or young professionals.

- Weekend visitors from Christchurch/Canterbury
- Young professionals mainly those who aren't fanatic skiers and who can travel during the week (fanatics will already know about the region and what it has to offer).

Campaign Strategy

The campaign was to predominantly highlight the snow/ski options in the region, with a secondary layer showcasing what else there is on offer to the winter visitor.

The region already enjoys a peak period during the July school holidays (including high pressure on bed nights) therefore the focus needed to include young professionals and the older, but still active audience who can travel outside of these times.

A total of 16 Mackenzie hospitality and activity operators invested in the campaign confirming the campaign budget of \$44,000.

The campaign proposition was 'Take time to play this winter' which was used throughout the campaign. Q Agency were commissioned to design the creative imagery and Immediate managed the media buy.



Media used throughout the campaign consisted of print, digital and radio targeting the Christchurch & Canterbury area. The media commenced on July 14 and the campaign was actively in market through to the end of August although some digital activity continued through to the end of the winter season.

Key Messages

Instilling the message to Christchurch & Canterbury residents to 'Take time to play this winter'. The idea of a short winter break in the Mackenzie is not far away and there are many options to keep them busy no matter the weather.

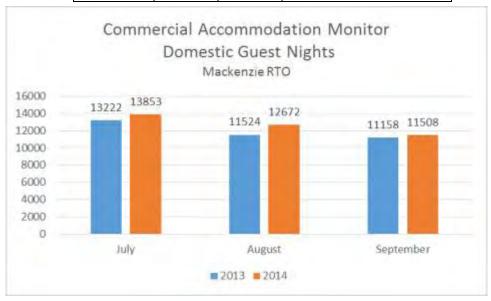
Campaign Outcomes

The Commercial Accommodation Monitor showed an increase in the number of domestic guest nights in the Mackenzie but didn't reach our KPI of 10% during the winter July to September period, compared to the same period in 2013. The unreliable season and variation of snow throughout the region could have impacted these figures.





	2013	2014	Percentage Change
July	13222	13853	4.6
August	11524	12672	9.1
September	11158	11508	3.04



Mackenzie Winter pages on mtcooknz.com

The decision was made to use mtcooknz.com for the campaign and refer all traffic from mackenziewinter.co.nz to the campaign home page.

Five pages were created on mtcooknz.com

- Ski & Snow (home page for Domestic Winter Campaign)
- Off the Snow
- On the Snow
- Winter Accommodation
- Competition page

Total page views for the above pages dedicated to the winter campaign was 20,851 including all products directly linked off these pages (1 July - 30 September). To view the total number of page views for each operator associated with the campaign, see appendix I.

By utilising mtcooknz.com as the main site for the campaign, meant the stats improved from the poor performance of mackenziewinter.co.nz.

Web Pages	2013 Page Views	2014 Page Views	Percentage Increase
Mackenziewinter.co.nz (all pages)	3,622	-	
Mtcooknz.com	1,278	4,622	262%
- Ski Home Page			
Mackenziewinter vs mtcooknz (all	3,622	16,361	352%
pages)			





Domestic page views of all winter pages on mtcooknz.com for the 2014 campaign compared to all winter pages on mackenziewinter.co.nz in 2013, increased 352% meeting the campaign objective of 30%.

Results:

PRINT

	Description	Circulation	Publish Date
The Press	8 page colour insert	75,000 printed*	16 July
		66,795 subscriptions	
Avenues Magazine	Full page advert with editorial	45,000	August
		91,000 readership	
Metropol Magazine	Full page advert with editorial	45,000	7 – 20 August
		180,000 readership	
Chill Magazine	Two column spread	15,000 distributed to	2014 edition
		Australia & New Zealand	

See appendix II for examples of the print advertisements.

RADIO

A 30 second advertisement was aired on five Christchurch and Canterbury stations throughout July and August in four, five day blocks. Canterbury stations include: More FM, The Breeze, The Rock, The Edge, ZM. See appendix IV for the 30 second script.

DIGITAL

Websites

Press.co.nz advert, four creative adverts on a 1 week rotation commencing 20 July

• 318,448 total impressions, 433 clicks

Chillout.co.nz, advert on the 'news' page for July – September

• 255,597 impressions, 186 clicks

Newsletter

Christchurch Reimagined newsletter, Mackenzie winter feature highlighting the gold and silver levels

- sent to 7,413 to Christchurch & Canterbury residents,
- 38.5% open rate
- 62 links clicked

'Take time to play this winter' newsletter

- sent to a database of 4,333 Christchurch residents
- 42.5% open rate,
- 337 clicks

Facebook

Activity included posts featuring investors, local events, seasonal information and paid activity

^{*}There were approximately 600 surplus copies of the insert. These were distributed throughout the Christchurch eateries by Phantom Billstickers. (See appendix III)





- 'Likes' increase of 27% to 384
- Five promoted posts average reach 2,772, average engagement 71 per post

COMPETITION

The opportunity for participation in the competition was included in the gold and silver level investment. In the campaign brief, it states the competition "will be advertised via radio and on mtcooknz.com winter home page". It was agreed, due to the number of radio ads being too light, it would not make the desired impact that the competition deserves. The Competition was then promoted through:

- Landing page on mtcooknz.com page
- Paid Facebook promotion
- 'Take time to play this winter' Newsletter promotion with link to competition page on mtcooknz.com (319 clicks on link)

The competition was live 3 - 14 August with 2,522 visits to the landing page resulting in 261 entries. To enter the competition entrants had to answer in 10 words or less, **What's the best thing about the Aoraki / Mount Cook Mackenzie region in winter?**

The top keywords/phrases that emerged were – Scenery, Snow-capped mountains and Snow. For more keywords and phrases, see Appendix V

Key Learnings

Elements of the campaign performed really well and has the potential to be included in future campaigns and other activity which could be improved for 2015

The Press insert showed that not only did it receive great feedback on its imagery and content, it also encouraged readers to take action (The Hermitage recorded three times the traffic to their 'deals' web page on the day of issue).

By deciding to use mtcooknz.com for the campaign meant all information was fed back to relevant landing pages and additional information. Mtcooknz.com was a lot easier to track and gain momentum throughout the campaign including better use of images throughout the winter pages.

Communication between the operators and facilitator is very important to consistently keep current information flowing through the campaign social networks. It's recognised that this is a very busy time for operators so it needs to be clear before the season begins of the various channels that can be leveraged to highlight their product and gain more exposure.

For both 2013 and 2014 campaigns, all media has been targeted towards the Christchurch & Canterbury market. For future campaigns, research should be done to identify other potential domestic markets. If another geographic market was chosen, the Canterbury region would still need to be part of the campaign makeup to ensure Mackenzie is still top of mind as a winter destination.

Unfortunately the weather throughout the season was outside of our control and posed challenges when sending the message of a fabulous winter break in the Mackenzie region.

Annabelle Bray Mackenzie District Marketing Coordinator Christchurch & Canterbury Tourism





APPENDIX I

Campaign Page Statistics on mtcooknz.com

Total page views for each operator associated to the Domestic Winter Campaign

1 Jul - 30 Sep 2014	Pageviews	Total pageviews for operators
Mackenzie Ski homepage	4,622	
Competition page	2,522	
On the snow - landing page	1,344	
Mt Dobson Ski Area	371	6,337
Ohau Snow Fields	359	6,325
Roundhill Ski Area	377	6,343
Alpine Guides	160	5,432
Alpine Recreation	79	729
Southern Alps Guiding	650	1,300
Off the snow - landing page	477	
Tekapo Springs	932	6,031
Air Safaris	524	5,184
Earth & Sky	2,178	2,216
High Country Salmon	618	656
Kohan Japanese Restaurant	62	100
Reflections Café & Restaurant	38	76
The Helicopter Line	698	736
Winter accommodation - landing page	365	
The Hermitage Hotel (incl. Motels & Chalets)	3,258	8,245
Discover Tekapo	62	124
Lake Tekapo Holiday Homes	150	212
Lake Tekapo Scenic Resort	337	399
Peppers Bluewater Resort (listing came down 16 Sep)	606	668
Pinewood Motels	62	124
TOTAL	20,851	

These are a compilation of any homepage / landing page they appeared on and their product listing on mtcooknz.com.

For example, gold members had 2 direct links off the homepage to their product listing, a listing on one of the 3 landing pages and a link from a landing page to their product listing, so all 3 pages are included in their total count. Most operators had a landing page listing with a link to their product listing, and Air Safaris (silver) and Alpine Guides had additional promotion on the homepage in the second rotator at the bottom of the homepage.





Print Creative Examples

The Chill Magazine Column Spread







Avenues Advert



The Press Insert Cover

Metropol Advert





APPENDIX III

The Press Insert Distribution

Phantom Billstickers

- 1. C1 Coffee, CBD
- 2. Mainz, CBD
- 3. C4 Roastery, CBD
- 4. Bunrunners, CBD
- 5. Cafe Lumes, CBD
- 6. Vivace, CBD
- 7. Beat St Cafe, CBD
- 8. Hummingbird, ReStart
- 9. Cosmic Corner, ReStart
- 10. Dose Cafe, CBD
- 11. Oddfellows Cafe, Addington
- 12. NY Deli, Addington
- 13. Eat Cafe, Addington
- 14. Vanilla Bean Cafe, Addington
- 15. The Court Theatre, Addington
- 16. Addington Coffee Coop,

Addington

- 17. BBs, Tower Junction
- 18. Mandeville Coffee Shop, Riccarton
- 19. Hell Pizza, Riccarton
- 20. Theos, Riccarton
- 21. My Father's Barber, Riccarton
- 22. Pennylane Records, Riccarton
- 23. Music Planet, Riccarton
- 24. Velvet Burger, Riccarton
- 25. Scorpio Books, Riccarton
- 26. Dose Diner, Riccarton
- 27. Raeward Fresh, Tower Junction
- 28. Honey Pot Cafe , Sydenham
- 29. Embassy ,Sydenham

- 30. Pennylane Records , Sydenham
- 31. Underground, Sydenham
- 32. Burgers and Beers, Sydenham
- 33. Stencil ,Sydenham
- 34. The Colombo Mall (Rack 1), Sydenham
- 35. The Colombo Mall (Rack 2), Sydenham
- 36. Canterbury Cutz ,Sydenham
- 37. Saviore Cafe, Beckenham
- 38. Taste @ 20, Cashmere
- 39. Emperors New Clothes, Cashmere
- 40. The Cup, Cashmere
- 41. Zeroes, Cashmere
- 42. Burger Wisconsin, Cashmere
- 43. CPSA, CPIT
- 44. BLAX, CBD
- 45. Vics, CBD
- 46. Claude's Kitchen, Woolston
- 47. Canterbury Cutz, New Brighton
- 48. Crema, New Brighton
- 49. New Brighton Library, New Brighton
- 50. Linwood Library, Linwood



APPENDIX IV

Radio Advertising Script

30 Second Radio Script

Mackenzie Winter Campaign

Christchurch and Canterbury Tourism

Tone of voice: Young Female 25-35ish. Happy, lively and bright. Music tone: Indie Rock, moderate to fast tempo.

Take some time to play this winter

Treat yourself to the stunning regions of Lake Tekapo, Mt Cook, Twizel and Fairlie.

Enjoy the local ski fields of Mt Dobson, Round Hill and Ohau.

This unique region is your very own winter playground, and all within easy travel distance from Christchurch.

So, whether it's for family fun, a get away with friends, or just to relax and unwind.

A short break in the Mt Cook Mackenzie region, is all you'll need.

For more information on holiday activities and deals, go to mackenziewinter.co.nz

APPENDIX V

Word Cloud created from Competition entries



MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL

SUBJECT: LAND SALE TO YOUTH HOSTEL ASSOCIATION OF NEW

ZEALAND (YHA)

MEETING DATE: 9 DECEMBER 2014

REF:

FROM: WAYNE BARNETT, CHIEF EXECUTIVE OFFICER

PURPOSE OF REPORT:

To seek Council approval of the recommendation to sell land at Tekapo to YHA.

STAFF RECOMMENDATIONS:

- 1. That the report be received.
- 2. That Council approve the sale of Lot 4 of the Tekapo Lakefront Development to Youth Hostel Association of New Zealand.
- 3. That the Mayor and the Chairman of the Tekapo Property Group be delegated authority to approve the terms and conditions of the agreement.

WAYNE BARNETT
CHIEF EXECUTIVE OFFICER

ATTACHMENTS:

- Letter to Tekapo residents/businesses from Chief Executive Officer
- Lake Tekapo Town Centre Plan

BACKGROUND:

The Tekapo Property Group has instructed staff and Hughes Development to negotiate with YHA in relation to the sale of Lot 4 of the Tekapo Lakefront Development. The sale has been negotiated to address community concerns in relation to the possible development of a hostel at Lot 5.

On 11th November 2014 the Group resolved:

1. That the report be received.

Richie Smith/Stella Sweney

2. That the property group recommend that council approve the sale of Lot 4 to the YHA.

Claire Barlow/Richie Smith

3. That the property group approve the proposed communication plan.

Claire Barlow/Richie Smith

The attached letter has subsequently been sent to local residents and businesses, and a public drop in session was held on Tuesday 2 December 2014.

The sale and purchase agreement is commercially sensitive and has not been included to allow this matter to be publicly debated. The key points of the agreement are:

Sale of Lot 4 Area: 1675 m²

Subject to Council approval of concept plans for any building Subject to Council securing an additional unconditional sale

Subject to Council approval of the terms and conditions of the Agreement

SIGNIFICANCE OF DECISION:

This decision is not significant in terms of Council's Significance and Engagement Policy because it relates to a matter that is included in the current Long Term Plan.

ISSUES & OPTIONS:

The Tekapo Property Group has recommended that Council approve the sale as part of the Tekapo Lakefront Development process.

The Property Group has considered the commercial benefits of the sale and the impact on community aspirations.

CONCLUSION:

It is recommended that Council approve the sale of Lot 4 to YHA.

Dear Tekapo resident/business,

Re: Update on Youth Hostel Association from the Tekapo Property Group

The Tekapo Property Group has been set up to advise the Mackenzie District Council on issues related to the Tekapo Lakefront Development. Members of the Group include representatives from the Tekapo community, council staff and elected councillors. One of the issues the Tekapo Property Group has considered recently has been the best location for a new youth hostel in Tekapo.

Background

Early this year the council announced that a sale and purchase agreement had been signed with the Youth Hostel Association to buy Lot 5 in the new development. Lot 5 is open land located between the Kohan Restaurant and the lakefront.

The following feedback was received at two public workshops held in Tekapo in January this year:

- Some people want the YHA in Tekapo but not in the centre of town.
- Some people want it in the centre of town to bring money to local businesses.
- There were concerns about the amount of traffic and car parking connected to the YHA.
- A new building on Lot 5 would block existing views, especially from the Kohan Restaurant.
- Some people were concerned about transient visitors and potential alcohol problems.
- Some people were concerned about how the building might look.

Following the public workshops, councillors asked staff to investigate alternative locations for the youth hostel. The council and the YHA worked together to investigate possible sites outside the current development, including locations close to the current youth hostel. Unfortunately this was not viable for two reasons:

First, the high cost of subdividing land and providing services like roads, sewerage and storm water make it uneconomic to carry out a new subdivision when only one building is planned in that area. Councillors have decided that the lakefront development must be cost-neutral to avoid putting ratepayers money at risk. If the youth hostel stays within stage 1 of the development, these subdivision costs will be spread across several land sales.

Second, it would be a poor long-term strategy to locate the new youth hostel on land that might be needed for larger buildings and developments down the track.

The parties then considered the best location for the youth hostel within stage 1 of the development. The objective was to reduce the prominence of the youth hostel, protect views, and incorporate the youth hostel as part of a hospitality and retail hub. Moving the youth hostel from Lot 5 to Lot 4 was considered to be the best option. Lot 4 is open land to the right of the proposed Earth and Sky site when looking towards the lake.

Current Recommendation

The Tekapo Property Group has decided to recommend to the council that a new sale and purchase agreement be signed with the Youth Hostel Association for Lot 4 (instead of Lot 5). The council will

consider this recommendation at its meeting in Fairlie on December 9. One of the conditions of this agreement will be that councillors have sign-off on the concept plans for the new building. This solution allows for the development of hospitality units around the main viewing shaft and green area.

The council has commissioned a traffic and landscape study to look into concerns about traffic and car parking. This body of work will lead to a firm plan for parking and the needs of a youth hostel will be factored into this plan. The community can be reassured that the council is taking steps to ensure enough car parking will be available for the entire development. A draft copy of this plan is <u>available</u> for download.

Council entered into a contract with the YHA in good faith. While we have listened to public concerns we also have a responsibility to treat the YHA fairly. The YHA have worked with the council positively and have helped us create a solution that meets the needs and objectives of both the council and the YHA.

The YHA is an established business that is committed to Tekapo and prepared to invest in Tekapo. The demographic of YHA clients is a good fit for the business area. This is the type of business that attracts pedestrians into a commercial area and enhances the vibrancy of the area. The YHA has an established track record along with the commitment and capability to undertake the building of a new hostel to a high standard.

I understand that this outcome will not please everyone. Between now and the council meeting on December 9 a public drop-in session will be organised at the Tekapo Community Hall to allow you to meet with both myself and a representative from the YHA. This will be a good opportunity for you to ask questions and voice concerns.

This drop-in session has been organised for **Tuesday, December 2, between 4pm and 6pm**. You are welcome to call in at any time during these hours to discuss or ask questions on any aspect of the lakefront development.

A map showing the location of Lot 4 is attached for your information.

Wayne Barnett
Chief Executive
Mackenzie District Council





DATA QUALITY STATEMENTS

PROPERTY DATA

THE PROPERTY DATA HAS BEEN SOURCED FROM LAND INFORMATION NEW ZEALAND (LINZ) AND IS CURRENT AS AT 31st MARCH, 2013

AERIAL PHOTO

THE IMAGE HAS BEEN ORTHORECTIFIED AT GROUND LEVEL TO A LOW ORDER AND ALIGNED WITH SURVEYED FEATURES. THE IMAGE WILL STILL BE SUBJECT TO SOME DISTORTION.

LOTS TO VEST

LOT 8 HEREON IS TO VEST AS RECREATION RESERVE IN THE MACKENZIE DISTRICT COUNCIL.

LOTS 9 & 10 HEREON ARE TO VEST AS ROAD IN THE MACKENZIE DISTRICT COUNCIL.

AMALGAMATION CONDITION

THAT LOTS 11,12 & 13 HEREON ARE TO BE HELD IN THE SAME COMPUTER FREEHOLD REGISTER.

NOTE

SUBDIVISION PLAN ONLY.

AREAS AND DIMENSIONS ARE SUBJECT TO FINAL SURVEY.

PREPARED FOR THE PURPOSES OF OBTAINING A RESOURCE CONSENT ONLY.

COMPRISED IN: CT 4250 TOTAL AREA: 3.6500ha PREPARED BY: J.A. TRIST

Licensed Cadastral Surveyor

APRIL 2013



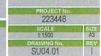




REV	DATE	REVISION DETAILS	APPROVED
THE REAL PROPERTY.	29-09-14	AMEND LOTS 4 & 7	JTRIST
H	10-09-14	LOTS 4,7,8 & 9 AMENDED & STAGING AMENDED	JTRST
G	02-09-14	LOTS 4,7 & 10 AMENDED, LOTS 12 & 13 ADDED, AMALGAMATION ADDED	JIRIST
F	04-12-13	LOT 11 RECREATION RES REMOVED, LOTS 7 & 10 BOUNDARIES AMENDED	JTRIST
E	15-10-13	3x3 CORNER SPLAY ADDED TO LOTS 3, 5 & 6	JIRST
D	23-08-13	BOUNDARY LOTS 10 & 5 AMENDED, LOT 11 ADDED	JIRIST
C	06-08-13	STORMWATER EASEMENT ADDED & AREA LOT 5	JTRIST
8	07-05-13	ROW NOW ROAD TO VEST, STAGING & LOT 9 ADDED TO LOT 4	JTRIST
	ALCOHOLD VALUE OF		

DRAWN	DESIGNED
TSTOCKER	JTRIST
CHEC	
RHO	PE
APPR	
J TRIST	DATE 01-05-2013
JTRIST	

TEKAPO TOWN CENTRE LOTS 1 - 11 BEING PROPOSED SUBDIVISION **OF SECTION 1 SO 20261**



ISSUED FOR APPROVAL

MACKENZIE DISTRICT COUNCIL

REPORT TO: COUNCIL

SUBJECT ORARI-OPIHI-PAREORA ZONE COMMITTEE – REFRESH OF

COMMITTEE MEMBERSHIP

MEETING DATE 9 DECEMBER 2014

FROM ENVIRONMENT CANTERBURY

TONI MORRISON, SENIOR POLICY PLANNER

PURPOSE OF REPORT

To appoint the community members of the Orari-Opihi-Pareora Water Management Zone Committee.

STAFF RECOMMENDATIONS

- 1. That the report be received.
- 2. That the Council:
 - a) Appoints the community members of the Orari-Opihi-Pareora Water Management Zone Committee as follows:
 - Ad Sintenie until December 2017
 - Tony Howey until December 2017
 - James Pearse until December 2017
 - b) Confirms the appointment of Karl Russell as a representative for Te Rūnanga o Arowhenua on the Orari-Opihi-Pareora Water Management Zone Committee.

ATTACHMENTS:

None.

BACKGROUND

The Canterbury Water Management Strategy (CWMS) refreshment process for the zone and regional committee membership was approved by the Mayoral Forum at its meeting on 19 July 2013. The Mayoral Forum requested that two of the community member positions be refreshed each year.

The Mayoral Forum requested Environment Canterbury to run an expression of interest each year. The process must clearly state the interests of the remaining community members, and that maintaining "...a balance of interests" and "collaborative ability" are the key selection criteria. Committee selection continues to be made by a working group with representatives from the relevant Territorial Authorities, Environment Canterbury and the local Rūnanga;

1

This report provides the recommended membership of the Orari-Opihi-Pareora Zone Committee.

MEMBERSHIP OF THE ORARI-OPIHI-PAREORA ZONE COMMITTEE

The Orari-Opihi-Pareora Zone Committee is comprised of:

- One elected member or Commissioner appointed by Environment Canterbury
- One elected member appointed by each Territorial Authority operating within the Zone Boundary
- Two members from Te Rūnanga o Arowhenua
- Between 4-7 members appointed from the community and who come from a range of backgrounds and interests within the community.

At its meetings in December 2013, Environment Canterbury, Timaru District Council and Mackenzie District Council appointed Ad Sintenie and Tony Howie until December 2014. David Henshaw has resigned from the Committee. Arowhenua Rūnanga have advised that Karl Russell will replace Aloma Anglem as one of their representatives on the Committee.

Expressions of interest for new nominations to the Zone Committees were called by Environment Canterbury on 23 September 2014 and closed on 20 October 2014. Five nominations were received for the Orari-Opihi-Pareora Zone Committee. A selection working group was arranged, comprising a representative from each of Timaru District Council, Mackenzie District Council and Environment Canterbury, and two representatives from Te Rūnanga o Arowhenua. The group met on 6 November in Timaru, providing an opportunity to meet the attending nominees, review their individual presentations, and observe their collaborative attributes in two facilitated scenarios. At the conclusion of this meeting the selection working group were unanimous in recommending that Tony Howey, Ad Sintenie and James Pearse be put forward as new community members to the Orari-Opihi-Pareora Zone Committee in 2015. Tony Howie and Ad Sintenie are both returning members.

Tony Howey runs an intensive vegetable and arable farming operation on the Levels Plain. He studied water rights in Europe and the USA as part of a Nuffield Scholarship in 1992 and is now a director of six local businesses as well as Ravensdown. He is also on the board of the South Canterbury Chamber of Commerce, a director on the Levels Plain Irrigation Company and the Opuha Dam Company and he chairs the Aoraki Multicultural Society. Previously Tony has worked for the Department of Maori Affairs.

Ad Sintenie, having originated from the Netherlands, has lived in Geraldine for more than 26 years with his family. He now owns and manages Weka Food Solutions Ltd - a business providing expertise and equipment to the food industry. Ad was the co-founder of Clearwater's Organic Dairy and Natural Dairy Marketing Ltd. He also co-founded Concentrators, and has worked in the Executive Management Team of Barker Fruit Processors. Ad was a founding member, and is the current chair, of the Orari River Protection Group. The Group initiated and develop the Orari River Integrated Management Plan. He has been actively involved with the development of the CWMS and is also a member of the Aoraki Development Trust's Primary Produce Innovation Cluster.

James Pearse is a fifth generation farmer at Waitohi, where he is employed on his family's deer farm. He graduated in 2011 with a Bachelor of Environmental Management with a particular focus on natural resource management. He is currently studying for a Certificate in Agribusiness Management. James has worked on farms locally and in Wanaka and British Columbia, and spent a few months as a Compliance Officer for Environment Canterbury.

2

The refreshment process for the community members has now been completed.

The membership and names of the Orari-Opihi-Pareora Water Management Zone Committee are:

1.	I imaru District Council appointee	Councillor Richard Lyon
2.	Mackenzie District Council appointee	Councillor Evan Williams
3.	Environment Canterbury appointee	Commissioner Tom Lambie
4.	Rūnanga appointees	Mokai Reihana (Arowhenua)
		Karl Russell (Arowhenua)
5.	Community Representatives	Dermott O'Sullivan (until Dec 2015)
		Mark Webb (until Dec 2016)
		John Talbot (until Dec 2016)
		Ad Sintenie (until Dec 2017)
		Tony Howey (until Dec 2017)
		James Pearse (until Dec 2017)

MACKENZIE DISTRICT COUNCIL

REPORT TO: COUNCIL

SUBJECT STANDING COMMITTEES' TERMS OF REFERENCE

MEETING DATE 9 DECEMBER 2014

REF PAD 4

FROM TONI MORRISON, SENIOR POLICY PLANNER

PURPOSE OF REPORT

For the Council to approve a minor amendment to the Council's General Powers and the Terms of Reference for each of Council's standing committees, to clarify that each committee is able to approve any contracts relating to the business of that committee, with the exception of land sales which are to be approved by the Council. Minor amendments to the membership of the Tekapo Property Group subcommittee are also proposed.

STAFF RECOMMENDATIONS

- 1. That the report be received.
- 2. That the Council amends the General Powers Reserved for Council and the Standing Committees' Terms of Reference to:
 - a. Reserve all decisions relating to the approval of the sale, purchase, or disposal of any Council property, land or buildings to the Council.
 - b. Amend the Terms of Reference for each Standing Committee to clarify that all Committees can approve contracts that relate to the responsibilities of that Committee, (excluding contracts for sale, purchase or disposal of Council lands and property in accordance with (a) above).
- 3. That the Council amends the requirements for membership of the Tekapo Property Group, to require that the subcommittee have not less than 5 members, the majority of whom shall be Councillors, and to remove the requirement for the Chief Executive Officer and Finance Manager to be members of the subcommittee.

ATTACHMENTS:

Council functions and Standing Committees' Terms of Reference, showing proposed changes.

BACKGROUND

Following the elections in 2013 the Mayor exercised her powers under the Local Government Act to establish four standing committees of Council. Following consultation with elected members,

each committees' Terms of Reference was finalised and approved at a subsequent Council meeting.

The committees were intended to have full powers in respect of their functional responsibilities. A question recently arose in respect of approval of contracts in this regard, as to whether approval of maintenance contracts was within the Terms of Reference of a particular committee.

It was the intention that each committee have the ability to approve all¹ contracts within their area of responsibility, rather than having these referred to full Council. It is recommended that an addition to be made to each committee's terms of reference to ensure this is clearly and specifically included, for the avoidance of doubt. The recommended change will confirm that each committee has the power to approve any contracts within that committee's scope of work.

It is also proposed to clarify that the delegation for the approval of contracts to each committee does not extend to the sale or purchase of Council land or property, and that this decision is reserved to Council. In terms of this activity, it is proposed that the Finance Committee is charged with investigating and recommending to Council the sale, purchase, or disposal of any Council property, land or buildings, but the final decisions is to rest with Council.

A minor amendment to the Tekapo Property Group subcommittee's membership requirements is also recommended, to require that the subcommittee have not less than 5 members, the majority of whom shall be Councillors, and to remove the Chief Executive Officer and Finance Manager from the subcommittee.

POLICY STATUS

N/a.

SIGNIFICANCE OF DECISION

This item does not trigger Council's Significance & Engagement policy. It is not considered significant as the proposed provisions merely clarify what was intended when the committees were established. The changes to the Tekapo Property Group membership will ensure that the role of staff in terms of providing advice and information to the subcommittee is protected and an appropriate decisionmaking framework is maintained.

ISSUES & OPTIONS

Option 1: to amend the Terms of Reference as proposed in Attachment 1.

Option 2: to decline to amend the Terms of Reference as proposed in Attachment 1.

Option 1 is recommended as it removes uncertainty in relation to Committee decisions and provides for clarity and efficiency in Council decisionmaking.

CONCLUSION

The suggested clarification will avoid any doubt as to the extent of responsibilities of the committees, and enable them to fully and effectively exercise their delegations while ensuring the Council retains the final overall decisionmaking around land sales and purchases.

¹Other than those able to be approved by staff in accordance with the Delegations Manual.

Council functions and Standing Committees' Terms of Reference

Relationship of Committees with Council functions

The following general powers are reserved for Council:

- Any power reserved to the full Council by operation of law, including:
 - a) the power to make a rate
 - b) the power to make a bylaw; or
 - c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or
 - d) the power to adopt a long-term plan, annual plan, or annual report; or
 - e) the power to appoint a chief executive; or
 - f) the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term plan or developed for the purpose of the local governance statement; or
 - g) the power to adopt a remuneration and employment policy.
- Creation of subcommittees, other than those implicit in the terms of reference for a standing committee.
- Governance processes, including electoral matters and representation review.
- Consideration of matters relating to significant new activities or areas of involvement such as infrastructure which are not the responsibility of a specific committee.
- Provide leadership on key issues that require a collaborative approach between a number of parties.
- Relationships with Community Boards.
- The Council's cultural relationship with Te Runanga O Ngai Tahu (TRONT).
- Develop, adopt and implement the Triennial Agreement and the Code of Conduct.
- Consider and agree on matters relating to elected members' remuneration matters.
- Chief Executive Officer appointments and contracts.
- Approve all delegations to the Chief Executive, including the authority for further delegation to staff.
- Receive and consider recommendations and matters referred to it by its committees, joint committees, subcommittees and working parties.
- Approve membership to external bodies and organisations, including Council Controlled Organisations.
- Exercise the powers and duties conferred on council by the Public Works Act 1981, including receiving and considering reports on proposals under this Act from the Assets & Services Committee.
- Consideration of major projects¹.
- Approval of the sale, purchase, or disposal of any Council property, land or buildings.

Delegations from Council to Committees

 Council delegates to each standing committee all powers necessary to effectively carry out the committee's terms of reference and scope, excluding those reserved to Council.

¹ Guidance note: this includes discretionary or large-scale commercial proposals such as sports and aquatic centres, but would not include core infrastructure or service projects such as water supplies.

- Delegations for subcommittees are set out under each subcommittee's terms of reference and scope.
- Full Council has a role to monitor the functioning of, and performance of delegated powers by, all committees.
- Full Council will consider matters not within the delegation of any one Council committee.
- Full Council may at any time, revoke or modify a delegation to a Council Committee, either permanently, for a specified time or to address a specific matter, if it considers there is good reason to do so.
- The delegations provided to committees may be further delegated to subcommittees unless the power of further delegation is restricted by Council or by statute.

1. Strategy and Policy Committee

The purpose of this Committee is to set the strategic direction for the District by formulating policy that clearly identifies Council's role and direction on issues. This Committee will develop, evaluate approve and monitor the implementation of strategic policy.

Terms of Reference:

- Strategic policy and planning formulation, excluding policies and plans specifically identified within the terms of reference or scope of other Council Committees.
- Identification and assessment of significant strategic district issues and initiatives.
- Provision of high-level strategic advice and direction on priorities and desired outcomes to other Council Committees, to guide the development of policy by those Committees².
- Advocacy on matters pertaining to strategic directions.
- Review and recommend policy and practice in respect of governance to Council.
- Council ownership and capability issues (monitoring the long term health of the organisation, including investment in information and communication technologies).
- Monitor and review Council's facilitation role in economic development, including development and monitoring of economic development strategies as appropriate.
- Monitor and review the achievement of outcomes for the Mackenzie Community.

- Assessing and providing advice to Council and relevant Council committees on:
 - a. key strategic issues affecting the District and Council;
 - b. community engagement and consultation processes in relation to Council policies and strategies; and
 - c. resource allocation and prioritisation decisions.
- Developing and adopting key strategic policies and strategies, and overseeing their implementation.
- Development and review of the Council's policy addressing matters of significance and engagement.
- Initial consideration of proposals that come under the Council's policy addressing matters of significance and engagement.
- Liaison with and monitoring of Christchurch & Canterbury Tourism.
- Review of plans, policies, and legislative changes of central government or other external agencies that may affect or impact on the areas of responsibility for this Committee, and lodgement of responses/submissions as necessary.
- Advocating Council's position on particular policy issues to other organisations, as appropriate.
- Work with other committees of Council in preparing and implementing areas of collaborative work as relevant.
- The establishment of subcommittees or working parties as appropriate within the terms of reference / scope of the Committee.
- Approval of contracts relating to the responsibilities of the Committee.

² This will include guidance to the Finance Committee on strategic matters such as priorities and high-level outcomes during the development of the LTP and Annual Plan.

2. Planning and Regulatory Committee

The purpose of this Committee is to govern all planning and regulatory functions of the Council. This includes the development of bylaws and all resource management, health, sale and supply of alcohol, civil defence/emergency management, parking, legal disputes, animal control, and building functions.

Terms of Reference:

- To develop and approve Council's regulatory policies, and review as appropriate and necessary.
- To develop district bylaws and recommend them for Council approval, and review as appropriate and necessary.
- To consider any reports relating to any regulatory functions of the Council.
- To consider reports relating to any environmental monitoring.
- To ensure that Council meets all compliance requirements relating to its regulatory responsibilities.
- To oversee and monitor the South Canterbury Rural Fire District Committee.
- To approve contracts relating to the responsibilities of the Committee.

•

- Resource Management Act administration.
- Statutory administration of the District Plan.
- To initiate and progress any change to or review of the District Plan under the Resource Management Act.
- Review of changes to central government policy or laws affecting Council's regulatory and policy functions; review of regulatory or planning documents and policies of external agencies (including Regional Policy Statements and Plans), and lodgement of responses/submissions as necessary.
- Regulatory policy and administration of regulatory functions (e.g. Gambling Class 4 Venue Policy, Local Alcohol Policy).
- Building control.
- Environmental health.
- Civil Defence Emergency Management planning and operations.
- Environmental policies and programmes.
- Animal control.
- Parking control.
- Hearing and determining public hearings under the Dog Control Act and hearings related to road stoppages by the process of using accredited Councillors.
- To appoint Hearings Panels and/or Commissioners as appropriate/required.
- To further delegate the ability to appoint Hearing Commissioners or a Hearings panel to hear and decide notified or limited notified resource consent applications (for example to the Chair of the Committee & the Mayor).
- Approval of the SOI and budgets of the South Canterbury Rural Fire District Committee.
- The establishment of subcommittees or working parties as appropriate within the terms of reference / scope of the Committee.

3. Assets and Services Committee

This Committee will have responsibilities for all Council-owned infrastructure, assets, operations and services. The purpose of the Committee is to ensure that Council services are delivered in an efficient and effective manner that meets the needs of its communities, and that Council protects its investment in infrastructural assets in accordance with accepted professional standards.

Terms of Reference:

- Monitoring progress and completion of capital, operations and services projects.
- Overseeing capital works contracts.
- Overseeing the development of, and approving Asset Management Plans and other operational or activity plans (e.g. Waste Management Plan, reserves plans).
- Development and approval of the three-yearly bid to NZTA for Roading financial assistance.
- Monitoring the risks and operational performance of the infrastructural asset services delivered by Council.
- Approving the vesting and disposing of infrastructural assets as a result of subdivision or capital works being undertaken.
- Ensuring that project management including procurement processes is appropriately undertaken and consistent with the Council's agreed processes.
- Approval of the Council's procurement plan.
- Review of plans, policies, and legislative changes of central government or other
 external agencies which may affect or impact on Council assets or the provision of
 services, and lodgement of responses/submissions as necessary.
- Consideration of any proposal for the taking or designation of land for any purpose, for approval by Council.
- Receive reports and consider and decide recommendations from Community Boards on matters within the scope of the Committee, including the approval of any additional or unbudgeted expenditure sought by Community Boards.
- Approval of contracts relating to the responsibilities of the Committee.

- Transportation & roading
- Water supplies
- Sewerage and wastewater treatment
- Stormwater collection and management
- Public toilets
- Solid & hazardous waste management
- Active recreation (including indoor recreation and sports facilities)
- Public open space and reserves management, landscaping
- Library services
- Community development, including development and implementation of social policies and other local public services
- Civic awards and Mayoral Certificates of Recognition
- Administration of Council's grants programmes
- Cemeteries and burials
- Community halls
- Pensioner housing

• The establishment of subcommittees or working parties as appropriate within the terms of reference / scope of the Committee.

4. Finance Committee

The purpose of this Committee is to govern the financial and corporate business of the Council. This Committee will be responsible for the monitoring of the Council's financial position, ensuring the complete reporting of all financial and non-financial information and performance measures against the Annual Plan and LTP, and the development of policy relating to corporate processes.

Terms of Reference:

- Development and monitoring of the Long Term Plan, Annual Plans and Annual Reports.
- To monitor and report the overall financial performance of the Council and its achievement of LTP objectives.
- To monitor the overall performance of Council organisations, including Council-controlled organisations (CCOs), but not including Tourism and Economic Development or the South Canterbury Rural Fire District Committee.
- To develop policy relating to published financial statements and accounting standards of the Council.
- To monitor all funding and rating matters and develop related policy.
- To monitor all Council's property and commercial operations/investments and develop related policy.
- Development and monitoring of financial policies and overall financial performance, including expenditure, contract compliance and negotiations relating to the purpose and scope of the Committee.
- To review annual financial statements prior to Council adoption and ensure disclosures are in accordance with statutory requirements and consistent with best practice.
- To exercise governance over the internal corporate activities of Council.
- Review of plans, policies, and legislative changes of central government or other external agencies that may affect or impact on the areas of responsibility for this Committee, and lodgement of responses/submissions as necessary.
- Approval of contracts within the delegated authority of the Committee.

- Approving the Council's fees and charges.
- <u>Investigating and recommending to Council the sale, purchase, or The disposal of any Council property, land or buildings and the acquisition of property.</u>
- Preparing the Annual Report and carryovers.
- Receiving reports from the Audit and Risk subcommittee, considering and actioning as appropriate any recommendations of that subcommittee, and monitoring and making decisions on audit and risk matters.
- Receiving <u>and considering</u> reports from the Tekapo Property Group subcommittee, and <u>considering</u> and actioning as appropriate any recommendations of that subcommittee <u>that fall within the terms of reference of this Committee</u>, or <u>making a recommendation to Council</u> on functions reserved to Council.
- Managing investments, accounting, and loans
- Review and approval of Statements of Intent and Business Plans of CCOs and other Council organisations.
- Deciding any applications for remissions of rates or rates penalties.
- Monitoring/maintaining an overview of unbudgeted expenditure authorised by other Committees of Council, and seeking information as necessary/appropriate.

- The establishment of subcommittees or working parties as appropriate within the terms of reference / scope of the Committee.
- The appointment and removal of members of the Audit and Risk subcommittee and the Tekapo Property Group subcommittee, subject to the terms of membership set for those subcommittees by Council.

Subcommittees of the Finance Committee

4.1 Audit and Risk Subcommittee

The purpose of the Audit and Risk subcommittee is to provide governance and oversight of the effectiveness of risk management and internal control systems, including internal audit and external audit relationships. It is a subcommittee of the Finance Committee, a standing Committee of Council, and reports to that Committee.

Terms of Reference:

- Monitor the Council's external and internal audit process.
- Consider and make recommendations to the Finance Committee on:
 - a. The robustness of the internal control framework and financial management practices;
 - b. The integrity and appropriateness of internal and external reporting and accountability arrangements;
 - c. The robustness of risk management systems, processes and practices;
 - d. The independence and adequacy of external audit functions;
 - e. All financial reporting obligations;
 - f. Compliance with applicable laws, regulations, standard and best practice guidelines; and
 - g. The establishment and maintenance of controls to safeguard the Council's financial and non-financial assets.
- Discuss, with the external auditor, matters affecting the annual financial and non-financial statements and the annual audit.
- Monitor existing corporate policies and recommend new corporate policies to prohibit unethical, questionable or illegal activities.
- Provide a communication link between management, internal auditors/external auditors and Council.
- Support measures to improve management performance and internal controls.
- Ensure the quality of internal and external reports of financial and non-financial information.
- Review the performance of the Chief Executive Officer.

Scope:

- Recommend the approval of the annual external audit proposal.
- Liaison with Council's external auditor:
 - a. at the start of each audit, confirm the terms of engagement with the external auditor including the nature and scope of the audit, timetable and fees;
 - b. approve the external audit engagement letter and letter of undertaking and any additional services to be provided by the external auditor;
 - c. receive the external audit report(s) and review action to be taken by management on significant issues and audit recommendations raised within;
 - d. conduct a members only session (ie without any management present) with external audit to discuss any matters that the auditors wish to bring to the Subcommittee's attention and/or any issues of independence.
- Internal Control Framework:
 - a. review whether management's approach to maintaining an effective internal control framework is sound and effective;

- b. review whether management has taken steps to embed a culture that is committed to probity and ethical behaviour;
- c. review whether there are appropriate systems, processes and controls in place to prevent, detect and effectively investigate fraud.
- External Reporting and Accountability:
 - a. agree the appropriateness of the Council's existing accounting policies and principles and any proposed change;
 - b. enquire of external auditors for any information that affects the quality and clarity of the Council's financial statements and statements of service performance, and assess whether appropriate action has been taken by management in response to the above;
 - c. satisfy itself that the financial statements and statements of service performance are supported by appropriate management signoff on the statements and on the adequacy of the systems of internal control (ie letters of representation), and recommend to the Finance Committee the signing of the financial statements by the Chief Executive/Mayor and adoption of the Annual report.
- Oversee the Council's systems, processes, and practices for risk management:
 - a. review whether management has in place a current and comprehensive risk management framework and associated procedures for effective identification and management of the Council's significant risks;
 - b. consider whether appropriate action is being taken by Management to mitigate Council's significant risks.
- Consider matters relating to the employment of the Chief Executive, including annual performance review.
- Every 12 months, review the performance of the Committee, including review of its Terms of Reference.
- Review insurance arrangements annually.
- Monitor insurance claims.
- Review all audit reports of Council activities, including (but not limited to) building control authority audit reports, National Rural Fire Authority audit reports, Long Term Plan audit, and any other external audits.

Delegations

The subcommittee has all powers necessary to effectively carry out its terms of reference and scope, but it does not have decision-making powers and may only make recommendations to Council's Finance Committee. It has no financial delegations.

Membership

The Audit and Risk Management Subcommittee will be made up of not less than three Councillors, one of whom shall be the Chairperson of the Finance Committee. The Finance Committee can appoint and remove additional members as it considers appropriate.

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Chair

The Chair will be elected by the subcommittee.

Meetings

The Audit and Risk Management Subcommittee will meet on a quarterly basis or as required.

4.2 Tekapo Property Group

This purpose of the Tekapo Property Group is to progress the development of the lakefront land commonly known as VC1 and VC2 land that will allow Tekapo township to grow and develop. It is a subcommittee of the Finance Committee, a standing Committee of Council.

Terms of reference

The subcommittee 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) Establish the pricing for the sale of land, maximising Council's returns as far as practicable.

Delegations

The subcommittee has all powers necessary to effectively carry out its terms of reference and scope, including 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 the Finance Committee.
- b) Negotiate to the stage where agreement can be signed. The Finance Committee retains oversight of any contracts for sales, and will consider and recommend approval of any contracts to Council.

Despite the above, the subcommittee must obtain approval from the Council via the Finance Committee for the following:

- a) All contracts over the value of \$10,000.
- b) All opportunities relating to the leasing of land or improvements with tenants of the VC1 and VC2.

Reporting

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

Member Remuneration

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

Membership

The Subcommittee will be made up of not less than <u>five members</u>, the <u>majority of whom shall be two</u> Councillors, one of whom shall be the Chairperson of the Finance Committee; the <u>Chief Executive Officer</u>, the <u>Manager Finance and Administration</u>, and other appointments as decided by the Finance Committee.

Chair

The Chair will be elected by the subcommittee.

Finances

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.

Meetings

- 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 Subcommittee 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 who are not members of the subcommittee are entitled to attend all meetings, but do not have speaking or voting rights. 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.

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL

SUBJECT: DELEGATIONS MANUAL

MEETING DATE: 9 DECEMBER 2014

REF: PAD 10/4

FROM: NATHAN HOLE, MANAGER PLANNING AND REGULATIONS

PURPOSE OF REPORT:

For Council to consider some minor amendments to the delegations manual following the November 2014 audit of the Council's Building Consent Authority by IANZ.

STAFF RECOMMENDATIONS:

- 1. That the report be received.
- That Council amends the delegations manual to change the references to Building Inspector and Senior Building Inspector to Building Control Officer and Building Control Manager in relation to staff delegations under the Building Act 2004

WAYNE BARNETT
CHIEF EXECUTIVE OFFICER

ATTACHMENTS:

None

BACKGROUND:

In November 2014, International Accreditation NZ (IANZ) undertook their biennial audit of the Council's Building Consent Authority (BCA). The exit meeting relayed that a corrective action would be received in relation to the Council's delegation manual, requiring an administrative change to reflect the job titles of the building staff, as described in their position descriptions.

On 27 November, Council received formal notice of IANZ's findings. The action required is to "...review and revise the delegations manual to reflect current role titles". This matter is in relation to staff delegations under the Building Act 2004.

POLICY STATUS:

N/A

SIGNIFICANCE OF DECISION:

This does not trigger the Council's significance policy.

ISSUES & OPTIONS:

The only option available is to amend the delegations manual. Not to do so would mean that there was a possibility that a decision made under delegated authority could be legally challenged. In addition, being a corrective action required, the Council has no choice but to make the amendment in order to maintain is accreditation as a Building Consent Authority

CONCLUSION:

This is an administrative change to the wording of the delegations manual, not an amendment to any staff delegations.

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL

SUBJECT: COMMON SEAL AND AUTHORISED SIGNATURES

MEETING DATE: DECEMBER 9, 2014

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 October 2 to November 29, 2014.

STAFF RECOMMENDATIONS:

- 1. That the report be received.
- 2. That the affixing of the Common Seal to documents 788, 789 and 790 be endorsed.

Deed of Partial Surrender and Renewal of Lease between

regarding Lot 2 DP 58525 and Lot 7 DP 52250.

Mackenzie District Council and Ben Ohau Golf Club Incorporated

Number	Detail of Document	Date Sigr	ned & Sealed
	788 Contract Agreement No 1215 between Mackenzie District Council 7 November 2014 and Whitestone Contracting Ltd for bridge replacements.		
P	789 Deed of Lease between Mackenzie District Council and Twizel Promotion and Development Association (TPDA) for office space in the Twizel Events Centre.		10 November 2014

ARLENE GOSS
COMMITTEE CLERK

790

WAYNE BARNETT CHIEF EXECUTIVE OFFICER

28 November 2014

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL

SUBJECT REVIEW OF BYLAWS

MEETING DATE 9 DECEMBER 2014

REF REG 4/1, REG 4/1/1

FROM JANE WHYTE. CONSULTANT PLANNER

TONI MORRISON, SENIOR POLICY PLANNER

PURPOSE OF REPORT

To present the draft Dog Control Bylaw 2014, draft Dog Control Policy 2014, draft Mobile Shops and Traders Bylaw 2014, draft Market Place Liquor Ban Bylaw 2014, draft Wastewater Bylaw 2014, draft Water Supply Bylaw 2014 and draft Downlands Water Supply Bylaw 2014 to Council for adoption.

To present the revised draft Freedom Camping Bylaw 2014 to Council for adoption. The revised draft bylaw reflects resolutions of the Planning and Regulatory Committee made during deliberations on submissions received.

STAFF RECOMMENDATIONS

- 1. That the report be received.
- 2. That the Council adopts the Freedom Camping Bylaw 2014 in the form attached to the report.
- 3. That the Council adopts the Dog Control Bylaw 2014 in the form attached to the report.
- 4. That the Council adopts the Dog Control Policy 2014 in the form attached to the report.
- 5. That the Council adopts the Mobile Shops and Traders Bylaw 2014 in the form attached to the report.
- 6. That the Council adopts the Market Place Liquor Ban Bylaw 2014 in the form attached to the report.
- 7. That the Council adopts the Wastewater Bylaw 2014 in the form attached to the report.
- 8. That the Council adopts the Water Supply Bylaw 2014 in the form attached to the report.
- 9. That the Council adopts the Downlands Water Supply Bylaw 2014 in the form attached to the report.

WAYNE BARNETT CHIEF EXECUTIVE OFFICER

ATTACHMENTS:

- 1. Planning and Regulations Committee Bylaws Review: Submissions Deliberation Summary & Recommendations
- 2. Freedom Camping Bylaw 2014
- 3. Dog Control Policy 2014
- 4. Dog Control Bylaw 2014
- 5. Mobile Shops and Traders Bylaw 2014
- 6. Market Place Liquor Ban Bylaw 2014
- 7. Wastewater Bylaw 2014
- 8. Water Supply Bylaw 2014
- 9. Downlands Water Supply Bylaw 2014

BACKGROUND

The Mackenzie District Council consulted using the Special Consultative Procedure on the following draft bylaws and policies:

- 1. Draft Freedom Camping Bylaw 2014
- 2. Draft Dog Control Bylaw 2014
- 3. Draft Dog Control Policy 2014
- 4. Draft Mobile Shops and Traders Bylaw 2014
- 5. Draft Market Place Liquor Ban Bylaw 2014
- 6. Draft Wastewater Network Bylaw 2014
- 7. Draft Water Supply Bylaw 2014
- 8. Draft Downlands Water Supply Bylaw 2014

Submissions were received on the draft Freedom Camping Bylaw 2014, the draft Dog Control Bylaw 2014, the draft Dog Control Policy 2014 and the Draft Mobile Shops and Traders Bylaw 2014. These submissions were heard and deliberated on by the Planning and Regulations Committee on 27 November 2014. A copy of the summary of deliberations is attached to this report.

In addition to developing, consulting and making recommendations on the Bylaws, the Committee was responsible for developing and consulting on a Freedom Camping Strategy, which accords with and will be implemented in part by the Freedom Camping Bylaw. The Committee considered submissions and made amendments to the Strategy, before adopting it at their meeting on 27 November. Their recommendations to the Council on the Freedom Camping Bylaw are consistent with the changes the Committee made to the final Freedom Camping Strategy.

The changes to the draft Freedom Camping Bylaw recommended by the Committee are included in the draft Bylaw attached for the Council's consideration, and are outlined below. The Committee recommends that no changes are made to the draft Dog Control Bylaw, the draft Dog Control Policy and the draft Mobile Shops and Traders Bylaw. The Committee also recommended that the Council adopt the other draft bylaws (5-8 above) unchanged.

DISCUSSION

As a result of deliberations on submissions, the Planning and Regulations Committee has recommended following changes be made to the prohibited areas and the restricted areas

within the draft Freedom Camping Bylaw. The changes recommended by the Committee are:

Prohibitions:

- Expanding the prohibited camping area associated with the Church of the Good Shepherd
- 2. Expanding the prohibited camping area in the Tekapo Commercial Area
- 3. Providing a new prohibited camping area in Murray Park, Tekapo
- 4. Introducing a new prohibited camping area in the Twizel Commercial Area
- 5. Introducing a new prohibited camping area around the Lake Ruataniwha Lagoon
- 6. Introducing new prohibited camping area around the Lake Ohau Boat Ramp

Restrictions:

- 1. Introducing a restriction on freedom camping on Council controlled land to selfcontained camping
- 2. Restricting the maximum period for freedom camping to seven consecutive nights in the following areas:
 - a. Lake Opuha Bennetts Road Area
 - b. Lake Opuha Hays Road Area
 - c. Lake Opuha Opuha Gorge Road Area
 - d. Lake Ruataniwha (North End) Area
 - e. Lake Ruataniwha (South End) Area

In considering the recommendations of the Planning and Regulations Committee there is one further recommended change to the Bylaw. This change is recommended as a consequence of the introduction of the restriction that freedom camping be self-contained on all Council controlled land. When considering the implementation of this change it is recommended that an exemption be provided for four areas of land controlled by the Mackenzie District Council. These are areas where it may not be appropriate or necessary for all camping to be self-contained as the areas are either used as camping grounds that provide all necessary facilities for campers or have appropriate facilities so that self-containment is not necessary.

The areas are:

- 1. Fairlie Top Ten Holiday Park
- 2. Lake Alexandrina South End Camp Ground
- 3. Lake Macgregor/Lake Alexandrina Outlet Camp Ground
- 4. Lot 5 DP 455053, Lake Tekapo, provided that such camping is in accordance with any Licence to Occupy granted to the Lake Tekapo Camping Ground.

All of the changes described above have been reflected in the draft Bylaw attached to this report.

Once adopted it is necessary to provide public notice of the adoption of the bylaws. The date upon which the bylaws would come into force would be on 15 December 2014.

POLICY STATUS

There is a relevant policy in relation to Dog Control. The Dog Control Bylaw is consistent with the Dog Control Policy.

SIGNIFICANCE OF DECISION

This item does not trigger Council's Significance and Engagement Policy. The Bylaws were consulted on using the Special Consultative Procedure, and the Planning and Regulations Committee heard from submitters and deliberated on all points raised in submissions. Their recommendations are attached to this report. The decision to adopt the bylaws is not considered significant given the consultation and process followed.

ISSUES AND OPTIONS

Option 1: to adopt the bylaws in the form recommended by the Planning and Regulations Committee.

Option 2: to decline to adopt the bylaws in the form recommended by the Planning and Regulations Committee.

The Council could choose not to adopt the bylaws. However each bylaw was considered by the Council as the most appropriate way to manage the issues addressed in each bylaw, prior to their development. This circumstance has not changed. Consultation undertaken on the drafts overwhelmingly supported the need for the Council to act on freedom camping. There were no submissions seeking that the remaining bylaws be discontinued.

If the Council sought to significantly amend the content of any bylaws, it would need to renotify them for consultation and proceed to hear and decide any submissions on the changes, before making final decisions. This would involve associated time and costs.

The bylaws attached to this paper have undergone formal consultation under the Local Government Act 2002, and some changes are recommended to the Freedom Camping Bylaw by the Planning and Regulations Committee as a result of that consultation. All other bylaws are recommended to be adopted in their current form, following the same consultation process. Given that robust process, Option 1 is recommended.

ATTACHMENTS:

- 1. Planning and Regulations Committee Bylaws Review: Submissions Deliberation Summary & Recommendations
- 2. Freedom Camping Bylaw 2014
- 3. Dog Control Policy 2014
- 4. Dog Control Bylaw 2014
- 5. Mobile Shops and Traders Bylaw 2014
- 6. Market Place Liquor Ban Bylaw 2014
- 7. Wastewater Bylaw 2014
- 8. Water Supply Bylaw 2014
- 9. Downlands Water Supply Bylaw 2014

PLANNING AND REGULATIONS COMMITTEE

Bylaws Review: Submissions Deliberation Summary & Recommendations

The tables below provide a summary of the deliberations and recommendations of the Planning and Regulations Committee undertaken on 27 November 2014.

Table 1. Freedom Camping

Submission Topic	Reasons for Submission	Planning and Regulations Committee Deliberation Outcomes
General Matters		
Oppose Freedom Camping Strategy Oppose Freedom Camping Bylaw Don't change the current system	 Oppose any provision for Freedom Camping being made Opposed to ratepayers having to cover any costs associated with Freedom Camping The Bylaw and Strategy are contradicting If the current system was working don't change it (submission is opposed to Freedom Camping) 	The current situation in the absence of a bylaw is that freedom camping is permitted on all Council controlled land without any restriction. The only regulatory means of controlling freedom camping is through a Bylaw. The Freedom Camping Act 2011 is clear that it is not possible to provide for a blanket ban of freedom camping within a District. In order to appropriately manage freedom camping in the
		District, it is necessary and appropriate to introduce a Bylaw. The Bylaw and the Strategy do fulfil different functions and are both are important documents. The Bylaw provides regulatory control over freedom camping on Council controlled land. The Strategy enables a wider perspective on freedom camping to be taken, including addressing both Council and other lands, and providing for education and facilitation of responsible camping.

		The Bylaw and Strategy work together to provide an effective response to the issue of freedom camping in the Mackenzie District. The concerns raised in the submissions have been taken into account.
Supportive of providing for Freedom Camping	 The identification of specific sites to encourage camping is supported but the particular sites identified are not Support attempts to provide guidance and management of Freedom Camping Camping should only be provided at monitored and designated areas Freedom campers should have to register at areas The same rules as apply to Department of Conservation regulations should apply Support provision for responsible freedom camping, particularly for self-contained vehicles Support providing specific freedom camping areas in townships 	The matters raised in the submissions have been considered. As a result of submissions and deliberations, the Committee is recommending some changes to specific sites (refer below). The Committee considers an appropriate balance has been achieved with respect to both providing for freedom camping and seeking to control inappropriate impacts of freedom camping in the Mackenzie District.
Strategy Review	Support revising the Strategy in two years to assess its effectiveness	The support is noted. The Committee in approving the Strategy has retained the review clause.
Responsible Camping	 Education and encouragement of appropriate camping must start with campervan companies and be on the Council website The 'encourage and inform' approach is supported by are concerned the Bylaw is not clear enough Support responsible camping, including in relation to waste, locations of camping, rubbish and protecting the environment 	The Committee has approved the Strategy, which identifies that information will be made available to campervan companies and on the Council website identifying what constitutes responsible camping within the Mackenzie District. An important part of the Strategy and approach is to monitor the effects of freedom camping within the District and use the results of the monitoring to review the strategy

	Consider further research into camping sites promoted by social media and analyse the effects of these on the environment.	and recommend any review of the Bylaw, if necessary. Where appropriate, areas of restriction or prohibition are recommended to be included within the bylaw.
Signage	Signage needs to be provided with the no camping bylaws	Signage is a key part of the implementation of any bylaw and/or strategy. The Committee recognises it is necessary for clear information to be available to people at areas where freedom camping is prohibited, restricted or provided for.
Carparking Issues	Allowing freedom camping will take up car parks that are to be used by visitors and residents and the parking will no longer be available for other users	The areas identified for freedom camping are in locations where conflict in the use of car parks will not occur. The Committee recommends that freedom camping be prohibited in the Town Centres of Tekapo and Twizel in order that free and appropriate public access, including access to carparking, is maintained.
Nuisance Matters		
Toilet and waste issues	 Toilet waste will be left and surrounding areas used as toilets Freedom camping will result in camping being encouraged with no toilets Even people with on-board facilities don't always use them 	Ensuring the health and safety of people living in and visiting the Mackenzie District is a key matter. The Committee recognises that issues can arise with freedom camping occurring in areas where there are no or insufficient facilities. It is for this reason that the Strategy focusses on providing for freedom camping in appropriate locations where the vehicle or camping is self-contained. This approach has also been recommended for inclusion within the Bylaw.
Use of Facilities	Freedom campers will use facilities such as toilets and washing facilities inappropriately	The Freedom Camping Bylaw and/or Strategy will not and cannot stop the use of public facilities by people during the

		Restricting public use of facilities is not a matter that can be addressed by this Bylaw. However, the focus of both the Strategy and the recommended changes to the Bylaw is to focus on self-contained camping. This should ensure that campers have the facilities necessary to not cause any health and safety issues for other people.
Rubbish and Fires	 Rubbish will be left lying around Concern that despite efforts of the Council campers will leave litter and rubbish around the site Concerns that freedom campers will have fires and similar Increased fire risk 	When considering issues such as litter, rubbish and fires it is important to recognise that these issues may not be associated with freedom camping but may be a wider issue associated with the general public use of a site. Matters such as the control of fires are important but are not matters that can effectively be addressed within the Freedom Camping Bylaw. The approach within the Strategy approved by the Committee is to encourage appropriate and responsible camping within the District. This may include making information available to people about responsible camping, and installing signage. The monitoring proposed in the Strategy will enable information to be collected on any problems that may arise. If necessary changes could then be made to the strategy or recommended to the Bylaw.
Health and safety	The Council consider its responsibilities under the Health and Safety Reform Bill	The Committee recognises that in developing the draft bylaw and undertaking consultation the Council has addressed all of the relevant legislative requirements.

Economic Considerations		
Effect on existing commercial activities and accommodation including holiday Parks	 existing accommodation including Holiday Parks will miss out on business if people have permission to park campervan is in town Residents have invested in commercial camping facilities and campers should be required to support these areas A buffer should be provided around commercial Holiday Parks Freedom camping in townships will affect income of Holiday Parks 	The Committee recognises the issues raises by the submitters but determines that trade-competition is not one of the reasons that can be used to justify a Bylaw being adopted.
Property Values	There will be an adverse effect on property values	The Committee has considered the matters raised by the submitter. Effects on property values is not one of the specified matters that can be considered in a Freedom Camping Bylaw.
Economic contributions	 Freedom campers don't contribute to the local economy Freedom campers do contribute to the local economy 	The contribution or otherwise of freedom campers to the economy is not one of the specific matters able to be considered in developing a Bylaw.
Visual Impact	 Freedom Camping should be planned and directed so that no visual distraction is crated with vehicles, people camping and signage. 	The Committee has considered the matters raised by the submitter. If restrictions are necessary or justified to protect an area then these have been included in the Strategy and the recommendations to the Bylaw. Visual impact on its own is not a matter that would justify a Bylaw being introduced.
Monitoring and Enforcement Matters		

Policing and monitoring	 concern over how policing and monitoring of campers will occur particularly in relation to the number of campers allowed at each site the periods of time campers are allowed in these areas The time campers are allowed When a bylaw is introduced it is essential that it be monitored How is the Bylaw going to be enforced? A positive approach to non-compliant vehicles should be taken Liaison should occur with campervan rental companies to promote responsible camping while having signage is one thing enforcement of that is important concern at the cost of enforcement to police and clean up after Freedom Campers 	The Committee recognises that monitoring and enforcing the Bylaw will be important. If an issue is significant enough for a Bylaw to be prepared then it is important that the Bylaw be implemented effectively. The Committee recognizes that both education and enforcement will be important.
	who will monitor the non-self-contained campers	
Specific Provisions		
Provisions supported	 Support the Bylaw and the prohibitions proposed Support the clear definitions Support the ability to provide instant fines Support a carry in carry out approach 	The Committee notes the support.
Clause 9.1 Bylaw	Support sub-clause 9.1 providing Council will exercise power under this provision appropriately and only when absolutely necessary.	The Committee notes the support and the views expressed in the submission.
Changes sought	 There should be better links between the strategy and bylaw Areas where camping is permitted should be included in 	The Committee has carefully considered these submissions. It considers it important to have both a Bylaw and a Strategy. Both fulfil different functions. However, it is

	 the Bylaw Definitions of Licensed camp ground Rework Clause 10.3(a), (b) and (c) which could read infringement information may be passed on to rental van/car companies for collection of fines. 	essential that they are consistent and do not contradict each other. The Committee is satisfied that these matters have been appropriately addressed. Adding a definition of licensed camp ground is not considered necessary as the term is not used within the Bylaw. Within the Strategy both licenced and non-licensed camp grounds will be included. No additional definition is necessary. Implementation of any infringements will be carefully managed. It is not considered necessary to rework these clauses within the Bylaw.
Goal 4 – Strategy	Identify the New Zealand Motor Caravan Association as a stakeholder in the strategy	The New Zealand Motor Caravan Association's wish to be identified as a stakeholder in the Strategy is noted and the Committee has included this party within the Strategy.
Additional Restrictions or Prohibition		
Length of Time freedom camping is allowed in each area	 Extensive stays in one area limits its use by others to recreational activities and creates a health and safety risk. Any area within 50 metres of a lake or waterway be limited to one stay on a continual basis of 5 nights. 	The Committee has considered whether there is a need to provide additional restrictions within the Strategy and/or Bylaw. There are restrictions proposed on the timing for stays within the Strategy in some urban areas (between 5pm and 9am).
		The Committee recommends that a restriction be included within the Lakes camping areas to limit the length of stay for freedom camping near the lakes to a maximum of seven nights. This would provide opportunities for a range of campers to access those areas.

Freedom Camping in Self Contained Vehicles Only	•	Freedom camping should be in self-contained vehicles only Freedom camping within urban areas should only be for self-contained vehicles or camping	The Committee has carefully considered this issue. It is considered that in order to protect the health and safety of people and to protect areas it is appropriate for freedom camping to be self-contained vehicles or self-contained camping in most areas of the District on Council controlled land. The Committee's finding and recommendation to the Council is to amend the Bylaw to reflect this.
Freedom Camping be further restricted – broad scale	•	Freedom camping not be provided for in the Mackenzie Basin	The Freedom Camping Act 2011 is clear that it is not possible to provide for a blanket ban of freedom camping within a District.
			The presumption of the Freedom Camping Act is that freedom camping is permitted unless there is justification for it's restriction.
			The Committee recognises that any response through a bylaw needs to be proportionate to an identified problem. Given this the Committee considers it appropriate to consider any prohibitions or restrictions on an area by area basis, and not introduce broad scale prohibitions.
Urban Areas	•	Freedom camping should be prohibited in all urban areas in the Mackenzie District Freedom camping not be provided in the town boundaries	The Committee recognises that the majority of the submissions received addressed freedom camping within urban areas, either in the District as a whole, or in specific townships.
	•	Freedom camping should not be in commercial areas Freedom camping not be provided within 80km area of Twizel More time should be taken in considering more suitable	The Committee carefully considered all of the issues raised, but consider that providing for a prohibition of freedom camping within all urban areas at this time is not necessary

areas outside 100 km areas and would not be a response proportionate to the problem. All camping areas within village/town area be prohibited and encourages to use the camping grounds The Committee recognises that a key concern was with the potential for health and safety to be affected either by No overnight camping in any residential area in Tekapo conflicts in access to an area, or through potential for Village inappropriate toileting to occur. The recommendation of the Committee having considered submissions is that freedom camping should be mainly be restricted to self-contained camping. This will address a number of concerns raised. Any further changes should appropriately be considered on a case by case, and site by site basis. Areas that are recommended to be be added to the bylaw as prohibited areas include the Commercial Area in Twizel, in order to protect access to the area and to protect the health and safety of people who may visit the area. In Tekapo, the additional areas recommended for prohibition of freedom camping include: • A larger area near Pioneer Drive (an extension of the prohibited area proposed around the Church of the Good Shepherd) • The area between the current commercial area and the Lakeshore Murray Park. The reasons are to protect the areas and to protect access to the areas. Concern at freedom The Committee recognise that a number of submissions Freedom camping should not be encouraged with in the

campers staying in	town Centre received addressed freedom camping within Twizel.
Central locations in	Freedom camping should not be allowed around
Twizel	residential areas The Committee carefully considered all of the issues raised
	Concern about additional potential for litter and rubbish and recommend that a new prohibited area be included
	around freedom camping sites within the bylaw, being the Commercial Area in Twizel. This
	Concern for the safety of campers who may be is recommended in order to protect access to the area and
	vulnerable to theft and vandalism to protect the health and safety of people who may visit the
	Concern of safety of young children at nearby facilities area.
	such as the skate park with freedom campers in the vicinity
	Freedom Camping does not provide any benefits to residents or visitors
	If Freedom Camping is allowed in town then there will be
	temporary tents, tables, washing lines and similar and
	this is not appropriate in town.
	Concern over potential toilet needs is a concentration of
	human waste would cause pollution
	Public access in the commercial areas should be the priority
	Carparks should be available for businesses not freedom
	camping
	Visual pollution with occur with a look of temporary
	camps
	There will be costs in cleaning up mess left by freedom
	campers
	There are ample areas for freedom camping around
	Twizel without any need within the township
	Camping shouldn't be provided in recreation areas
	No camping in the Twizel Domain
	Adjoining landowners have not been consulted
Events Centre Area -	• The site is too close to a children's play area, the skate The Committee considered the concerns raised in the

Twizel	 park and pool The site is inappropriate especially if the new Early Learning centre goes ahead as camping should not be encouraged in such close proximity to be children play there are potential safety and security issues for people walking past this area, particularly in winter where daylight hours are short The freedom camping will take up car parking and affect other users as this parking will no longer be available There are inadequate facilities in this area Don't want to have to put in power points Vehicles would affect the grass areas 	submissions and recommend that this area be included as a prohibited area in the Bylaw, in order to protect access to an area and protect the health and safety of people who may visit the area.
Wairepo Road - Twizel	 Having vans parked at the entrance to the town (Twizel) will detract from the entrance to town The area is too close to a playground and sports area and tourist attractions The site is not supported There is concern with the playground and mini golf course being located close to the site Concern about resultant rubbish and excrement that will be left behind The area is close to roads and will be subject to noise and not a pleasant place to camp There are no toilets in the area Don't want to have to put in power points Vehicles would affect the grass areas This area is not supported for inclusion by adjoining landowners 	The Committee has considered the submissions received and have removed this area from the Freedom Camping Strategy.
Land Between Alpine	This area may be better than the two sites identified in	This area is privately owned land. The Committee recognise

Chalet Motels and the Mackenzie Country Inn	Twizel	that it is not appropriate or possible for the Bylaw to address private land. There is a small strip of publicly owned land in the vicinity, but this would not be of a sufficient size to accommodate freedom camping.
Area at the South entrance to Twizel	The area near the south entrance to town may be more appropriate than the areas identified (near the petrol station).	The submission has been noted. No sites within the urban area of Twizel have been included within the adopted Strategy at this time.
North side of Twizel River Bridge or South of Ostler Road	 These areas may be better than the two sites identified in Twizel if areas must be provided 	These sites are not under the Council control and so cannot effectively be addressed by the Freedom Camping Bylaw.
Lake Ruataniwha South End	 Signage needs to be provided with the no camping bylaws 	The Committee recognises that signage is an important part of implementation of a Bylaw. Any restrictions need to be reflected in signage at specific areas.
Lake Ruataniwha	 Lake Ruataniwha is a recreation area not for freedom camping The Lagoon and environment at Lake Ruataniwha (the family swimming and picnic area) should be a Freedom Camping Ban area 	The Committee has considered the reasons for making a Bylaw and considers that there are appropriate areas at Lake Ruataniwha for freedom camping provided it is subject to appropriate restrictions. With respect to the Lagoon this is an area of high public use and in order to protect access to the area the Committee considers it is appropriate to recommend the area between the rowing area and the foot of the lake hill as a prohibited camping area in the Bylaw.
Tekapo – Identified areas	 The areas shown in Tekapo on Maps 6-9 are all within the urban area. Lakeside Drive map 6 is within 500m of a commercial 	Consideration has been given to further restrictions within urban areas.

	 holiday park and is close to the site of a new hotel development. Gravel Parking – map 7 and Hamilton Drive map 8 are both within the urban area. Boat ramp – map 9 is within the urban area and as has been seen in other areas around the country boat ramp parks are not a good fit with freedom camping. These areas are often used early in the morning and in the evening for boat launching and the parking of vehicles and trailers. 	to other accommodation, the Committee notes that trade competition with other accommodation providers is not considered to be an appropriate reason for introducing restrictions or a prohibition. As described earlier, some additional areas are recommended for inclusion in the Bylaw. These address
Carpark opposite Pioneer Drive - Tekapo	Include the Carpark opposite Pioneer Drive within the Prohibition area.	The Committee has recognised that this area is an extension of the proposed prohibited area associated with the Church of the Good Shepherd. The Committee recommends an extension to this area in order to protect the area and protect public access to the area.
Hamilton Drive and State Highway 8 and Green Area beside Saleyards	 Do not support overnight parking or camping even self-contained vehicles There are issues with toilet facilities and camping in this area There are issues with campers with animals The beauty of the area is being spoilt within this area. 	The Committee has considered all of the matters raised in the submissions. The Committee considers that in terms of the matters that are able to be considered in developing a Bylaw, there is insufficient reason for prohibiting freedom camping in this area. It is noted that freedom camping is restricted in numbers and the hours that camping can occur, and that any freedom camping is to be self-contained. These restrictions are considered to be appropriate, rather than a prohibition.
Murray Park	The proposed approach could see Freedom Camping allowed in Murray Park	The Committee considers that Murray Park is a public amenity area, and so to protect the area and protect access to the area it is recommended freedom camping be

		prohibited.
Fairlie	The areas shown in maps 10 and 11 are both within the urban area of Fairlie and no freedom camping should be permitted.	The Committee has considered all of the matters raised in the submissions. The Committee considers that in terms of the matters that are able to be considered in developing a Bylaw, there is insufficient reason for prohibiting freedom camping in these areas. It is noted that freedom camping is restricted in numbers and the hours that camping can occur, and that any freedom camping is to be self-contained. These restrictions are considered to be appropriate, rather than a prohibition.
Restrictions – Lake Camping Areas	 The 20 metre lake shore restriction is not enough – it should be 50 or 100 metres The 20 metre setback is supported 	The Committee notes the support for the 20 metre setback in one submission. The Committee has considered whether further restrictions are needed – a setback of 50 or 100 metres was raised. However it considers that at this time 20 metres is sufficient in order to protect access to the area.
Lake Ohau shore between the Ohau River outlet and the Port Bryson boat launching Ramp	 Seek freedom camping be prohibited along the Lake Ohau shore between the Ohau River outlet and the Port Bryson boat launching ramp. Seek the prohibition provide a 200 m setback from the lake edge the area is becoming more popular and people are setting up camp for extended time periods the camping is creating potential pollution to the environment and limiting public access and enjoyment to the area the area lacks basic toilet facilities and this is of concern for a range of users 	The Committee has considered the issues raised. It is considered the limitation on freedom camping on Councilowned lands to self-contained camping only will address a number of the concerns. It is recommended that additional prohibited area be included in the Bylaw around the Boat Ramp, in order to protect access to the area. The Committee notes that Council does not own or administer all of the land within 200m of the lake shore so a blanket prohibition of this type is not appropriate.
Lake Poaka	Lake Poaka could be included in the strategy as toilets are	This area is administered by the Department of

	available	Conservation. The Strategy provides for liaison with the Department of Conservation and the identification of a range of freedom camping sites in the Mackenzie District, including Department of Conservation land. The Committee recognise that the Bylaw only addresses Council controlled land.
Haymans Road	Remove the current toilet and specify the area for self- contained camping vehicles	The Committee recommends changes to the Bylaw which include that all Council controlled lands (with four specific exceptions) are restricted to self contained camping only. The Committee notes that the removal or otherwise of toilet facilities is not a matter for consideration under this Bylaw.
The Pines Maori Camp at Lake Pukaki	While this area has a toilet it does not have rubbish facilities. This area could be restricted to a specific number of self-contained vehicles	The Committee recognises that this site is not under the Council control and so cannot be addressed by this Bylaw. This land is controlled by Land Information New Zealand and any provision or otherwise for camping on this site needs to be made by that agency.

Table 2. Dog Control

Submission Topic	Reasons for Submission	Planning and Regulation Committee Deliberation Outcomes
Market Place, Twizel	 Dogs in the Market Place are running around or being tied to poles and this can cause trouble for children and adults. The Bylaw in Twizel needs to be enforced. All dogs must be on leads within the shopping area at all times. Owners must pick up after their dog in any area of the town and enforce fines for failing to do so. 	Outcomes The Committee has considered the submissions and considers that retaining a dog ban within Market Place is appropriate. With respect to owners picking up after their dogs, the Bylaw does contain provisions relating to dog fouling and does require owners to pick up after their dog. The Bylaw also provides the ability for fines to be issued if this does not occur.
		The need to enforce the Bylaw is recognised. If a Bylaw exists then it is necessary that it is implemented and enforced.
		No changes are recommended to the Bylaw.

Table 3. Mobile Shops and Traders

Submission Topic	Reasons for Submission	Planning and Regulation Committee Deliberation Outcomes
Support	Supports the Bylaw prohibiting mobile traders in the Open Space Heritage zone of Lake Tekapo.	The support in the submission is noted.
Concern that mobile shops and traders compete with other businesses	 Mobile shops and traders be banned from trading within 300 metres of the Village Centre Zoning and all commercial areas in Twizel Mobile traders should not detract from permanent businesses. there are fine shops already in the town and mobile shops and traders not paying rates are not wanted concern that mobile shops and traders come in to town for a short time and take the cream that local businesses rely on to keep their business viable. In the winter it is difficult to operate a business so businesses are reliant on summer visitors. Existing businesses pay a lot of rates and seek support in return. 	The Committee recognises the concerns raised in the submissions. It is noted that the draft Bylaw does restrict mobile or travelling shops operating within 200 metres of any shop open for sale of similar goods. This is in order to protect from nuisance and for public health and safety by avoiding conflict with respect to access and car parking. In considering the submissions the Committee has recognized that the power to make bylaws is set out in Section 145 of the Local Government Act. This provides that a territorial authority may make bylaws for its district for 1 or more of the following purposes: (a) protecting the public from nuisance: (b) protecting, promoting, and maintaining public health and safety: (c) minimising the potential for offensive behaviour in public places. The Committee notes that the key concerns raised in the submissions are trade competition and this is not a reason for making a bylaw. The Committee considers that a Bylaw is not the appropriate mechanism to restrict trade competition. No changes are recommended to the Bylaw.



MACKENZIE DISTRICT COUNCIL

FREEDOM CAMPING BYLAW 2014

FREEDOM CAMPING BYLAW 2014

1. SHORT TITLE

1.1 This bylaw is the "Mackenzie District Council Freedom Camping Bylaw 2014".

2. PROCEDURE AND COMMENCEMENT

- 2.1 This Bylaw is made under:
 - (a) The Local Government Act 2002; and
 - (b) Section 11 of the Freedom Camping Act 2011.
- 2.2 This bylaw comes into force on 15 December 2014.
- 2.3 Every Schedule to this Bylaw shall be deemed to form part of the Bylaw.
- 2.4 This Bylaw shall have the effect of repealing the Mackenzie District Council Camping on Roadways and Reserves Bylaw adopted in 2010.

3. INTERPRETATION

3.1 In this Bylaw, unless the context requires otherwise:

Act means the Freedom Camping Act 2011.

Campsite means a site used for freedom camping in a local authority area.

Council means the Mackenzie District Council or any Committee of the Council or officer delegated to exercise the authority of Council.

District means the territory of Council.

Enforcement Officer has the same meaning as contained in Section 4 of the Act.

Freedom Camp has the same meaning as freedom camp in Section 5 of the Act.

Local authority area is:

- (a) an area of land-
 - (i) that is within the District of the Council; and
 - (ii) that is controlled or managed by the Council under any enactment; and
- (b) includes any part of an area of land referred to in paragraph (a); but
- (c) does not include an area of land referred to in paragraph (a) or (b) that is permanently covered by water.

Offence has the same meaning as contained in Section 4 of the Act.

Person includes a corporation and also a body of persons whether corporate or unincorporated.

Public notice means the same as in Section 2 of the Local Government Act 2002 and 'published' and 'publicly notified' have corresponding meanings.

Self-contained camping means camping in a self-contained vehicle or by alternative means providing that the individual camper(s) have the capability of meeting the ablutionary and sanitary needs of occupants of the camp for a minimum of three days without requiring any external services, relying on public facilities or discharging any waste.

Self-contained vehicle means a vehicle designed and built for the purpose of camping which has the capability of meeting the ablutionary and sanitary needs of the occupants of that vehicle for a minimum of three days without requiring any external services or discharging any waste and complies with New Zealand Standard 5465:2001, as evidenced by the display of a current self-containment warrant issued under New Zealand Standard Self Containment of Motor Caravans and Caravans, NZS 5465:2001.

4. PURPOSE

- 4.1 The purpose of this Bylaw is to regulate and manage freedom camping in local authority areas and its effects on the Mackenzie District community and environment to:
 - (a) protect local authority areas;
 - (b) protect the health and safety of people who may visit local authority areas; or
 - (c) protect access to local authority owned or controlled areas.
- 4.2 This Bylaw is intended to encourage responsible freedom camping in the Mackenzie District. The principles by which freedom camping is regulated to meet the purpose of this Bylaw are set out below:
 - (a) The District welcomes visitors who camp responsibly, respect public and private property and follow some simple rules to protect our community and our environment.
 - (b) Some controls on freedom camping are necessary to protect our community and environment.
 - (c) Freedom camping carries with it the responsibility to respect the community by protecting the environment from harmful contamination or fouling.
 - (d) Freedom campers are expected to remove all waste and not cause any damage to the areas they use.

5. LOCAL AUTHORITY AREAS WHERE FEEEDOM CAMPING IS PERMITTED

- 5.1 Freedom camping is permitted in any local authority area within the District unless restricted or prohibited in an area:
 - (a) in accordance with this Bylaw; or;
 - (b) under any other enactment.

6. PROHIBITION ON FREEDOM CAMPING

6.1 No person may freedom camp in any Prohibited Freedom Camping Area within the local authority area, as identified in Schedule 1 of this Bylaw.

7. RESTRICTIONS ON FREEDOM CAMPING

7.1 A person may freedom camp within the local authority areas identified in Schedule 2 of this Bylaw but subject to the restrictions set out in that Schedule for any particular area.

8. PRIOR CONSENT FROM COUNCIL

- 8.1 The Council may grant consent to waive freedom camping restrictions in any of the areas identified in Schedule 1 and Schedule 2 of this Bylaw.
- 8.2 Any application for consent must be made in writing to the Council at least two weeks in advance of the date planned for freedom camping within the relevant area.
- 8.3 A person freedom camping in accordance with a consent granted under clause 8.1 must comply with any conditions of consent.
- 8.4 A Council Officer may revoke a consent granted under clause 8.1 by giving a direction for the person to leave the camping area where that person has:
 - (a) acted in a manner likely to endanger the health and safety of other people;
 - (b) damaged or is likely to cause damage to the site;
 - (c) breached any of the conditions included in any consent.

9. CLOSURE OF FREEDOM CAMPING AREA

- 9.1 The Council may temporarily close or restrict entry to any overnight freedom camping area or part of any freedom camping area where such restriction is considered necessary by Council to:
 - (a) prevent damage to the local authority area or facilities in the area; or
 - (b) allow maintenance to the local authority area or facilities thereon; or
 - (c) protect the safety of persons or property; or
 - (d) allow or facilitate public access.

10. OFFENCES

- 10.1 As specified by section 20(1) of the Act, every person commits an offence who:
 - (a) freedom camps in a local authority area in breach of any prohibitions or restriction in this bylaw that applies to the area: or

- (b) makes preparations to camp in a local authority area in breach of any prohibition or restriction in this Bylaw that applies to the area.
- 10.2 An Enforcement Officer may issue an infringement notice to anyone who the Enforcement Officer believes on reasonable grounds has committed or is committing an Infringement Offence as set out in section 20(1) of the Act.
- 10.3 Where any person is committing or has committed an offence under this Bylaw or the Act, that person must, on the request of an Enforcement Officer:
 - (a) leave the relevant area immediately; and
 - (b) supply their full name, date of birth, full address, telephone number and occupation to the Enforcement Officer, as well as those same details for any other person connected in any way with the alleged offence.

11. PENALTIES

- 11.1 As specified by section 23(1) of the Act, every person who commits an offence pursuant to section 20(1)(a) and (c) of the Act is liable to an infringement fine of \$200.
- 11.2 The enforcement officer may also take such other action against the permit holder as authorised by this Bylaw or the Act as the Enforcement Officer deems necessary. It shall not be a precondition to taking such other action that a permit is revoked.

Schedule 1 – Prohibited Freedom Camping Areas

A person must not freedom camp in any prohibited area within the Mackenzie District, as identified in Schedule One: Prohibited Areas for Freedom Camping, without the prior written consent of the Council.

Church of the Good Shepherd Area, Tekapo

The Church of the Good Shepherd area is located within the Tekapo Township, on and adjacent to Pioneer Drive. Freedom camping is prohibited in all parts of this area shown on Diagram 1 highlighted blue.



Diagram 1: Church of the Good Shepherd Area, Tekapo

Tekapo Commercial Area, Tekapo

The Commercial Centre in Tekapo township is shown on Diagram 2. Freedom camping is prohibited in all parts of this area shown on Diagram 2 highlighted blue.



Diagram 2: Commercial Centre Area, Tekapo

Murray Park Area, Tekapo

The Murray Park Area in Tekapo township is shown on Diagram 3. Freedom camping is prohibited in all parts of this area shown on Diagram 3 highlighted blue.



Diagram 3: Murray Park Area, Tekapo

Twizel Commercial Area, Twizel

The Commercial Centre in Twizel township is shown on Diagram 4. Freedom camping is prohibited in all parts of this area shown on Diagram 4 highlighted blue.



Diagram 4: Commercial Centre Area, Twizel

Lake Ruataniwha Lagoon Area

The Lake Ruataniwha Lagoon Area is shown on Diagram 5. Freedom camping is prohibited in all parts of this area shown on Diagram 5 highlighted blue.



Diagram 5: Lake Ruataniwha Lagoon Area

Lake Ohau - Boat Ramp Area

The Lake Ohau Boat Ramp Area is shown on Diagram 6. Freedom camping is prohibited in all parts of this area shown on Diagram 6 highlighted blue.



Diagram 6: Lake Ohau Boat Ramp Area

Schedule 2 – Restricted Freedom Camping Areas

Freedom Camping is provided for, subject to the restrictions specified for each area.

Any restrictions much be complied with unless the prior written consent of the Council is obtained.

All Council controlled land

- 1. Freedom camping is restricted to self-contained camping other than in the following areas:
 - a. Fairlie Top Ten Holiday Park
 - b. Lake Alexandrina South End Camp Ground
 - c. Lake Macgregor/Lake Alexandrina Outlet Camp Ground
 - d. Lot 5 DP 455053, Lake Tekapo, provided that such camping is in accordance with any Licence to Occupy granted to the Lake Tekapo Camping Ground.

Lake Opuha - Bennetts Road Area

- 1. No camping is allowed from 23rd December to the second Monday in January (inclusive).
- 2. No camping within 20 m of the lakeshore.
- 3. Freedom camping is restricted to self-contained camping.
- 4. Freedom camping is restricted to a maximum period of seven consecutive nights.



Diagram 7 Lake Opuha - Bennetts Road Area

Lake Opuha - Hays Road Area

- 1. No camping is allowed from 23rd December to the second Monday in January (inclusive).
- 2. No camping within 20 m of the lakeshore.
- 3. Freedom camping is restricted to self-contained camping.
- 4. Freedom camping is restricted to a maximum period of seven consecutive nights.



Diagram 8 Lake Opuha - Hays Road Area

Lake Opuha - Opuha Gorge Road Area

- 1. No camping is allowed from 23rd December to the second Monday in January (inclusive).
- 2. No camping within 20 m of the lakeshore.
- 3. Freedom camping is restricted to self-contained camping.
- 4. Freedom camping is restricted to a maximum period of seven consecutive nights.



Diagram 9 Lake Opuha - Opuha Gorge Road Area

Lake Ruataniwha (North End) Area

- 1. No camping is allowed from 23rd December to the second Monday in January (inclusive).
- 2. No camping within 20 m of the lakeshore.
- 3. Freedom camping is restricted to self-contained camping.
- 4. Freedom camping is restricted to a maximum period of seven consecutive nights.



Diagram 10 Lake Ruataniwha (North End) Area

Lake Ruataniwha (South End) Area

- 1. No camping is allowed from 23rd December to the second Monday in January (inclusive).
- 2. No camping within 20 m of the lakeshore.
- 3. Freedom camping is restricted to self-contained camping.
- 4. Freedom camping is restricted to a maximum period of seven consecutive nights.



Diagram 11 Lake Ruataniwha (South End) Area

DOG CONTROL POLICY 2014

1.0 INTRODUCTION

- 1.1 Section 10 of the Dog Control Act 1996 (the Act) requires the Council to adopt a policy on the control of dogs. The purpose of a Dog Control Policy is to:
 - minimize the danger distress and nuisance that dogs can cause
 - avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children
 - enable the public to use streets and public amenities without fear of attack or intimidation by dogs
 - provide for the exercise and recreational needs of dogs and their owners.
- 1.2 This policy document is in three parts. Section 2 identifies issues relating to dog control in the District and Section 3.0 contains policy to address those issues. Section 4 contains the definitions used in the Policy, and Appendix A describes the areas identified for exercise purposes within the District, areas where dogs are to be leashed and areas where dogs are prohibited in the District.

2 ISSUES

2.1 Non-Registration

Every person who keeps a dog over the age of three months old is required to register that dog annually, and to advise the Council promptly of any change of address or ownership of the dog.

While non-registration is not considered a serious issue within the District, Council staff have on occasion found dogs that have not been registered. Unregistered dogs may be seized and impounded by a Dog Control Officer and infringement fines issued.

The other main issue associated with registration is that some people do not meet their obligation of ensuring Council records are kept up to date in respect of the location of dogs. This causes difficulties in finding owners of impounded and injured dogs and for the undertaking of property visits.

2.2 Barking Dogs

Council staff receive complaints about barking dogs. Continuous barking for long periods of time, or continually at night, is not acceptable to residents of the District. There is provision in the Dog Control Act for action to be taken against the owners of dogs causing a barking nuisance, such as seizing these dogs and not releasing them until Council is satisfied that returning the dog will not result in the resumption of the nuisance.

2.3 Dogs Defecating in Public Places

There is a problem with dogs fouling private and public places in the urban areas. Not only is it unsightly and a nuisance, it is also a health risk.

2.4 Uncontrolled Dogs Causing Nuisance to Others

Dogs roaming free can cause a significant nuisance. Warnings have been issued to some owners about dogs roaming uncontrolled and being aggressive to members of

the public. In addition, uncontrolled dogs that are exercised without proper control can be a nuisance to others.

2.5 Dogs Attacking or Biting People, their Pets or Property

This can potentially put lives in jeopardy. People can also feel threatened by aggressive behaviour. The public is entitled to feel secure and not be personally threatened. The Council has received a minor number of complaints about dog attacks that have resulted in action being taken.

Dogs that are left alone on properties with free access to public roads or walkways may be seized by officers. Dogs must be confined to their own properties with safe access provided for visitors to the property.

2.6 Stock Attacks

Dogs, if uncontrolled, can harm or kill farm stock. The land owner has the right to destroy any dog that has been found attacking stock. The Council has received a number of complaints about this issue.

2.7 The Risk of the Spread of Disease from Dogs

Dogs are potential carriers and distributors of true hydatids, sheep measles (*Taenia ovis*) and round worms (*Toxicara canis*). Sheep measles affects the quality of sheep meat, but the disease is not a human health hazard. True hydatids can cause death in humans and despite a national programme for many years, the disease is not yet eradicated. Round worms (*Toxicara canis*) can cause impaired vision or total blindness in humans. Eggs are passed out with the dog faeces. Humans may become infected if they ingest the minute sticky eggs. Officers can provide information on these diseases and a range of educational pamphlets are available.

2.8 Education

A lack of understanding of dog behaviour by owners and members of the public is an important issue. There is also a need to ensure dog owners know how to look after their dogs and make adequate provision for their needs and wellbeing.

Dog Control Officers have the right of entry on land if they have reasonable grounds to suspect a dog is without food, water or shelter. A dog may be held until the officer is satisfied adequate accommodation has been provided.

Dogs may be seized by Dog Control Officers for these reasons.

2.9 Exercise Areas

Dogs require exercise. However, there can be conflict between dog owners and non-dog owners. It is therefore important to identify public areas where it is appropriate for dogs to be at any time or on some occasions. There should also be reasonable provision made for areas where dogs can be exercised.

In the Mackenzie District dog owners must keep their dogs leashed while in the urban parts of the District. In rural areas dogs must be controlled at all times.

The owner of a dog must use or carry a leash at all times, while the dog is in a public place.

2.10 Aggravating Dogs

People are capable of inciting dogs to behave badly. Dogs have been known to bite or attack people because they have been teased. It is important to educate people about appropriate behaviour around dogs and to discipline people who cause dogs to act aggressively.

2.11 Prohibited Importation of Dogs

Schedule 4 of the Act prohibits the importation of any dog that belongs wholly or predominantly to one or more of the following breeds or types:

- Brazilian Fila
- Dogo Argentino
- Japanese Tosa
- American Pit Bull Terrier
- Perro de Presa Canario

The prohibition does not apply to dogs trained or being trained to assist people with disabilities.

2.12 Menacing Dogs

A menacing dog is one which has not been classified as dangerous, but which the Council considers may pose a threat to any person or livestock. Dog breeds that are prohibited from importation (refer above list in 2.10) are automatically classified as menacing. The Council has the power to order the neutering of menacing dogs, although there is the right of objection to such classification by the owner.

2.13 Microchips

The Act states that "a dog registered for the first time on or after 1 July 2006 is to be implanted with a functioning microchip transponder". Dogs classified as dangerous or menacing must be micro chipped from that date also and that includes those dogs classified since 1 December 2003. This requirement is not mandatory for working dogs.

3 POLICIES

This section describes the Council's discretionary policy on dog control. It also includes the mandatory requirements imposed by legislation on dog owners, for guidance.

3.1 General Policies

3.1.1 Areas Where Dogs are Permitted or Prohibited

3.1.1.1 General Public Space

The schedules contained in Appendix A identify specific control areas as:

- (a) Dog Exercise Areas
 - In these areas, dogs are permitted to be exercised at large (without a lead). However, the person exercising the dog must be able to control it and must have a lead in his/her possession.
- (b) Dog Prohibited Areas

 Dogs are not permitted to be in these areas at any time
- (c) Temporary Prohibited Areas
 Council may from time to time declare temporary prohibited areas.
- (d) Dog Leash Areas

In these areas dogs are only permitted provided they are controlled on a leash at all times

In all public places other than leash control, exercise and prohibited areas, all dogs are required to be under control.

3.1.1.2 Conservation Areas

Dogs are prohibited from the National Parks in the Mackenzie District in accordance with Section 26zs of the Conservation Act 1987, unless a special permit is granted.

3.1.2 Fees and Charges

Registration fees are set annually by Council. They shall be reasonable fees to cover the management and enforcement of the Dog Control Act and bylaw, and such issues as welfare, dog control, education, and to ensure dogs do not cause a nuisance in the community.

The Council fees are based on various categories. There are reductions for dogs which qualify under certain criteria. These are:

- Urban Dogs
- Urban dogs, responsible owner
- Urban dogs, neutered
- Rural Dogs

The Council wishes to encourage the de-sexing of dogs, in an endeavour to reduce the incidence of unwanted and straying dogs in the District. There is a reduction in the fees for dogs that have been de-sexed and for owners of more than one dog. Exemptions will be applied to guide dogs and hearing ear dogs.

Urban dog registration fees are charged to owners living in settlements that have the potential to generate a dog control problem for nearby residents or rural occupiers. Currently these are the urban areas of Fairlie, Albury, Kimbell, Lake Tekapo, Twizel and Burkes Pass. An urban dog fee will also apply in any rural residential or lifestyle type sections near townships or settlements.

Council also sets fees for the impounding of dogs and associated costs. Dogs will be required to be registered and microchipped prior to release from a pound.

3.1.3 Education Programmes/Dog Obedience Courses

Council does not offer a dog owner education programme. The Council may require any probationary owner to undertake a dog education programme in lieu of classifying an owner as a disqualified dog owner. This may require the owner travelling to a location outside of the district to undertake this training.

The costs for any dog / owner education programme will be met by the dog owner.

3.1.4 Property Visits

The District Council's policy is to check all properties for compliance with the Act and with the Council's Dog Control bylaw. Although it is not possible to visit every property annually, a programme will need to be developed to ensure that urban properties are visited annually and rural properties on a biannual basis. These annual visits include areas of highest risk (using criteria such as recorded dog problems, and non-registration).

Property visits are seen as an important way of providing contact between Council and its residents on dog control issues. For dog owners, it provides an opportunity to discuss relevant educational issues and for Dog Control Officers, it gives an opportunity to check on the dog's welfare, kennelling and registration status.

3.1.5 Appointment of Honorary Dog Rangers

From time to time, the Council may appoint honorary dog rangers. The role of the rangers will primarily be an educational one. It is considered that rangers will also be able to assist Council in general surveillance obligations, particularly with dog exercise and prohibited areas.

3.1.6 Uncontrolled Dogs

The Dog Control Officers will attempt to pursue all dogs roaming free in a public place with the intent of impounding them. The majority of complaints received are to do with roaming dogs. If Dog Control Officers are unable to capture a roaming dog, they will follow it home and speak to the owner. If the dog is unattended and has the ability to leave the property again it will be seized. If the dog is seen out a second time, an infringement notice will be issued.

Dog Control Officers will also impound any dog seized by a property owner or person in charge of any land or premises.

4 Classifications

4.1.1 Classification of Owners

4.1.1.1 Probationary Owner

The Council will classify a person as a probationary owner if they commit 3 or more infringement offences within a continuous 24-month period.

This classification of probationary owner will continue for a period of 24 months unless there are extenuating circumstances involved in any one particular case.

4.1.1.2 Disqualified Owners

A person may be disqualified from owning a dog in accordance with section 25 of the Act. Unless there are extenuating circumstances in any particular case, this classification will be imposed. Alternatively the Council may instead classify the person as a probationary owner (refer 3.2.1.1.above).

4.1.2.1 Dogs Classified as Menacing

(a) If the Council considers that a dog may pose a threat or has displayed aggressive and threatening actions towards any person, stock, poultry, domestic animal or protected wildlife, that dog will be classified as menacing.

The effects of classification as menacing are that the owner:

- (a) will be required to neuter the dog under the Council's Bylaw;
- (b) must ensure that the dog is muzzled at all times when in a public place;
- (c) must advise any person who has temporary possession of the dog of the requirements to use a muzzle in public areas.

4.1.2.2 Dogs Driving Stock

Working dogs driving stock in areas where dogs are required to be restrained on a lead, are exempt from this requirement.

5 Infringement Notices and Fines

Sections 65 and 66 of the Act allow Councils to issue various infringement notices. These notices may be issued for certain offences listed below. Fines not paid will be recovered through the courts as provided for in the Summary Proceedings Act 1957.

Unless there are exceptional circumstances in any particular case, an infringement notice will be issued.

6 Dog Control Bylaw

The Mackenzie District Council also has a Dog Control Bylaw which includes the following provisions:

- Identification of public places where dogs are prohibited either permanently or for specific periods.
- (b) Requirement for dogs, other than those classified as working dogs, to be on a leash in specified public places or in public places in specified areas or parts of the District.
- (c) Regulation and control of dogs in any other public place.
- (d) Designation of specified areas as dog exercise areas.
- (e) Requirement for the owner of any dog that defecates in a public place or land or premises other than that occupied by the owner to immediately remove the faeces.
- (f) Provision for the impounding of dogs, whether or not they are wearing a collar having the proper tag or disc attached, that are found at large or in breach of any Bylaw.
- (g) Requirement for diseased dogs to be kept on the owner's property.
- (h) Prohibition of dogs which are a nuisance or injurious to health.
- (i) Requirement for owners to ensure their dogs in a public place do not become restive or aggravated.
- (j) Penalties for people found to be aggravating dogs.
- (k) Authorisation for the Council to require a probationary owner to undertake a dog owner education programme.
- Authorisation for the Council to disqualify a probationary owner convicted of serious offences.
- (m) Prohibition of the importation of dogs of specific breeds or types.
- (n) Requirement for dangerous dogs to be on a leash and muzzled in any public place.
- (o) Requirement for the implantation of microchip transponder (not mandatory for working dogs).
- (p) Requirement for the owner of a dog to use or carry a leash at all times while with a dog in a public place.

Infringement Fees are specified in Schedule 1 of the Dog Control Act 1996.

6.1 Summary

There are mandatory requirements on the Council described in the Dog Control Act 1996. The Council, however, has powers of discretion derived from statute which are legally enforceable by the adoption of a Dog Control Bylaw. This section summarises the Council's policy on discretionary options as follows:

(a) At Council discretion there will be a reduced fee regime for special category dogs, e.g. guide dogs.

- (b) A late registration fee will apply.
- (c) The Policy describes:
 - Dog exercise areas
 - Dog prohibited area; and
 - Dog leash areas.
- (d) The Council will require a probationary owner to undertake a dog owner education programme or dog obedience course, at the owner's expense.
- (e) The Council will require the neutering of any dog classified as a menacing dog within one month of classification.
- (f) The Council may exempt any dog or class of dog from muzzling or control on a leash in any special circumstances, e.g. a dog show.
- (g) The Policy imposes penalties on the failure to remove dog faeces.

7 DEFINITIONS

"Act" Means the Dog Control Act 1996. "Animal Welfare Means an officer appointed under the Animal Welfare Act Inspector" 1999. "Bylaw" Means the Mackenzie District Council Dog Control Bylaw 2014. "Continuous Control" Means in any public place, a dog that is restrained by a leash. "Control" Means in any public place, where a dog is leashed or is responding to the commands of a person accompanying the dog. "Council" Means the Mackenzie District Council. "District" Means the area administered by the Mackenzie District Council. "Dog Control Officer" Means an officer appointed under Section 11 of the Act. "Dog Ranger" Means a ranger appointed under Section 12 of the Act and includes an honorary dog ranger. "Dog Exercise Area" Means any public place so defined within the District where a dog may be exercised off the leash. "Dog Prohibited Area" Means any public place so defined within the District where a dog is prohibited either generally or at specified times. "Effective Control" Means in any public place where a dog is leashed or is

"Leash"

Means an adequate restraint, not exceeding 2 metres in length and held by a person physically capable of restraining a dog.

responding to the commands of the person accompanying the

dog and is not more than 3 metres from that person.

"Leash Control Area"

Means any public place so defined in the District where a dog is required to be kept under continuous control by means of a leash.

"Owner"

In relation to any dog, means every person who either:

- (a) Owns the dog; or
- (b) Has the dog in his or her possession, whether the dog is at large or in confinement, otherwise than for a period not exceeding 72 hours for the purpose of preventing the dog causing injury, damage, or distress, or for the sole purpose of restoring a lost dog to its owner; or

- (c) The parent or guardian of a person under the age of 16 years who:
 - i) Is the owner of the dog pursuant to paragraph (a) or paragraph (b) of this definition; and
 - ii) Is a member of the parent or guardian's household living with or dependant on the parent or guardian;

But does not include any person who has seized or taken custody of the dog under the Bylaw, or the Dog Control Act 1996 or the Animal Welfare Act 1999 or the National Parks Act 1980 or the Conservation Act 1987 or any order made under the Dog Control Act 2003 or the Animal Welfare Act 1999.

"Public Place"

Means a place that, at any material time, is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from that place.

APPENDIX A

Schedule 1 - LEASH CONTROL AREAS

The following locations are designated as areas where dogs are permitted provided they are controlled on a leash.

Fairlie

- 1. Fairlie Village Centre as defined by the District Plan, between State Highway 79 intersection with State Highway 8 and School Road on the west side of Main Street and Talbot Street on the east side of Main Street.
- 2. Fairlie Village Green, bordering Talbot Street and State Highway 8 and recognised as Rec P in the District Planning maps.
- 3. The peripheral area surrounding a sports field for a distance of up to 10 metres.

Lake Tekapo

1. Tekapo Village Centre, namely in the lakeside of State Highway 8 between Tekapo River bridge and the western boundary of the Tekapo hotel and includes the land in front of the Village Centre to the water edge of Lake Tekapo.

Twizel

1. Market Place (legal road) including the car parking area.

Schedule 2 - DOG EXERCISE AREAS

The following locations are designated as areas where dogs are permitted to exercise provided they are controlled at all times.

Fairlie

- 1. Mount Cook Road green area.
- 2. McLean Park.
- 3. The road reserve from Gray Street South along the east side of State Highway 8.
- 4. Strathconan Park recreational grounds.

Lake Tekapo

1. The lake side from Pioneer Drive/State Highway 8 eastern intersection to the Pines Picnic area.

Twizel

- 1. The recreation land situated between the town boundaries of Twizel, namely:
 - i. Glen Lyon Road and State Highway 8,
 - ii. Land adjoining rear boundaries of properties on Tekapo Drive, Jollie Road and Wairepo Road; and
 - iii. North West Arch green areas
- The recreation land between Max Smith Drive and Lake Ruataniwha.

Schedule 3 - DOG PROHIBITED AREAS

At present, the Council Bylaw bans dogs from the following places:

<u>Fairlie</u> - Fairlie Domain as shown on the aerial photograph below:





<u>Twizel - Market Place shopping mall as shown on the aerial photograph below:</u>

Prohibited Dog Area: Twizel



General

In addition to the above named places, in the Mackenzie District dogs are not permitted in:

- 1. Any premises used as a community Library;
- 2. Any public swimming pool owned or controlled by the Council;
- 3. The playing area of any sports field;
- 4. Any area used as a children's playing ground;
- 5. Any land or premises used as a school, kindergarten or play centre unless specific approval has been obtained from the controlling authority; and/or
- 6. Any cemetery.

TEMPORARY PROHIBITED AREAS

The Council may from time to time declare certain areas, not being prohibited areas, to be prohibited areas for a specified time and shall give the public notice of its intention to declare an area as temporarily prohibited. Appropriate signs will be posted in the area and prior notice will be published in a newspaper circulating in the District.

Dog Control Policy

Adopted by: Council

Adopted date: 9 December 2014

Review by: 9 December 2019



MACKENZIE DISTRICT COUNCIL DOG CONTROL BYLAW 2014

CONTROL OF DOGS

DOG CONTROL BYLAW 2014

Introduction

This Dog Control Bylaw replaces Council's 2006 bylaw and gives effect to the Dog Control Policy which was adopted by Council on 9 December 2014.

It contains some general provisions relating to the control of dogs in the District and also deals with fouling by dogs and circumstances where dogs may be impounded.

The bylaw defines certain areas where dogs are prohibited and where they must be kept on a leash. Other areas have been set aside for dog exercise areas. These areas are defined in the schedules of the bylaw.

The bylaw also generally limits the number of dogs that may be kept on urban land to two per property unless special permission has been obtained from the Council.

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- 1. Short Title
- 2. Commencement
- 3. Object of Bylaw
- 4. Interpretation
- 5. Dog Control
- 6. Fouling of Dogs
- 7. Impounding of Dogs
- 8. Convictions and Fines
- 9. Amendments and Revocations

Pursuant to the powers vested in it by the Local Government Act 2002 and the Dog Control Act 1996 the MACKENZIE DISTRICT COUNCIL makes this Bylaw.

1. SHORT TITLE

This bylaw may be cited as the Mackenzie District Council Dog Control Bylaw 2014.

2. COMMENCEMENT

This bylaw shall come into force on 15 December 2014.

3. OBJECT OF BYLAW

The object of this bylaw is to control the keeping of dogs in the Mackenzie District.

4. INTERPRETATION

"Owner"

In this Bylaw, unless the context otherwise requires,

"Act" Means the Dog Control Act 1996. "Animal Welfare Inspector" Means an officer appointed under the Animal Welfare Act 1999. "Bylaw" Means Mackenzie District Council Dog Control Bylaw 2006 "Control" Has the same meaning as Section 52 and 52A of the Dog Control Act 1996. "Council" Means the Mackenzie District Council. "District" Means the area administered by the Mackenzie District Council. "Dog Control Officer" Means an officer appointed under Section 11 of the Act. "Dog Ranger" Means a ranger appointed under Section 12 of the Act and includes an honorary dog ranger. "Dog Exercise Area" Means any public place so defined within the District where a dog may be exercised off the leash. "Dog Prohibited Area" Means any public place so defined within the District where a dog is prohibited either generally or at specified times. "Effective Control" Means in any public place where a dog is leashed or is responding to the commands of the person accompanying the dog and is not more than 3 metres from that person. "Leash" Means an adequate restraint, not exceeding 2 metres in length and held by a person physically capable of restraining a dog. "Leash Control Area" Means any public place so defined in the District where a dog is required to be kept under continuous control by means of a leash.

In relation to any dog, means every person who either:

- (a) Owns the dog; or
- (b) Has the dog in his or her possession, whether the dog is at large or in confinement, otherwise than for a period not exceeding 72 hours for the purpose of preventing the dog causing injury, damage, or distress, or for the sole purpose of restoring a lost dog to its owner; or
- (c) The parent or guardian of a person under the age of 16 years who:
 - i) Is the owner of the dog pursuant to paragraph (a) or paragraph (b) of this definition; and

ii) Is a member of the parent or guardian's household living with or dependant on the parent or guardian;

But does not include any person who has seized or taken custody of the dog under the Bylaw, or the Dog Control Act 1996 or the Animal Welfare Act 1999 or the National Parks Act 1980 or the Conservation Act 1987 or any order made under the Dog Control Act 1996 or the Animal Welfare Act 1999.

"Public Place"

Means a place that, at any material time, is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from that place.

5. DOG CONTROL

- 1) Dogs on streets or public places
- (a) Prohibited Areas

No person shall cause, permit, suffer or allow any dog of which that person is the owner to enter onto or remain within the following places;

- (i) Any of the areas specified in the first schedule of this bylaw.
- (ii) Any premises used as a Public/Community Library.
- (iii) Any public swimming baths owned or controlled by the Council.
- (iv) Any area used as a public children's playground, or on the playing area of any sportsfield.
- (v) Any land or premises used as a school, kindergarten, play centre, public hall or community centre, unless specific approval has been obtained from the Controlling Authority of that land or those premises.
- (vi) Any cemetery.

(b) Other public Places

No person shall cause, permit, suffer or allow any dog of which that person is the owner to enter or remain in any public place within the district of the Council which is not covered by clause 2(a) or 2(c hereof unless the dog is kept under continual and sufficient control; which means that the dog is under the continual surveillance and immediate control (by carrying a leash at all times) of a responsible person over the age of nine years.

(c) Leash Control Areas

No person shall allow dog(s) to wander without leash control in any area as defined by the fourth schedule of this bylaw. Any person found with a dog(s) in the mandatory leash control areas commits an offence under the bylaw.

2) Control of Dogs

- (a) The owner of every dog shall at all times keep and prevent the dog(s) from wandering or being at large, in or upon any public place, without being under effective control in accordance with Section 52 and 52A of the Dog Control Act 1996.
- (b) The owner of any dog shall at all times keep and prevent the dog(s) from being at large on any land or premises, without the consent (express or implied) of the occupier or person in charge of that land or premises.

NOTE: Working dogs driving stock are exempt from these provisions providing they are under control by the person directing the dogs.

3) Number of Dogs

- (a) No occupier of land in any areas listed in the Third Schedule, shall allow or cause to remain or keep for any period exceeding seven days, more than 2 dogs over the age of three months on the premises unless the occupier shall be the holder of a licence from the Council.
- (b) A licence may be issued upon or subject to such terms, conditions, and restrictions as the Council may think fit. Any breach of the terms, conditions or restrictions of the licence shall be a breach of this bylaw. Without limitation, the Council may impose conditions and restrictions relating to, requiring or governing:
 - (i) Drainage from the kennel and run.
 - (ii) The siting of such kennels.
 - (iii) The maximum number of dogs to be kept.
 - (iv) Fencing and control of the dog(s) on the property.
- (c) Any person desiring to allow or cause to remain or keep two or more dogs over the age of three months on any premises shall make written application to the Council for a licence in the form as may from time to time be prescribed by the Council and shall give to the Council information in respect of the application as may be required by the form or as the Council may reasonably require.
- (d) For every licence there shall be paid to the Council a fee as set from time to time by Council resolution. The licence shall remain in force until 30 June next following its issue, provided that the licence may during its currency be cancelled by the Council for breach of any of its terms, conditions or restrictions.
- (e) The fee for the licence shall be payable in addition to current registration fees payable under the Act and is not refundable where the licence is cancelled by Council.

4) <u>Dog Exercise Areas</u>

(a) The Council may from time to time set aside areas where dogs are permitted to roam free for the purpose of training or exercising. These areas shall include those

set out in the Second Schedule. Dogs in exercise areas shall be under the control of the owner at all times.

5) <u>Mangy or diseased dogs</u>

(a) Mangy or diseased dogs shall not enter onto or remain within any public place. The owner of any dog which is found in contravention of this clause commits an offence against this bylaw.

6) Bitches on heat

(a) Bitches on heat shall be confined to the owner's property and shall not enter onto or remain within any public place while on heat. While so confined the owner shall make adequate provision for the exercise of the dog in season. The owner of any dog which is found in contravention of this clause commits an offence against this bylaw.

7) <u>Nuisance or likely to be injurious to health</u>

- (a) The owner of any dog or the occupier of any premises where any dog or dogs are kept, either permanently or temporarily, shall take adequate precaution to prevent the dog or dogs, or the keeping thereof, from being an actual or potential nuisance or an actual or potential injury to the health of itself or themselves, other dogs, people or animals.
- (b) If, in the opinion of a duly authorised officer of the Council, any dog or dogs or the keeping thereof has or is likely to become a nuisance or injurious to the health of either itself or themselves, other dogs, people or animals the occupier, by notice in writing, shall be required to do all or any of the following;
 - (i) Reduce the number of dogs on the premises.
 - (ii) Construct, alter, reconstruct or otherwise improve the kennels or other buildings used to house or contain such dog or dogs.
 - (iii) Require such dog or dogs to be tied up or otherwise confined during specified periods.
 - (iv) Take such other action as the Council deems necessary to minimise or remove the likelihood of nuisance or injury to health.
- (c) Any person to whom notice is given under the proceeding provisions of this clause and who fails to comply with such notice within the time therein specified shall commits an offence against this bylaw.

8) Accommodation of Dogs

- (a) The minimum standards for shelter of any dog are;
 - (i) A weatherproof kennel or place of confinement,
 - (ii) The kennel shall have a floor and be constructed on dry ground,
 - (iii) Any kennel, other than a motel unit or one with a run, shall have fixed to it a chain which allows the dog free movement about the kennel,

- (iv) The kennel shall have sufficient room for the dog to freely move, stretch out and recline.
- Such kennel or place of confinement shall allow access to clean water at all times.
- (vi) The kennel or place of confinement shall be kept clean, and in a sanitary condition, so as to prevent the accumulation of faeces, food, hair or other organic matter,
- (vii) The area immediately around the kennel shall be kept clean, tidy and in a sanitary condition.
- (b) No owner of any dog shall permit any dog to be kept beneath the floor of any building.

9) Disposal of dogs

(a) The owner or person having charge of a dog shall, within 24 hours of the death of that dog, bury the dog below the surface of the ground and with at least 750 mm of cover or placed in an offal pit of a depth of 2 metres or more below ground level.

6. FOULING BY DOGS

No person being the owner or a person having charge of any dog shall permit the dog to foul in a public place with droppings or on land or premises other than that occupied by the owner.

- (a) Provided that, no offence shall be deemed to have been committed against this bylaw where the owner or the person having charge of the dog removes the droppings immediately after the dog has deposited them.
- (b) Any person having charge of any dog shall at all times while exercising the dog whether within a designated exercise area or any public place carry a suitable receptacle to remove and dispose of dog droppings immediately after the dog has deposited them.
- (c) Plastic bags, paper bags or acceptable pooper scoopers are examples of suitable receptacles.
- (d) Where a public litter bin or similar receptacle is used to dispose of the droppings, they must be suitably wrapped or contained to prevent fouling the receptacle.

7. IMPOUNDING OF DOGS

- (a) Any dog ranger, dog control officer or constable may impound a dog which is found at large or not under control in any public place contrary to this bylaw.
- (b) The provisions of Sections 67 72 (inclusive) of the Dog Control Act 1996 shall apply to the impounding of any dog pursuant to subclause (1) of this clause.
- (c) The costs of sustaining the dog while impounded shall be payable by the owner or custodian of the dog to the Council.

8. CONVICTIONS AND FINES

Any person in breach of any provisions of this bylaw may be subject to enforcement action in accordance with the Dog Control Act 1996.

9. AMENDMENTS AND REVOCATIONS

The Mackenzie District Council Dog Control Bylaw 2006 is hereby revoked.

FIRST SCHEDULE

DOG PROHIBITED AREAS

Dogs are prohibited from the following places:

Fairlie

1. Fairlie Domain as shown on the below aerial photograph:



Twizel

1. Market Place shopping mall as shown on the below aerial photograph:



Prohibited Dog Area: Twizel

In the Mackenzie District dogs are also prohibited from:

- 1. Any premises used as a community Library;
- 2. Any public swimming pool owned or controlled by the Council;
- 3. The playing area of any sports field;
- Any area used as a children's playing ground;
- 5. Any land or premises used as a school, kindergarten or play centre unless specific approval has been obtained from the controlling authority; and
- 6. Any cemetery.

TEMPORARY PROHIBITED AREAS

The Council may from time to time declare certain other areas to be prohibited areas for a specified time and shall give public notice of its intention to declare such areas as temporarily prohibited. Appropriate signs will be posted in the area and prior notice will be published in a newspaper circulating in the District.

SECOND SCHEDULE

DOG EXERCISE AREAS

The following locations are designated as areas where dogs are permitted to be exercised provided they are controlled at all times.

Fairlie

- 1. Mount Cook Road green area
- 2. McLean Park
- 3. The road reserve from Gray Street South along the eastern side of State Highway 8
- 4. Strathconan Park recreation grounds

Lake Tekapo

1. The lake side from Pioneer Drive/State Highway 8 eastern intersection to the Pines Picnic area

Twizel

- 1 The following areas of recreation land situated within the town boundaries of Twizel, namely:
 - i. Glen Lyon Road and State Highway 8,
 - ii. Land adjoining rear boundaries of properties on Tekapo Drive, Jollie Road and Wairepo Road; and
 - iii. North West Arch green areas
- 2 The recreation land between Max Smith Drive and Lake Ruataniawha

THIRD SCHEDULE

CONTROLLED DOG OWNERSHIP AREAS

Fairlie: The areas within the Fairlie Community constituted Boundaries and zoned

"residential" in the operative District Plan, and the Area known as "Eversley

Reserve"

Burkes Pass: The area zoned "residential" in the operative District Plan.

<u>Kimbell</u>: The area zoned "residential" in the operative District Plan.

Albury: The area zoned "residential" in the operative District Plan.

<u>Tekapo</u>: The area zoned "residential" in the operative District Plan or any Village Centre,

Tourist, Tourist Accommodation, Residential One, Residential Two and Industrial

zones.

<u>Twizel</u>: The area zoned "residential" in the operative District Plan or any Village Centre,

Tourist, Tourist Accommodation, Residential One, Residential Two, Residential

Three, Residential Four and Industrial zones.

FOURTH SCHEDULE

MANDATORY DOG LEASH AREAS

Dogs are permitted in the following areas provided they are controlled on a leash.

Fairlie

- 1. Fairlie Village Centre as defined by the District Plan, between State Highway 79 intersection with State Highway 8 and School Road on the west side of Main Street and Talbot Street on the east side of Main Street.
- 2. Fairlie Village Green, bordering Talbot Street and State Highway 8 and recognised as Rec P in the District Planning maps.
- 3. The peripheral area surrounding a sports field for a distance of up to 10 metres.

Lake Tekapo

1. Tekapo Village Centre, namely in the lakeside of State Highway 8 between Tekapo River bridge and the western boundary of the Tekapo hotel and includes the land in front of the Village Centre to the water edge of Lake Tekapo.

Twizel

1. Market Place (legal road) including the car parking area.

Dog Control Bylaw

Adopted by: **Council**

Adopted date: 9 December 2014

Review by: 9 December 2019



MACKENZIE DISTRICT COUNCIL

MOBILE SHOPS AND TRADERS BYLAW 2014

MOBILE SHOPS AND TRADERS BYLAW 2014

1. SHORT TITLE

The Title of this bylaw shall be "The Mackenzie District Council Mobile Shops and Traders Bylaw 2014".

2. COMMENCEMENT

This bylaw shall come into force on the 15th day of December 2014.

3. OBJECT/SCOPE OF BYLAW

The object of this bylaw is to regulate the conduct of persons selling goods on streets, roads and pavements, persons using vehicles to sell goods or services and to impose conditions on persons who come to sell goods direct to the public on a casual basis.

4. INTERPRETATIONS

Direct Seller – any person who transports and makes available for sale any item without invitation and includes a pedlar or similar but does not include any person who uses any vehicle as a mobile or travelling shop.

Hours Of Darkness -

- (a) Any period of time between half an hour after sunset on any day and half an hour before sunrise on the next day: or
- (b) Any other time when there is not sufficient daylight to render clearly visible a person or vehicle at a distance of 100 metres.

Trader – means any person who, has not been continuously residing in the Mackenzie District for a minimum period of six calendar months immediately preceding, or not owning, or not having entered into a binding lease in writing of his/her business premises in the District for at least six calendar months, is involved in any business in the District involving the sale of items, by himself/herself or by any other person employed by him/her,; and shall not include any licensed direct seller or any licensed keeper of a mobile or travelling shop or any bona fide commercial traveller.

Keeper – in relation to any mobile or travelling shop, means the person by whom or on whose behalf any business is carried on by means of that mobile or travelling shop.

Mobile Shop – means a vehicle, whether self-propelled or not, from which saleable items are available for sale in the road; but does not include any vehicle on or from which food is sold for consumption in or at the vehicle, or any vehicle used for the purpose of transporting and delivering goods, wares, or merchandise pursuant to a prior order placed for the delivery of the goods, wares or merchandise.

5. EXEMPTIONS

- 5.1 The provisions of this Part of this bylaw as to direct sellers and keepers of mobile or travelling shops shall not apply:
 - 5.1.1 To sellers of printed books, pamphlets, magazines or newspapers.
 - 5.1.2 Upon application Council may also exercise its discretion to exempt any community orientated individual or organisation from the provisions of this bylaw relating to stands and stalls

6. DIRECT SELLERS & KEEPERS OF MOBILE SHOPS

6.1 Licence required

No person, on his/her own account, or as the servant of another person, shall engage in the trade or calling of or carry on business in any shop with respect to goods or articles of any description whatsoever (except as provided in the preceding clause), without having first obtained a licence from Council.

6.2 Application

Every person wishing to obtain a direct sellers or keepers licence shall apply to the Council in the required manner with appropriate details.

6.3 Sale of food for human consumption

- 6.3.1 If food is to be sold for human consumption this must be stated and details provided of any motor vehicle associated with the sale of such food.
- 6.3.2 All additional licenses or permits applicable to the sale of food are to be obtained and details provided before seeking a direct sellers or keepers license.
- 6.3.3 Before issuing any licence for a direct seller or keeper of a mobile or travelling shop, Council shall satisfy itself that any motor vehicle to be used in connection with hawking or selling food for human consumption, and that any premises to be used for the storage of such food, are suitable for the purpose.
- 6.3.4 Every licensed direct seller or keeper of a mobile or travelling shop or any person operating on behalf of such direct seller or keeper providing food for sale shall keep and maintain all associated facilities in a thoroughly clean and sanitary condition to the satisfaction of the local authority's Environmental Health Officer.

6.4 Fees and expiry of licence

6.4.1 Council may issue licences to trade and carry on business as direct seller or keepers of mobile or travelling shops for such periods of time as it sees appropriate along with fees or other conditions as Council may require.

6.5 Form of licence

Any licence shall be in the form as prescribed by the Mackenzie District Council.

6.6 Production of licence

Every licensed direct seller or keeper of a mobile or travelling shop shall at all times when hawking, or selling from his/her mobile or travelling shop, carry a licence and shall show the licence to any police officer or Council Officer who may demand production of the licence.

6.7 Name to appear on vehicle

Every licensed direct seller or keeper of a mobile or travelling shop shall whilst engaged in business activities, show on the exterior of any vehicle or container in which he takes or carries his goods or wares, his/her name legibly displayed.

6.8 Moving on

- 6.8.1 When requested by a police officer or duly authorised officer of Council every licensed direct seller, or keeper of a mobile or travelling shop shall move as directed.
- 6.8.2 Any person who fails to comply with any request made by any police officer, or authorised officer of Council pursuant to Clause 6.8.1 hereof commits an offence against this bylaw.

6.9 Local authority may prescribe conditions

- 6.9.1 Keepers of mobile or travelling shops shall not carry on business on roads, streets or reserves or other properties owned or administered by the Council except with the written permission of the Council in each particular case.
- 6.9.2 The Council may from time to time limit operations by location, time or other means in addition to the limits of each individual licence.
- 6.9.3 Every such limit shall take effect from a defined date with such limits shall to be endorsed on every new licence and every renewed licence issued thereafter, but such prohibitions and restrictions may not apply in respect of the unexpired portion of the term of any licence currently in force.
- 6.9.4 Council may, either upon the issue of any licence to any direct seller or keeper of a mobile or travelling shop or at any time by notice in writing
 - (a) Prescribe any condition or conditions in compliance with which such direct seller or keeper of a mobile or travelling shop must carry on their trade or business, and any contravention of such requirements commits an offence against this Part of this bylaw; or
 - (b) Require such direct seller or keeper of a mobile or travelling shop to discontinue the use of any vehicle so employed by him/her.
- 6.9.2 It shall be a condition of the licence where a vehicle is to be used for the sale of food for human consumption that no vehicle other than that specified in that licence shall be used for the purpose without the approval of the Council.

NOTE: The Council resolves no traders or mobile shop trading shall be undertaken in the Open Space Heritage Zone and adjoining legal road at Lake Tekapo, as identified in Schedule 1 of this Bylaw.

6.10 No trading during hours of darkness

No mobile or travelling shop shall be operated for business on any street between the evening hours of darkness, and 8:30am the following morning.

6.11 Musical chimes

Musical chimes or other audible devices for attracting customers to a mobile or travelling shop may be operated in a reasonably modulated manner. No such chimes or other audible device shall be operated within 300 metres of any place of public worship while a service is in progress or any hospital or similar institution licensed under the Health Act 1956 or any amendments thereto.

6.12 Mobile shop not to trade near commercial outlets

No mobile or travelling shop shall operate within 200 metres of any shop, open for sale of similar goods. This clause shall not apply to mobile shops located on reserves or private land and operating as a fixed stall, with the shop owner's agreement.

6.13 Licence not transferable

This license is not transferable.

6.14 Cleanliness of vehicle

All vehicles, baskets, packs or other containers used to carry any article of food for sale shall keep and maintain such in a thoroughly clean and sanitary condition to the satisfaction of a Council Officer.

7. TRADERS

7.1 Licence required

- 7.1.1 No trader shall sell or offer or expose for sale any goods, wares, or merchandise whatsoever without having first obtained a licence from Council authorising him/her to do so.
- 7.1.2 Such application shall be in the form as the Council may require and shall furnish such evidence of good character as the Council may require.
- 7.1.3 Every trader's licence shall be in the form as Council may require.
- 7.1.4 Every licence issued may be subject to any condition the Council may impose.

7.2 Licence fee

For every such licence there shall be paid to Council before the issue of such licence such amount by way of licence fee as is prescribed by Council.

8. STANDS & STALLS

8.1 Permit required

No person shall without having first obtained a permit from Council:

8.1.1 Stand in or occupy any public place with, or place or maintain any structure within a public place.

8.2 Application

Every application for a permit shall be in such form as the Council may require.

8.3 Conditions of permit

- 8.3.1 Every permit issued by Council shall be subject to such conditions as Council may impose and shall state the term of expiry, the location, the hours and a description of the article or goods they are allowed to sell. No person shall stand or sell except in conformity with the terms of such permit.
- 8.3.2 Permits for stalls selling or providing food shall meet the general standards set out in the Food Hygiene Regulations.

8.4 Fee

8.4.1 For every such permit there shall be payable to Council such fee as Council may prescribe, except where upon application Council may exercise its discretion to any community orientated individual or organisation to waive such a fee.

8.5 Rental sites

Council may for a defined period, rent space for siting of stalls in accordance with this bylaw provided that the 200 metres requirement from commercial premises shall not apply to mobile shops while they are sited on such rental sites.

8.6 Transfer

This permit is not transferable.

9. PENALTIES

Every person found to be in breach of this bylaw commits an offence and is liable on summary conviction to the penalty set out in Section 242 (4) of the Local Government Act 2002 which provides for a fine not exceeding \$20,000.00.

10. REVOCATIONS

The Mackenzie District Council Mobile or Travelling Shops, Hawkers and Itinerant Traders Bylaw 2007 is hereby revoked.

SCHEDULE 1 – Prohibited Area: Open Space Heritage Zone and Legal Road, Lake Tekapo



Mobile Shops and Traders Bylaw 2014

Adopted by: Council

Adopted date: 9 December 2014

Review by: 9 December 2019



MACKENZIE DISTRICT COUNCIL

LIQUOR BAN BYLAW 2014

MARKET PLACE, TWIZEL

MARKET PLACE LIQUOR BAN BYLAW 2014

1. SHORT TITLE AND COMMENCEMENT

This bylaw shall be known as 'Mackenzie District Council Market Place Liquor Ban Bylaw 2014' and shall come into force on 15 December 2014.

2. SCOPE:

The Bylaw is made under the authority of Section 147 of the Local Government Act 2002.

The purpose of this bylaw is to enhance public safety, lessen petty crime, to minimize the potential for offensive behaviour in public places, and to reduce the incidence of alcohol related offences of a violent and/or destructive nature by providing for liquor control in Market Place.

3. INTERPRETATION

In this bylaw unless the context otherwise requires:

"Act" means the Local Government Act 2002.

"Council" means the Mackenzie District Council.

"Liquor" has the meaning given to such term in the Sale of Liquor Act 1989.

"Public Place" means:

- a) any place that is:
 - i. under the control of the council; and
 - ii. open to, or being used by the public, whether or not there is a charge for admission; and
- b) includes:
 - i. a road, whether or not the road is under the control of the Council
- c) does not include:
 - i. any part of a place for which a liquor licence has been issued in accordance with the Sale of Liquor Act 1989; or
 - ii. any place in any building that is owned or occupied by the Council.

"Offence" has the same meaning given to such term in Section 169(1) of the Act.

4. APPLICATION OF THIS BYLAW

4.1 This liquor ban bylaw applies to the public place known as Market Place, Twizel. The area includes the Tasman Road car park, the skateboard park, the children's playground and Events Centre.

- 4.2 This ban applies at all times unless an exemption is granted under Clause 5 of this bylaw.
- 4.3 The following acts are prohibited in Market Place:
 - a) consumption of liquor (unless there is a licence for occupation);
 - b) bringing liquor into the area;
 - c) possessing liquor, excluding
 - taking unopened vessels from a bottle store, or to a 'byo', through the public place:
 - ii. taking liquor to or from a dwelling through a public place, where in either case the liquor is promptly removed from the public place;
 - d) in conjunction with the activities prohibited under paragraphs (a) to (c), the presence or use of a vehicle.
- 4.4 This bylaw does not prohibit the activities described in section 147 (3) of the Local Government Act 2002.

5 EXEMPTIONS

- 5.1 Any person may apply to the Chief Executive (or their nominated representative) for an exemption by prior written permission for any activity that would be in breach of any prohibition under this bylaw.
- 5.2 Fees may be prescribed for processing these permissions. This fee may be refunded, remitted, or waived at the Chief Executive's (or their nominated representative) discretion.

6 PENALTIES

6.1 Any person convicted of an offence against this Bylaw is liable on summary conviction for a fine not exceeding \$20,000.

7 REVOCATIONS

7.1 The Mackenzie District Council Liquor Ban Bylaw 2005 is hereby revoked.

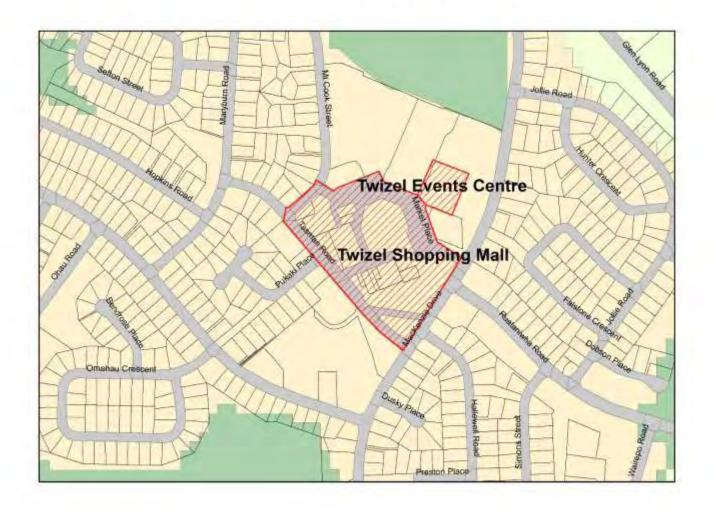
Market Place Liquor Ban Bylaw 2014

Adopted by: Council

Adopted date: 9 December 2014

Review by: 9 December 2019

Liquor Ban Bylaw - Market Place, Twizel





MACKENZIE DISTRICT COUNCIL

WASTEWATER NETWORK BYLAW 2014

WASTEWATER NETWORK BYLAW 2014

1. SHORT TITLE AND COMMENCEMENT

- 1.1 This bylaw is made pursuant to section 146 of the Local Government Act 2002.
- 1.2 This bylaw is the Mackenzie District Council Wastewater Network Bylaw 2014.
- 1.3 This bylaw comes into force on 15 December 2014.
- 1.4 This bylaw is intended to be read in conjunction with the following documents:
 - a) Council Annual Fees and Charges
 - b) Application form for connection to the District Sewerage Scheme
- 1.5 This bylaw does not remove responsibilities for applicants or contractors in relation to the following Acts and Regulations:
 - a) Health (Drinking Water) Amendment Act 2007
 - b) Local Government Act 2002
 - c) Resource Management Act 1991
 - d) Building Act 2004 and associated Codes
 - e) Local Government Rating Act 2002
 - f) Drainage and Plumbing Regulations 1978
 - g) Toxic Substances Act 1988 and Regulations 1983
 - h) Hazardous Substances and New organisms Act 1994

And for aspects relating to shared services and access for reticulation:

- a) Transit New Zealand Act 1989
- b) Telecommunications Act 1987
- c) Electricity Act 1992
- 1.6 All permits, approvals or licenses issued under any revoked bylaw will, after the coming into force of this bylaw, be deemed to have been issued under this bylaw and be subject to the provisions of this bylaw.

2. OBJECTIVES

- 2.1 The objectives of this bylaw include:
 - a) The appropriate management and regulation of connections to and discharge into the wastewater network.
 - b) Minimising the potential for the discharge of any contaminant from the wastewater network.

3. DEFINITIONS AND INTERPRETATION

- 3.1 These definitions are provided to clarify terms used specifically in the Wastewater Network Bylaw and the Specifications.
- 3.2 In this bylaw, except where inconsistent with the context:

Act means the Local Government Act 2002, plus any amendment or re-enactments that may be put in place from time to time.

Applicant means the owner or occupier of a property or their agents within or adjacent to an urban area wastewater network, seeking to secure a new connection or modify an existing connection and to discharge wastewater into that network, which is owned and/or operated by Council on behalf of network consumers.

Application Fee means the fee[s] approved by Council from time to time, which are payable on making an application for approval, extending to cover application fees, new connection fees, objection hearing fees, annual charges for connection, transfer fees and such like.

Approval means permission given by the Council to connect or vary a wastewater discharge under the bylaw and that may be subject also to sub-division or building consent(s) and approval for works from other authorities or institutions and extends to include any conditions of the same discharge approval.

Approved means as approved by the Council by ordinary resolution or approved in writing by an officer of the Council, acting within the proper limits of any delegated authority.

Appurtenances means all devices, structures and fittings connected to a sewer between the wastewater source and the Treatment or Disposal site that includes manholes, flow meters, junctions, inspection points, rodding eyes, pump stations, drop structures, interceptor traps and monitoring points.

Bylaw refers to this Mackenzie District Council Wastewater Network Bylaw 2014.

Conditional Discharge means any discharge, other than controlled or standard that, due to volume and or strength, may or may not be accepted for connection, as described more fully in clause 3.4 of this bylaw.

Connection means any premises connected to a public sewer, with approval to do so, with approved hardware and discharging wastewater in accordance with one of the descriptions in clause 3.4 of this bylaw.

Consumer means the owner or occupier of any premises from which wastewater is discharged into a network and extends to include any person who has obtained the right to make a discharge into the network by Council authorisation and from any premises.

Consumer Equipment means all apparatus and equipment, not necessarily on the consumer's premises but upstream of the point of discharge, that are owned and maintained by the consumer and used to collect and convey wastewater from the premises to the public sewer.

Contractor means any contractor engaged by an applicant to carry out works in respect of a connection to a network or to a contractor engaged by Council to carry out minor reticulation work. The responsibilities noted for a contractor shall be those of the applicant who engages that contractor.

Controlled Discharge means non-domestic or non-standard discharge that is allowed, but with conditions set, as described more fully in clause 3.4 of this bylaw.

Council means the Mackenzie District Council.

District means the Mackenzie Territorial Authority Area.

Drain, in the context of this document, may be used as an alternative term for sewer and does not include storm-water piping or open drains, unless specifically stated as such.

Fees and Charges means those fees and charges approved by Council in respect of the connection to a network for discharge of wastewater.

Hearing Panel means the panel, which may be formed to hear objections associated with connection to the network, as described in the bylaw.

Infiltration means water that enters any sewer through cracks or faults in the pipe, from joint failure or into manhole structures from groundwater, surface drains and/or water table variations.

Inflow means water discharged directly into any sewer from non-complying activities, includes unauthorised direct storm-water connections to sewers, low gully traps, sub-soil drain connections to sewers and low lying manholes or poor fitting sump/manhole covers.

Levels of Service refers to the standards adopted by the Council and Asset Management Plan in respect of the collection, removal and safe disposal of wastewater.

Network means each of the separate and recognised reticulated wastewater facilities through which the Council collects, removes and safely disposes of wastewater.

Network Equipment means apparatus and equipment making up the network downstream of the point of discharge and extends to include, without limitation, any drain, pipe, valve, pump, pump chamber, electrical connection, flow meter, flush tank electronic apparatus, power supply, manhole, rodding eye, inspection point, junction, interceptor trap or treatment facility and disposal site or point.

Person means the persons, parties, a company, incorporated body, and a corporation sole relating specifically to a wastewater discharge.

Point of Discharge means the location on the wastewater collection and removal system at which responsibility for maintenance and repair passes from the Council to the consumer (refer to Schedule 1 of this bylaw).

Premises mean land and/or buildings on which network equipment or consumer equipment is located or proposed to be located.

Private Drain means any private sewer, irrespective of location, distance or number of connections that does not become network equipment as a result of approval conditions or agreements with Council and may be either a gravity line or pumped rising main and which ends at the point of discharge to the public sewer. Referred to also as consumer equipment.

Public Sewer means network equipment that acts as a collection main for individual service laterals to connect into up to the point of discharge and includes manholes, rodding eyes, junctions, inspection points, pumping stations as well as pipe-work. referred to also as network equipment.

Service Laterals has the same meaning as private drain.

Sewage means the same as wastewater, but more specifically domestic and human waste as compared to industrial or agricultural waste.

Sewer means pipe and in-line appurtenances used to convey and handle wastewater from the point of collection to the treatment or disposal area (including all appurtenances and pumped rising lines) and inclusive of consumer and network equipment.

Specifications means the details, approved by the Council from time to time by ordinary resolution, which specify or describe, inter alia, approved methods of, and procedures for connection to the network and installation of both consumer and network equipment (sub-divisions and contract works included).

Standard Discharge means domestic scale, strength and character discharges, accepted as of right in urban areas as described more fully in clause 3.4 of this bylaw.

Wastewater means all liquid waste that is to be discharged into the sewer and treated and disposed of as part of the Network, irrespective of its origin and characteristics.

Working Days means any day other than Saturday, Sunday, and public holidays.

3.4 The three categories of connection and discharge are:

Standard:

All domestic dwellings, whether permanently habitable or not, owner occupied or rented, intended for private occupation, whether separate houses or multiple units and where peak discharge does not exceed 2l/sec and with a maximum daily discharge volume of 2m3 and where the strength and characteristics of the wastewater is typical of that for dilute human sewage combined with grey-water and light kitchen waste (not limited by dual function use of premises like offices and trade depots).

Controlled:

All non-standard discharges where the waste stream from activities within the premises is equivalent or similar in strength and character to a standard discharge, does not contain toxic materials and can be measured with confidence as population equivalents, and where peak discharge does not exceed 5l/sec and a maximum daily volume of 7.5m3 (examples are schools, tourist accommodation, light processing, food outlets and commercial).

Conditional:

All discharges where processing methods, size (including all swimming pools and spa pools above 5m3 in capacity), chemical or organic residues, settleable fines, concreting substances, explosive or flammable materials, concentrated acid/alkali, oils fats or greases, compounds toxic to treatment processes, non-degradable materials, objectionable colour or odour, heavy metals, radioactive materials, materials with known health risk associated, presence of volatiles and scum or foam causing compounds and floatable inert material that may render collection unacceptable or treatment limited, whether or not it is a permanent or temporary discharge.

- 3.5 Council will only accept conditional discharges where it can be shown that the discharge will have no adverse impact on approval conditions on the discharge, treatment processes in place, the receiving environment, the serviceability of the reticulation, or the public, and will not pose a danger to operators, contractors or others who have access to wastewater facilities, and will not increase charges and fees set for existing connections or situations here on-site pre-treatment can render the waste-stream as acceptable.
- 3.6 Acceptance by the Council remains discretionary for conditional discharges activities and may be discretionary (with respect to conditions) to some controlled discharges.
- 3.7 As at the commencement of this bylaw, there are no Trade Waste Bylaws in place but the Council's discretion in clause 3.6 may include imposing charges and specific fees for recovering treatment costs or additional operational provisions from Conditional dischargers with respect to accepting such waste.

4 PENALTIES AND OFFENCES

- 4.1 Every person commits an offence under this bylaw who:
 - a) Makes unauthorized connection to any sewer pipe or tampers with any sewer pipe within a network.
 - b) Makes a connection to a sewer line at any point on the network (consumer or network equipment) that allows for collection and discharge of storm-water, sub-surface drainage water or any other liquid that is not deemed to be wastewater, unless it has been approved by Council.
 - c) Discharges any wastewater into a sewer without approval or continues to discharge any wastewater into a sewer after written warning from Council to cease or reduce the rate of discharge into the sewer.
 - d) Alters the nature or scale of the discharge where such a variation is deemed to have altered the description of the discharge (clause 3.4) and where this is carried out without an approval in writing issued by Council or without all charges and fees having been paid.
 - e) Places a structure adjacent to or over a public sewer pipe or undertakes any developments or tree planting that has the potential to interfere with future maintenance or repair of the sewer or will cause damage or nuisance to the

- safe operation of the sewer network and to dimensions indicated in this bylaw and associated specifications.
- f) Opens the ground so as to uncover any network equipment or excavates within a minimum distance of a sewer without first giving the Council at least 5 working days' notice in writing of the intention to do so.
- g) Connects any pipe to a public sewer without first giving the Council at least 3 working days' notice in writing of the day and hour when such work is proposed and without first obtaining the written approval of any person acting under the authority of this Council in that regard.
- h) Places fill or any structure over a manhole or inspection point on network equipment or impedes access to these points and the property owner or occupier (who is responsible for such action) must meet the cost of clearing or opening access to these points.
- i) Connects any pipe to a public sewer, except in accordance with an approval.
- j) Connects any pipe to a public sewer, which is not of a type approved by the Council.
- k) Exposes or (arising from any activity or work) renders any network equipment liable or prone to damage (without approval or authority from the Council). - Alters the index of, or in any other manner tampers with, any flow meter or electronic device.
- I) Damages, tampers with or interferes with any network equipment.
- m) Otherwise fails or refuses to do any act or thing that person is required to do under the Local Government Act (2002), this bylaw or the specifications.
- 4.2 Upon an offence being committed under clause 14.1 or upon the issuing of notices the Council may take all or any of the following steps:
 - a) Seek to recover the costs incurred by the Council in repairing any damage
 - to any part of the network and/or recovering costs associated with any offence committed to any part of a network, in addition to or instead of any penalty for the offence.
 - b) Seek legal action to secure the debt owing onto the title of the property, which may or may not necessitate a forced sale of that property.

- 4.3 Where action is to be taken to recover unpaid money, the consumer will be given adequate notice of the breach, offence or money owing before any external action is set in place.
- 4.4 The maximum penalty on summary conviction of an offence against this bylaw is \$20,000.

5 RIGHT TO CONNECT

- 5.1 No person (or party) may make any connection, alter any connection or discharge to the sewer network, except in accordance with an approval to do so and upon payment of an approval fee and any required capital or connection charges.
- 5.2 To avoid misunderstanding, for any premises connected to a network, prior to the bylaw commencement date and where all charges and fees have been paid for such a connection, an approval is deemed to have been given, notwithstanding the absence of any written documentation evidencing that approval.
- 5.3 Connection will only be allowed where the discharge and connection complies with one of the descriptions in Clause 3.4 of this bylaw and this proviso will include existing connections at the date of commencement of this bylaw, where all terms and conditions have been complied with.
- Where an applicant is within an urban area that is serviced by a public wastewater network, as shown in an operative or notified District Plan, or where Council gives specific approval for a connection for applicants outside an urban area, or where a conditional discharge is deemed as being acceptable (with conditions), Council will accept such a discharge.

6 APPLICATION TO CONNECT TO A NETWORK AND DISCHARGE

6.1 All applications to connect to a wastewater network or vary the description of a discharge must be made on the appropriate Council generated application form. The application must be lodged with a deposit. If approval is granted, the payment of fees and charges must be made in full prior to the connection being made.

- 6.2 All site plans and drawings that may be required for an application must be clear and show distances from existing and proposed boundaries, buildings, existing and proposed tree plantings and other site features. These plans will apply to sub-divisions and larger scale connections that are either conditional or controlled discharges.
- 6.3 All sub-divisional and non-standard applications (new works or alterations) shall require as-built plans to be supplied after the approved works have been carried out and these plans shall include:
 - a) Location of all pipes from boundaries, proposed and existing structures, proposed and existing tree plantings and roads, access-ways and other services.
 - b) Location and positioning of all manholes, pumping stations, inspection points, rodding eyes and consumer connections (where known).
 - c) Depth of pipe (where less than 600mm cover and more than 1200mm cover) and depth of manholes.
 - d) Operating manuals for pumping stations (that are to be Network Equipment) which shall also include product information and location of servicing agents.
 - e) Ground measurements are to be shown for all bends, angle or changes in grade
 - so that Council can accurately map and record data.
- 6.4 Application to connect to a network may be made by applicants whose properties lie outside the recognised network on the same basis as those within the network area. Any decision to allow connection is discretionary. Council reserves the right to decline any application where it is not feasible or economic to make such a connection.
- 6.5 In most instances where application to connect is made, the applicant shall meet the costs for all new reticulation and associated works to connect to the network, irrespective of the distance between the applicants' property and the nearest point of connection.
- 6.6 In addition to clause 5.3, Council reserves the right to determine the final pipe route, size, class and material type for any new network equipment, but shall meet all costs in excess of the minimum reticulation and associated works required to make such a connection.

- 6.7 Where application is made to connect to the network and any new reticulation passes through or adjacent to potential consumers en-route to the applicants' point of supply [and the distance is considered significant], Council may choose to contribute a proportion of the minimum reticulation costs noted in clauses 5.5 and 5.6 with any such proportion being negotiated between the applicant and Council.
- 6.8 Upon satisfactory installation of any new reticulation up to the applicants' point of discharge that lies within the urban boundaries and with completion of all subdivision requirements, Council shall take ownership of these assets and shall subsequently maintain, operate and upgrade these.
- 6.9 The applicant will ensure that any structure that requires a building consent complies with all conditions that are set on that consent where these may relate to public sewers and provision of access by Council for operating, maintaining and upgrading sewer pipes, manholes and other appurtenances.
- 6.10 In addition to clauses 8.6 and 8.7 of this bylaw, the following shall also apply:
 - a) No building or structure, whether or not it requires a building consent shall be built over a public sewer, manhole or any other network equipment.
 - b) No minor building, whether or not it requires a building consent shall be built over a public sewer, manhole or other network equipment unless specific approval has been obtained from Council to do so.
 - c) Where deemed necessary by Council or by request from an applicant, the applicant or their agents, may need to meet the cost of relocating the sewer line or other network equipment to facilitate works planned by the applicant.
 - d) Where the above points in this clause or those of 8.6 and 8.7 are deemed impractical and the applicant has no reasonable alternatives in which to avoid complying with these, Council may grant the applicant specific variations that may allow works to proceed but with measures required to be taken by the applicant to protect network equipment. Such measures may include (not exclusively) strengthening sewer pipes, new manholes, ducting, re-locatable constructions, diverting sewers or additional foundation support.
- 6.11 Ownership of pumped connections and multiple private services shall be discretionary as stated in clauses 9.7, 9.9 and 10.3 of this bylaw.

- 6.12 No applicant shall be requested to contribute to network reticulation upgrading in addition to the application fee, in order to obtain a connection where an application is within the urban area at the time of application being made. This does not cover new pipework to link the applicant to the existing network.
- 6.13 Where application is made to connect to a network that requires new or additional pumping facilities, the applicant(s) will be required to meet the full capital cost of these facilities or where other or future connections may benefit from the pumping facility, Council may meet a proportion of the capital costs where this has been negotiated and agreed to in writing before work commences.
- 6.14 If a connection is not made to the district sewerage scheme within 24 months of approval being granted, then the approval is deemed to have lapsed and a new application must be initiated, including the payment of associated fees.
- 6.15 Application fees for new connections or for a variation in the description of the discharge and where the physical connection has not been made to the property may be refunded at the discretion of Council where the applicant wishes to withdraw the application. No refund given shall include the initial deposit. The request must be made to Council in writing by the applicant, within 6 calendar months of the date of approval for the connection.
- 6.16 Capital/financial contributions [where these apply] are not refundable within urban areas.
- 6.17 Undeveloped titles within an urban area that lie within 30m of a public sewer line shall incur annual connection charges [unless specifically exempt] as quantified in the Local Government Rating Act (2002) such time that a connection is made and where full sewage charges shall commence.
- 6.18 Approved applications may contain the following relevant information:
 - a) Obligations such as upgrading the network equipment, share costs of the connection or any other obligations in respect to the application
 - b) Any conditions set on the application that the applicant will need to action or comply with, which are not standard conditions.

7 EFFECT OF MAKING A CONNECTION

- 7.1 Every person who makes connection or continues connection to a network after the date of commencement of this bylaw is deemed to have agreed to be bound by this bylaw.
- 7.2 With a change of owner of any premises, acceptance of an existing connection constitutes an agreement between the owner or the occupier and Council for the new owner or occupier to comply with this bylaw
- 7.3 Where any premises connected to a sewer network changes use, purpose or activity and this change alters the description of the discharge (as set out in Clause 3.4), such a change will render the connection as an unauthorized connection and the owner or occupier must make application to Council for a new connection.
- 7.4 No person connected to a public sewer may allow materials to be mixed with the authorized discharge stream that have the potential to alter the character of the discharge in such a manner that it fails to meet the connection and discharge approved to by Council.
- 7.5 No person connected to a public sewer may allow a daily volume or peak flow rate that has the potential to alter the discharge in such a manner that it fails to meet the connection and discharge approved by Council.
- 7.6 No Person connected to a Public Sewer may allow an intentional or avoidable ingress of groundwater, storm-water or any other water that is not wastewater into the Public Sewer or private sewer unless it has been approved by Council.
- 7.7 Council cannot guarantee to receive wastewater without interruption but any such interruption will be kept to a minimum.
- 7.8 Where premises to which a wastewater connection is made are owned or occupied by more than one person, those persons will be jointly and severally liable in relation to the connection and discharge.

8 APPLICATIONS, APPROVALS AND OBJECTIONS

8.1 Every Person requiring a connection or seeking a change to the description of their discharge for an existing connection must make an application to the Council.

- 8.2 Every application must be in writing, on the approved form and contain such relevant information as may be required by the Council, including a detailed plan (to scale or with measurements shown) of any proposed work.
- 8.3 For any application (and for requests by any party for information on network equipment), Council will provide plans and drawings for the location of equipment, which are available from Council's Fairlie Offices during normal working hours and may recover the actual costs for the supply of these documents.
- 8.4 The Council will consider all applications and may either:
 - a) Decline the application in writing and clearly set out the reasons for that decision; or
 - b) Approval of the application, which will be subject to the terms and conditions of this bylaw, or a specific agreement (if any), as the Council considers fit, provided the agreement is consistent with the discharge descriptions in Clause 3.4.
- 8.5 The Council may, in the case of any connection where special conditions are necessary, require the applicant to enter into a written agreement to supplement or vary the conditions in relation to that connection.
- 8.6 If an application is declined or any condition imposed is considered by the applicant to be unreasonable, the applicant may within 20 working days of notification of the Council's decision, give written notice to the Council objecting to the decision and specifying the grounds for that objection and in that case:
 - a) The applicant is deemed to have waived any other remedy, which may have been available at law to the applicant.
 - b) The Council will convene an objection hearing panel to hear and rule upon the objection with all due speed.
 - c) The decision of the objection hearing panel will be final and binding upon the applicant and the Council.
- 8.7 The hearing panel will consist of 3 persons, being:
 - a) The Mayor or Deputy Mayor (who will take the Chair).
 - b) A Councillor for the Ward in which the premises of the applicant are located. In the event of a Ward Councillor not being available the Mayor or Deputy Mayor shall appoint an alternative Councillor, with the approval of the applicant.

- c) A third person nominated by the applicant at the time of giving notice of objection or within 5 working days of a request in writing from the Council to do so, which third person must be either:
 - i. A Mackenzie Councillor
 - ii. A Community Board Member
 - iii. A member of the Ward Committee (if any) for the area or wastewater network to which the application relates
 - iv. A legal representative, consultant or agent who has no vested interest in the outcome of the hearing with regard to the connection.

9. CONSUMER AND APPLICANT RESPONSIBILITIES

- 9.1 The applicant will ensure that all connections made to the network are in accordance with the approval granted by Council and any applicable legislative requirements including, without limitation, the requirements of the Building Act 2004 and Building Codes.
- 9.2 The applicant will pay all fees and charges promptly as they fall due and meet all obligations when applying for a connection or variation to an existing connection.
- 9.3 The consumer will maintain consumer equipment in good serviceable and operational condition at all times, in accordance with the specifications and in a manner which minimises potential for blockage, pipe degradation, overflows or entry of groundwater or rainwater into the public sewer. The consumer shall promptly action any repairs required to correct defects that have been identified.
- 9.4 Consumer equipment includes sewer pipes, gully traps, inspection points, private pumping stations and other equipment up to the point of discharge.
- 9.5 Consumers, applicants or any other party that is proposing works that include excavation or soil loading about buried network equipment and for any purpose whatsoever, are to inform Council of such activities and take all reasonable steps to locate, mark and avoid and damage to, risk of undermining, weakening or exposing network equipment. To determine the location of buried network equipment, the consumer shall advise the contractor to or, if undertaking the work themselves, shall initiate an enquiry to the Mackenzie District Council. Where network equipment may be

- damaged or compromised by activities, Council may require specific protection measures to be taken.
- 9.6 With respect to clause 8.5, any piling, drilling or deep excavation (more than 1.2mdeep) that is closer than 3.6m to any Network Equipment shall require Council approval (with conditions, if deemed necessary) before such work begins.
- 9.7 With respect to standard dwellings and minor structures, the separation distance from the centreline of the pipe or manhole and the structure foundation shall be 1.5m unless specific approval from Council to build closer has been obtained.
- 9.8 Council requires a minimum of 2 full working days' notice of works noted in clause 8.5 to mark location of buried services and provide specific requirements to an applicant.
- 9.9 Where any damage occurs to network equipment, the persons or parties responsible are to report this to Council and will be liable to meet costs of repair or replacement.
- 9.10 The consumer will allow the Council access to their premises or onto their land at any time between 7:30am and 6:00pm, upon a minimum of 24 hours' notice where this is considered necessary by the network operator (except in the case of an emergency) for the purpose of:
 - a) Inspecting network equipment located on the consumer's premises.
 - b) Inspecting consumer equipment where faults or overflow may be occurring.
 - c) Undertaking any work related to the installation, inspection, replacement, repair, maintenance, renewal, upgrading or testing of any network equipment located or to be located on the consumer's premises.

9.11 The consumer will:

- a) Provide reasonable access to any network equipment, which is required to be located on their premises.
- b) Not allow any person other than the Council or their authorised agents/contractors to work on or interfere with network equipment located on their premises.
- c) (Where they are not the owner of the premises to which supply is made) obtain the owner's consent prior to acceptance of a connection and/or the installation of any network equipment and will indemnify the Council from any loss or cost arising from their failure to obtain the owner's consent.

- 9.12 With respect to trees and shrubs, the following will apply:
 - a) The consumer will not plant any trees or shrubs in a location whereby the roots or branches of those trees or shrubs will interfere with any network equipment. this shall apply to consumers and non-consumers where network equipment crosses private premises. Any remedies will be consistent with the Local Government Act 2002.
 - b) Council reserves the right to request removal or thinning of trees/shrubs where these have interfered or are likely to interfere with, including access to network equipment. Costs of removing trees will be met by the property owner[s] concerned unless otherwise agreed in writing with Council.
 - c) Spacings to be observed using the centre of the tree trunk for reference, are: Large trees >10m mature height, shelter belts greater than 4m deep and plantations 4m spacing from any network equipment. Shelter trees less than 4m deep, smaller trees <10m mature height and shrubs 2m spacing from any network equipment.
- 9.13 The Consumer will notify the Council promptly if:
 - a) Any network equipment located on or about their premises is clearly damaged or leaking, or where they otherwise suspect that a fault has occurred in the network equipment.
 - b) There is any obvious blockage or any indication or reasonable suspicion that the public sewer may be blocked or congested.
 - c) Where their wastewater flow is slow in exiting their premises and is not remedied after their own equipment has been cleaned or cleared.
 - d) There are any objectionable or "sewage" odours about their premises
- 9.14 Any consumer who suspects a blockage or fault and takes action to clear the blockage (contractor or self) shall be liable for the costs of clearing a blockage in a public sewer where it can be reasonable determined that the consumer has pushed the blockage out of the consumer equipment and caused a fault to occur in the public sewer or has been discharging non-acceptable wastewater and Council will subsequently invoice the consumer to recover actual costs of any action to clear the public sewer.

- 9.15 Where a person (or party) connected to a wastewater network sells a property connected to a network, it shall remain the responsibility of the seller to ensure that all apportionment for connection charges and fees are effected from the date of sale.
- 9.16 Where a person (or party) connected to a wastewater network demolishes a property connected to a network, it shall remain the responsibility of the seller to ensure that at least 5 working days' notice is given to Council of these changes and to make sure that the connection is disconnected from the network before demolition starts. Disconnection may be carried out by Council or a qualified plumbing or drain layer however payment of the cost of this disconnection is the responsibility of the landowner. Council inspection of the disconnection may be required and, if so, a disconnection fee may apply.
- 9.17 No refunds of capital contributions or application fees shall apply to voluntary disconnections from wastewater networks.
- 9.18 Where consumer equipment is faulty, worn or altered or plantings above public sewer lines cause nuisance to the degree where blockages or constriction of pipes prevents quick removal of wastewater, the consumer shall be issued a defect notice (warning). Where the warning is not heeded, Council shall impose penalties as specified in the annual fees and charges.
- 9.19 Where a consumer wishes to discharge the content of a spa pool into the sewer network, the pool outlet or pump must be fitted with a flow limiting device or measure that prevents the flow from exceeding the conditions as set out in section 3.4 of this bylaw.
- 9.20 Swimming pool discharge and discharge of spa pools where the capacity is greater than 5m3 are controlled activities and may only be carried out with permission from Council or in compliance with any conditions set on the approval or agreement to discharge.

10. SEPARATION OF CONSUMER AND NETWORK EQUIPMENT

- 10.1 Network equipment refers to any sewer pipe or appurtenance downstream of the point of discharge, for any connection. Council shall be responsible for clearing any blockage, removing pipe build-up, pipe failure, repair or replacement of these.
- 10.2 Consumer equipment refers to any sewer pipe upstream of the point of discharge, for any connection or connections (shared private sewer). The Consumer shall be responsible for clearing any blockage, removing pipe build-up, pipe failure, repair or replacement on these assets where these sewer assets fail to adequately remove wastewater from the premises.
- 10.3 Consumer equipment must comply with the Building Act 2004 and Building Codes and Council will not require any action or work that is not consistent with these statutory documents. Consumers with premises not covered by the Building Act (pre July 1992) shall have equipment compliant with the building codes and bylaws at the time of construction.
- 10.4 Where work is carried out on premises that were approved prior to 1 July 1992, any subsequent work that is required on the consumer equipment, either directly or as a result of change of use for the premises, discharge description or from a defect notice from Council, will require that consumer equipment to meet the requirements of the building codes and the specifications.
- 10.5 For individual service connections draining to public land areas or onto "sewage" easements in favour of Council, the point of discharge shall be at the connection of the consumer service lateral to the main collection sewer.
- 10.6 Private shared sewers shall only have one point of discharge. Where the number of connections is greater than 3, Council may consider ownership of the assets and where necessary to comply with this bylaw and the specifications, make alterations to the equipment. All reasonable costs will need to be met by the owners or occupiers of the connections.
- 10.7 For private pumped discharge sewer lines (multiple or individual), the point of discharge shall be where the discharge line connects to a manhole or junction in the sewer main.
- 10.8 Private pumped sewers shall only have one point of discharge. Where the number of connections is greater than 3, Council may consider ownership of the assets and

- where necessary to comply with this bylaw and the specifications, make alterations to the equipment. All reasonable costs will need to be met by the owners or occupiers of the connections.
- 10.9 Council reserves the right to make discretionary judgments as to responsibility for connections and sewer lines where this bylaw does not cover the configuration of non-standard types referred to in this document. Such discretion shall also apply to shared private sewer lines where debate ensues over whether they are shared private lines or public sewers on private title.

11. APPURTENANCES

- 11.1 There shall be no appurtenances connected to the wastewater network at any point on consumer equipment without express approval from Council, other than interceptor traps (grease/oil/silt retention) and pumping stations.
- 11.2 In appropriate instances, Council reserves the right to require an existing consumer or new applicant to install a suitable interceptor trap prior to discharge into a sewer line where it is expected the discharge may impact on pipe integrity and/ lead to congestion. This may include a chamber or inspection point for Council to sample the waste stream.
- 11.3 Private pump stations will be accepted where there are no practical alternatives to gravity flow and any application for pump stations servicing 3 standard connections or less, unless agreed to by Council in writing prior to any installation, shall remain a private facility and be approved where the design and installation complies with the Building Act and Building Codes and shall include annual building warrants of fitness, if these apply.
- 11.4 Pipes, connections, gully traps, inspection points, rodding eyes, manholes and junctions are part of the sewer reticulation works and are discussed under the specifications.

12. BREACH AND DISCONNECTION

- 12.1 If the consumer:
 - a) Fails to pay connection charges, capital contributions (where these apply) and wastewater charges.

- b) Is otherwise in breach of any other obligation imposed upon the Consumer by this bylaw.
- c) Is in breach or considered to be in breach, but does not allow Council access to the premises as in clause 8.10 of this bylaw.

Then, Council may give written notice to the consumer of the alleged breach, the steps which Council requires the consumer to take to remedy that breach and stating the period, being not less than 7 days, within which Council requires that breach to be remedied.

- 12.2 If the consumer fails to comply with any notice issued under clause 11.1, Council shall be entitled to seek such remedy or payment of unpaid monies under other statutory or legal provisions without further notice, and without prejudice to any other remedy, which it may have.
- 12.3 If following the unlikely event of disconnection [disconnection will apply only to controlled and conditional discharges], the Council agrees to restore connection, and may first require payment of all or any of the following:
 - a) All outstanding fees and charges (except for any sum genuinely in dispute)
 - b) Such sum which reimburses Council for the reasonable legal and administrative costs or expenses incurred by Council in issuing the notice under clause 11.1
 - c) Such costs incurred in disconnecting the connection and carrying out repairs or adjustments under this clause
 - d) Fees and charges that apply

The Council may also require the consumer to agree to such additional conditions for the future connection to the network as are reasonable with consideration of all circumstances relevant to the connection in question.

13. PROHIBITION OR RESTRICTION OF CONNECTION

13.1 There will be no prohibition or restriction of discharge to a connection unless a discharge type is altered without approval (Clause 6.3) or where the rate of flow exceeds allowable maximum values allowed (Clause 3.4). Where such a discharge continues, without application to change the approval and without

subsequent permission, or where the Consumer fails to manage flows after written warning from Council to seek correction, the continued discharge is deemed to breach this bylaw and be an offence under this bylaw.

14 DISPUTE RESOLUTION

- 14.1 In any case where a dispute arises between Council and any consumer(s), the parties are to agree to meet and work together in good faith to resolve promptly any dispute arising under this bylaw and the associated specifications.
- 14.2 Failure to resolve disputes will require mediation using the same panel structure as in this bylaw or through conventional legal avenues for resolving such disputes.

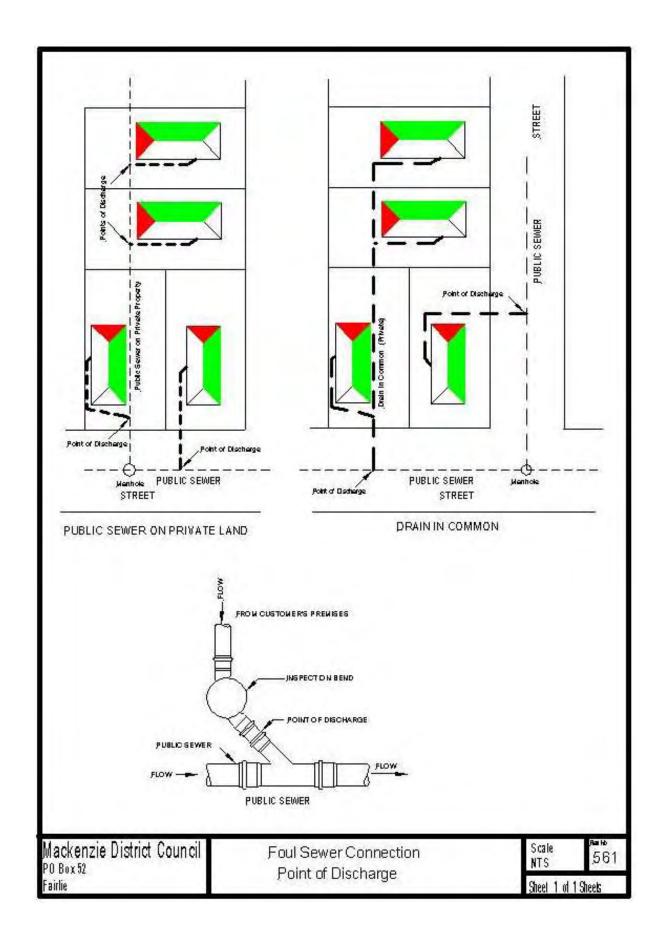
Wastewater Network Bylaw 2014

Adopted by: Council

Adopted date: 9 December 2014

Review by: 9 December 2019

Schedule One – Point of Discharge





MACKENZIE DISTRICT COUNCIL

WATER SUPPLY BYLAW 2014

WATER SUPPLY BYLAW 2014

1. SHORT TITLE AND COMMENCEMENT

- 1.1 This Bylaw is made pursuant to sections 145 and 146 of the Local Government Act 2002.
- 1.2 This Bylaw is the Mackenzie District Council Water Supply Bylaw 2014.
- 1.3 This Bylaw comes into force on 15 December 2014.
- 1.4 This Bylaw is intended to be read in conjunction with the following documents:
 - a) Specifications
 - b) Council's Annual Fees and Charges
- 1.5 This Bylaw does not remove responsibilities for applicants or contractors in relation to the following Acts and Regulations:
 - a) Health (Drinking Water) Amendment Act 2007
 - b) Local Government Act 2002
 - c) Resource Management Act 1991
 - d) Building Act 2004 and associated Building Code
 - e) Local Government Rating Act 2002
 - f) Drainage and Plumbing Regulations 1978
 - g) Toxic Substances Act 1988 and Regulations 1983
 - h) Hazardous Substances and New organisms Act 1994
- 1.6 All permits, approvals or licenses issued under any revoked Bylaw will be deemed to have been issued under this Bylaw and be subject to the provisions of this Bylaw.

2. INTERPRETATION AND DEFINITIONS

2.1 In this bylaw, except where inconsistent with the context:

Applicant means the owner of a property within or adjacent to a water supply Network, seeking to secure a connection, to take water or to vary an existing connection from that Network, which is owned and/or operated by Council on behalf of all Consumers in that Network

Application Fee means the fee[s] which are payable on the granting of an approval and extending to cover application fees, new connection fees, objection hearing fees, unit water charges, transfer fees and such like. (Note: Any application fee would be set as part of the Local Government Act fees and charges process)

Approval means approved given by the Council under the Bylaw and extends to include any conditions of that approval.

Approved means as approved by the Council by ordinary resolution or approved in writing by an officer of the Council, acting within the proper limits of any delegated authority.

Appurtenances means all devices, structures and fittings connected to a water network between the water source and the outlet that includes manholes, flow meters, junctions, inspection points, rodding eyes, pump stations, drop structures, interceptor traps and monitoring points.

Backflow prevention device means a device to prevent backflow as defined in the NZ Water Guidelines and Code of Practice.

They include:

- dual check valves
- air gap devices
- double check valves
- reduced pressure zone devices

Bylaw refers to the Mackenzie District Council Water Supply Bylaw 2014.

Connection means any premises connected to the public water supply to receive water, with approval to do so using approved hardware.

Consumer means the owner of any premises to which water is supplied and extends to include any person who uses, or has obtained the right to use or direct the manner of use of water supplied by the council to any premises.

Consumer Equipment means all apparatus and equipment on the consumer's premises downstream of the point of supply which is used, or designed to be used, for the reticulation, storage or dispensing of water on the consumer's premises.

Contractor means any contractor engaged by an applicant to carry out works in respect of a connection to a network or to a contractor engaged by Council to carry out minor reticulation work.

Controlled Catchment Area means all or part of a water catchment for a water supply area, designated in accordance with this bylaw.

Council means the Mackenzie District Council.

District means the Mackenzie territorial authority Area.

Extraordinary Supply means all water connections to on-demand consumers other than those of ordinary supply connections, which may be subject to specific conditions as notified to such consumers. Without limiting the definition, these shall nominally apply to:

- Large commercial operations (normally 150m³/day or more)
- High rate industrial users (normally 700m³/day or more for Fairlie and Tekapo and 1400m3 per day for Twizel)
- Farms and holdings (stock) greater than 4 hectares
- Non domestic connections out of the urban boundary
- Temporary supply connections to non-domestic users

Fees and Charges means those fees and charges approved by Council in respect of the supply of water or any other sources associated with the supply of water and supplied by Council.

Hearing Panel means the panel which may be formed to hear objections associated with the network, as described in the bylaw.

Level of Service refers to the measurable and/or defined performance standards adopted by the Council and Asset Management Plan in respect of the supply of water.

Modelling means mathematical computer modelling of the water network. This is used to analyse the network's hydraulic behaviour to determine the effects of a new connection.

Network means each of the separate and recognised reticulated water supply systems through which the Council supplies water.

Network equipment means apparatus and equipment forming part of the network upstream of the point of supply and extends to include without limitation any dam, reservoir, weir, culvert, drain, pipe, gate, tap, valve, pump, water meter, restrictor, electronic apparatus, power supply and ballcocks connected to supply reticulation, whether elevated above or set below the point of supply.

On-demand network means the supply of water to premises where the connection is a direct feed from the mains into the consumer equipment, past the point of supply and which may or may not be metered for charging. Generally this applies to urban areas.

Ordinary Supply means the supply of water for domestic and light commercial purposes from on-demand networks to the consumers' premises including:

- All flows from permanent plumbing fixtures
- Use of hand held hoses for washing and garden watering
- Stock trough water for blocks equal to or less than 4 hectares
- Fixed fire fighting hose reels and sprinkles
- Temporary supply connections to domestic users
- Garden irrigation by portable or fixed sprinkler devices
- Restrictions imposed on use of hoses / garden sprinklers at times where the supply is unable to meet anticipated demand

Person means persons, a company and a corporation sole.

Point of **Supply** means the location on the water supply system at which responsibility for maintenance and repair passes from the Council to the consumer (refer to Appendix 1 of this bylaw).

Premises means land and/or buildings on which network equipment or consumer equipment is located or proposed to be located.

Restricted *Network* means a network where the supply of water is to a consumer's tank, at a pre-determined rate through a restrictor flow controlling insert. Generally this applies to rural areas.

Restrictor means a device fitted which regulates the flow of water from a network to the consumer on a restricted network.

Specifications means the details, approved by the Council, which specify or describe, approved methods of and procedures for connection to the network.

Shutdowns means the water supply is temporarily turned off, either for planned maintenance or in an emergency due to system failure.

Water Committee means a committee established by the Council for the purposes of supervising a particular network in a water supply area and to facilitate consultation with users in that network.

Water Meter means a device, electronic or mechanical fitted onto a pipe and used to quantify the amount of water passing through it and recording volumes as standard units [litres, cubic metres].

Water Supply Risk Levels means high, medium or low hazards, defined as follows:

High hazard

Any condition, device or practice which, in connection with the potable water supply system, has the potential to cause death. High Hazard may include but not necessarily be limited to:

- Autoclaves and sterilizers
- Systems containing chemicals such as anti-freeze, anti-corrosion, biocides or fungicides
- Beauty salon and hairdresser's sinks
- Boiler, chiller and cooling tower make-up water
- Car and factory washing facilities
- Chemical dispensers
- Chemical injectors
- Chlorinators
- Dental equipment
- Direct heat exchangers
- Fire sprinkler systems and fire hydrant systems that use toxic or hazardous water
- Hose taps associated with High hazard situations like mixing of pesticides
- Irrigation systems with chemicals
- Laboratories
- Mortuaries
- Pest control equipment
- Piers and docks
- Sewage pumps and sump ejectors
- Sluice sinks and bed pan washers
- Livestock water supply with added chemicals
- Veterinary equipment

Note: the examples given are not an exhaustive list. Where there is doubt comparison must be made to the hazard definitions.

Medium Hazard

Any condition, device or practice which, in connection with the potable water supply system, has the potential to injure or endanger health. Medium hazard may include but not necessarily be limited to:

- Appliances, vehicles or equipment
- Auxiliary water supplies such as pumped and non-pumped fire sprinkler secondary water
- Deionised water, reverse osmosis unites and equipment cooling without chemicals
- Fire sprinkler systems and building hydrant systems
- Hose taps and fire hose reels associated with Medium hazard
- Irrigation systems with underground controllers
- Irrigation without chemicals
- Livestock water supply without added chemicals
- Untreated water storage tanks
- Water and steam cleaning
- Water for equipment cooling
- Drink dispensers with carbonates
- Swimming pools, spas and fountains

Note: The examples given are not an exhaustive list. Where there is doubt comparison must be made to the hazard definitions.

Low hazard

Any condition, device or practice which, in connection with the potable water supply system would constitute a nuisance by colour, odour or taste, but not injure or endanger health. Low hazard may include but not necessarily be limited to:

- Drink dispensers (except carbonators)

Note: The example given is not an exhaustive list. Where there is doubt comparison must be made to the hazard definitions.

Working Day means any day other than Saturday, Sunday, and public holidays.

3. FEES

Fees and charges are set out in the Council's fees and charges schedule and are reviewed annually.

4. PENALTIES AND OFFENCES

- 4.1 Every person commits an offence under this bylaw who:
 - a) Carries out any act whereby any waters intended for supply within a network are drawn off or diminished in quantity and does not immediately on receiving notice in writing from Council or the Regional Authority restore those waters to the state they were in, in all respects, before that act.
 - b) Directly or indirectly pollutes or causes to be polluted, any waters supplying a network, in such a manner as to make the water a danger risk to human health or cause it to become offensive or unpalatable including, without limitation, allowing any animal or livestock to trespass into any such waters or to cause the pollution of any catchment area.
 - c) Unlawfully takes, draws off or diverts water from a network from the intake area or past the intake.
 - d) Uses any water in contravention of any prohibition or restriction under this bylaw.

- e) Wilfully or negligently allows any consumer equipment to be out of repair so that water may be wasted from the network or to be polluted or to fail to flow in the network equipment.
- f) Takes any water from the supply furnished to another person, without authorisation.
- g) Takes water from a network and supplies that water to another person or permits that person to take such water, whether for reward or otherwise, without Council approval.
- h) Opens the ground so as to uncover any network equipment without first giving the Council at least 5 working days' notice in writing of the intention to do so.
- i) Connects any pipe to a network without first giving the Council at least 3 working days' notice in writing of the day and time when such work is proposed and without first obtaining the written approval of any person acting under the authority of this Council in that regard.
- j) Connects any pipe to a network except in accordance with the water supply risk level and approval to do so.
- k) Connects any pipe to a network which is not of a type approved by the Council.
- I) Exposes or (arising from any activity or work) renders any network equipment liable or prone to damage without approval or authority from the Council.
- m) Alters the index of, or in any other manner tampers with, any water meter, electronic device or restrictor.
- n) Alters the location of any water meter or restrictor without giving the Council at least 5 working days' notice in writing of the intention to do so.
- o) Damages, tampers with or interferes with any network equipment, including disconnection to their own supply or supply to other parties.
- p) Otherwise fails or refuses to do any act or thing that the person is required to do under Parts 8 and 9 of the Local Government Act 2002 and its amendments, the specifications, or this Bylaw.
- 4.2 Upon an offence being committed under clause 4.1 the Council may, in addition to prosecuting that offence, take all or any of the following steps:
 - a) Limit the supply of water to the premises or property of that person or persons in such manner as the Council thinks fit and is consistent with public health protection and animal welfare provisions under the Local Government Act 2002, Health Act 1956 and Animal Welfare Act 1999 and any amendments to these Acts and prevent that person from using the full supply of water until the particular default or failure has been remedied to the Council's satisfaction
 - b) Recover costs for damage and consequences of unlawful actions as provided for in the Local Government Act 2002 (Sections 175 and 176) and any amendment to that Act.
 - c) Impose penalties as specified in the annual fees and charges which may include an estimate of water consumption.

5. STANDARD AND TEMPORARY CONNECTIONS AND WATER ALLOCATIONS

5.1 Approved connections to any Network will be installed according to the specifications or as otherwise approved in writing to the applicant [by Council] or described separately in contract documents taking into account the water supply risk level.

- 5.2 All urban boundaries shall be those identified in the operative or proposed Mackenzie District Plan.
- 5.3 Any variation to standard connection types or allocations of water must be made as a separate application to Council with a full description as to why a non-standard connection or allocation is required. Council reserves the right to approve or decline the application.
- 5.4 Standard and Temporary connections shall be approved as:
 - a) On-demand networks [with meters on metered networks]
 - Domestic/residential applications within the urban area one 20mm connection to the point of supply.
 - ii. Domestic/residential applications [all property sizes] outside the urban area one restricted connection into a tank [located on the title or otherwise to obtain suitable operating elevation].
 - iii. Commercial, industrial or institutional applications within the urban area one or more connection(s) of a size required for the anticipated water demand arising from the applicants activities and as agreed with Council plus one non-metered connection of a size agreed with Council for a dedicated fire-fighting supply [sprinklers only]. Hoses are to be connected to the metered consumer plumbing.
 - iv. Commercial, industrial or institutional applications outside the urban area one or more restricted connection(s) into tank(s) [located on the title or otherwise to obtain suitable operating elevation].
 - v. Where a zone has been changed as a consequence of a District Plan review or plan change, existing consumers within the previous zoning and on the same network may re-apply to obtain a connection type for any new zone created. Where the original application is less than five years old, Council may reduce the connection fees applying to the new connection, on a pro-rata basis, by rebating 10% of the new fee for each year of age of the old connection, up to and including five years. The maximum rebate will be 50% of the new connection fees.
 - b) Restricted supply networks one connection [or more as approved by Council for properties over 100 hectares or commercial, industrial or institutional applications] to a tank [located on the title or otherwise to obtain suitable operating elevation].
 - c) Temporary Connections these shall include all water tankers/carriers that connect and take water from the public water supply shall only connect where there is a backflow prevention device that is compliant to the AS/NZ 2845.1 standard for high risk.
- 5.5 Standard allocations for supply of water on any Network shall be approved as:
 - a) On-demand networks [metered and non-metered] with no hardware set restriction on the supply of water under conditions of normal supply.
 - b) Restricted supply networks having a unit supply rate of 1800 litres/day:
 - i. All non-commercial urban/residential properties and holiday homes within urban areas one half unit.
 - ii. All separate title rural properties, up to and including ten hectares one full unit.

- iii. Properties over ten hectares one full unit for the first ten hectares plus one additional unit for [up to] every 25 hectares of land area on the title or within the applicants holding.
- iv. Additional dwellings on properties one additional unit per dwelling.
- v. Commercial, industrial or industrial application unit rate supplied will be determined and approved on the anticipated and substantiated daily demand for the connection as provided by the Applicant
- vi. Minimum allocation one unit urban for properties and rural properties.
- c) Part units can be allocated in lieu of full units above the minimum unit allocations and up to the maximum standard allocation.
- d) Additional units [or part units] may be available above the standard allocation, where excess capacity is available in the network and the allocation of additional units [or part units] does not disadvantage supply to other users or potential users. Application for these additional units must be made to Council on the appropriate application forms and will incur the same fees and charges as standard units.
- 5.6 Community facilities may require specific connections to ensure that stored water does not stagnate. Any such connection variation will be agreed with Council but shall not apply to private dwellings, stock water or private commercial consumers.
- 5.7 Some networks may be configured as part on-demand and part restricted supply.

6. RIGHT TO CONNECT

- 6.1 No person may make any connection, alter any connection or take water from the network except:
 - a) From within a water supply area
 - b) In accordance with the approval
 - c) On payment of the approval fee
- 6. 2 To avoid misunderstanding, for any premises that have been connected to the network prior to the commencement date of this bylaw and where all charges for the supply of water to those premises have been paid, an approval is deemed to have been given, notwithstanding the absence of any written document evidencing that approval and a requirement to fit a backflow prevention device.

7. APPLICATION TO CONNECT TO A NETWORK AND TAKE WATER

- 7.1 All applications to connect to a network, to take water and/or vary the rate of supply and/or point of supply must be made on the appropriate Council generated application form for each network. The application must be lodged with a deposit that will cover the cost of modelling. If approval is granted, the payment of fees and charges must be made in full prior to the connection being made.
- 7.2 Application to connect to a network may be made by applicants whose properties lie outside the recognised network on the same basis as those within the network area.
- 7.3 Where an application is made to Council to connect to a network, a modelling assessment of the hydraulic capacity of the network will be made, to determine whether water can be supplied to the consumers (proposed) point of supply.

- 7.4 A fee will apply for the assessment. No refund of this fee will be made where the application is declined or the applicant withdraws the application, whether prior to or after the decision granting (or declining) the application has been reached.
- 7.5 Council reserves the right to decline any application where it is not feasible or economic to supply water to a (proposed) point of supply.
- 7.6 For applications to connect and take water from a restricted supply network in rural areas (excluding urban titles), the applicant shall meet costs of any new reticulation between the point of supply and the nearest serviceable network pipe. This will be limited to the minimum pipe size and class (refer to the specifications) required to deliver only the units purchased.
- 7.7 For applications to connect to an on-demand network or urban section of a restricted supply network, the applicant shall meet all costs of any new reticulation between the point of supply and the nearest serviceable network pipe.
- 7.8 The applicant shall meet the costs for all new reticulation.
- 7.9 The Council reserves the right to determine the final pipe route, size, class and material type for any new network reticulation, but shall meet all costs in excess of the minimum reticulation required in these clauses.
- 7.10 Where an application is made to connect to the network and any new reticulation passes through or adjacent to potential consumers en-route to the applicants point of supply (and the distance is considered significant), the Council may choose to contribute a proportion of the minimum reticulation costs up to but not exceeding 50% of the total costs of the minimum reticulation.
- 7.11 Upon satisfactory installation of any new reticulation (urban and rural) up to the applicant's point of supply and completion of all sub-division requirements, Council shall take ownership of these assets. The costs for all work during the specified maintenance period will be the responsibility of the developer. Subsequently Council shall maintain, operate and upgrade these assets at their cost.
- 7.12 No applicant on the _____ rural water network shall be requested to contribute to network upgrading in addition to the application fee, in order to obtain a connection unless stipulated otherwise by Council. This does not cover new pipework to link the consumer's tank to the existing network. Sub-divisions and multiple applicants on this network seeking connection collectively may be required to share costs of new pumping facilities.
- 7.13 If a connection to the network to take water is not made within 24 months of the approval being granted, the approval is deemed to have lapsed and a new application process must be initiated, including the payment of associated fees.
- 7.14 Application fees for new connections or for a variation in allocation or point of supply and provide where the physical connection or variation in allocation has not been made to the property, may be refunded at the discretion of council where the applicant wishes to withdraw the application. The request must be made to Council in writing by the applicant, within 6 calendar months of the date of approval for the connection. No refund given shall include the cost of the modelling fee and / or the initial deposit.

- 7.15 Capital/Financial contributions where these apply are not refundable within urban areas for both restricted and on-demand network supplies. Undeveloped titles within an urban area shall incur annual water charges unless specifically exempt as quantified in the Local Government Rating Act (2002) until such time that water is connected and where full charges shall commence.
- 7.16 Approved applications will contain the following relevant information:
 - a) The type of connection approved [on-demand connection/restricted connection]
 - b) The size of the connection
 - c) Obligations such as upgrading the network equipment, share costs of the connection or any other obligations in respect to the application
 - d) Any conditions set on the application that the applicant will need to action or comply with, which are not standard conditions
 - e) Water supply risk level

8. EFFECT OF TAKING SUPPLY

- 8.1 Every consumer who accepts a supply of water from the Network is deemed to have agreed to be bound by this bylaw.
- 8.2 Where there is a change of owner or occupier (new consumer), acceptance of an existing supply constitutes an agreement between the new consumer and Council for the new consumer to comply with this bylaw.
- Where premises to which water is supplied are owned or occupied by more than one person, those persons will be jointly and severally liable for compliance with this bylaw.

9. APPLICATIONS, APPROVALS AND OBJECTIONS

- 9.1 An application for approval must be made to the Council for:
 - a) A new connection to the network
 - b) Supply from an existing but unused connection to the network
 - c) In the case of a restricted supply network, a greater or smaller allocation of water
- 9.2 Every application must be in writing, on the approved form, and contain relevant information as may be required by the Council, including a detailed plan (to scale or with measurements shown) of any proposed work.
- 9.3 The Council may, in the case of any supply where special conditions are necessary, require the applicant to enter into a written agreement to supplement or vary the conditions in relation to that supply.
- 9.4 If an application is declined, the applicant may within 20 working days of notification of either Council, Water or Ward Committees' decision, give written notice to the Council objecting to the decision and specifying the grounds for that objection. If the applicant makes an objection under this clause:
 - a) The applicant is deemed to have waived any other remedy which may have been available to the applicant.
 - b) The Council will convene a hearing panel to hear and rule upon the objection with all due speed.

- c) The decision of the hearing panel will be final and binding upon the applicant and the Council.
- 9.5 The hearing panel shall consist of 3 persons, being:
 - a) The Mayor or Deputy Mayor (who shall take the Chair).
 - b) A Councillor for the Ward in which the premises of the applicant are located. In the event of a Ward Councillor not being available the Mayor or Deputy Mayor shall appoint an alternative Councillor, with the approval of the applicant.
 - c) A third person nominated by the applicant at the time of giving notice of objection or within 5 working days of a request in writing from the Council to do so, which third person shall be either:
 - i. A Mackenzie Councillor; or
 - ii. A Community Board Member; or
 - iii. A member of the Water Committee or Ward Committee (if any) for the network or area to which the application relates.
 - iv. A legal representative, consultant or agent who has no vested interest in the outcome of the hearing with regard to the connection

10. CONSUMER'S RESPONSIBILITIES

- 10.1 The consumer will ensure that all connections made to the network are in accordance with an approval granted by Council and any applicable legislative requirements.
- 10.2 The consumer will pay all applicable fees and charges promptly as they fall due and meet all obligations when applying for a connection or variation to an existing connection.
- 10.3 The consumer will maintain the consumer equipment in a good serviceable and operational condition at all times in accordance with the specifications and in a manner which minimises the potential for wastage of water through leakage. The consumer shall action any repairs promptly, to minimise wastage of water
- 10.4 The consumer will allow the Council access to their premises or onto their land:
 - a) At any time to permit the reading of any water meter.
 - b) At any other time upon a minimum of 24 hours' notice where this is considered necessary by the water operator (except in the case of an emergency) for the purpose of:
 - i. Inspecting network equipment located on the consumer's premises.
 - ii. Inspecting consumer equipment where faults or wastage may be occurring.
 - iii. Undertaking any work related to the installation, inspection, replacement, repair, maintenance, renewal, upgrading or testing of any network equipment located or to be located on the consumer's premises.

10.5 The consumer will:

- a) Provide a safe, secure and accessible location for any network equipment which is required to be located on their premises.
- b) Not allow any person other than the Council or their authorised agents/contractors to work on or interfere with network equipment located on their premises.

- c) Not alter or configure consumer equipment to where it may allow [potentially] contaminated water to backflow into the consumer's tank or network reticulation without adequate backflow prevention measures being implemented and that have been approved in writing by Council.
- d) Before driving stakes, cultivating or excavating on their premises, first determine the location of any underground network equipment and take such reasonable steps as are necessary to ensure that network equipment is not damaged, undermined, weakened or exposed as a consequence of any activity. To determine this, the consumer shall advise the contractor to or, if undertaking the work themselves, initiate an enquiry to the Mackenzie District Council
- e) Where they are not the owner of the premises to which supply is made, the owners' consent must be obtained prior to acceptance of supply and/or the installation of any network equipment and will indemnify the Council from any loss or cost arising from their failure to obtain the owner's consent.
- f) Not plant any trees or shrubs in a location whereby the roots or branches of those trees or shrubs will interfere with any network equipment. This shall apply to consumers and non-consumers where network equipment crosses private premises.
- 10.7 Council reserves the right to request removal or thinning of trees/shrubs where these have interfered or are likely to interfere with, including access to, network equipment. Costs of removing trees will be met by the property owner[s] concerned unless otherwise agreed in writing with Council.
- 10.8 Spacings to be observed (using the centre of the tree trunk for reference) are:
 - a) Large trees >10m mature height, shelter belts greater than 4m deep and plantations 3m spacing from any network equipment.
 - b) Shelter trees less than 4m deep, smaller trees <10m mature height and shrubs 1.8m spacing from any network equipment.
- 10.9 The consumer will notify the Council promptly if:
 - a) Any network equipment located on or about their premises is damaged or leaking, or they otherwise suspect that a fault has occurred in the network equipment which is or may cause injury to people or damage.
 - b) There is any interruption in the supply of water.
- 10.10 Where a consumer sells a property connected to a network, it shall remain the responsibility of the seller to ensure that all apportionment's for water charges are affected from the date of sale.
- 10.11 Where a consumer is not selling, but wishes to disconnect supply, they must notify Council to (for on-demand supplies) arrange a final water meter reading. No refunds of capital contributions or application fees shall apply to voluntary disconnections from either on- demand or restricted supply networks.
- 10.12 Where a final water meter reading is requested, the consumer may be liable for a charge for this reading.
- 10.13 Where a consumer (including tenants) requires an uninterrupted or priority supply of water for medical health purposes, they are advised to discuss these matters with Council to see if priority supply or register of priority users can be arranged. The Council cannot guarantee priority supply within a network or to meet the costs of providing a

- priority supply. In most instances, Council may advise consumers to provide additional on-site storage (at their own cost) to assure continuity of supply.
- 10.14 Where consumer equipment is faulty, worn or configured to allow waste or misuse of water, the consumer shall be issued a warning and allowed a reasonable time (not more than one calendar month) to correct the faults. Where any fault is not corrected after the warning has been issued, the consumer shall be held responsible for any costs or damages from actions of tenant's leasees or occupiers. An estimate of excess water consumption for up to 12 months may be made by Council and charged for, where faults are not corrected following a written warning.
- 10.15 Where any persons commits an offence with a connection (bypassing or damaging a restrictor, flow meter or reticulation), Council shall impose penalties as specified in the fees and charges. This may include an estimate of water consumption.

11. APPURTENANCES

- 11.1 Water meters, restrictors and pressure control equipment shall be supplied installed and maintained by the Council and remain the property of the Council at all times.
- 11.2 A customer who disputes the accuracy of a meter or restrictor may apply to the Council for it to be tested. The actual and reasonable cost of such testing:
 - a) Will be paid by the consumer, if the meter or restrictor clearly meets the measurement requirements.
 - b) Will be paid by the Council (along with costs of repair or replacement) if the meter or restrictor fails the test.
- 11.3 Where a meter fails the test, Council may in the case of oversupply and under supply reestimates the Consumer's consumption. Any re-estimation so made must be fair and reasonable and:
 - a) Have due regard to average consumption over previous billing cycles, for such period as Council considers fit
 - b) Be adjusted as necessary for any variation in consumption due to seasonal or other causes

In no circumstances will the Council be required to undertake such re-estimation over a period greater than 12 months.

- 11.4 Back-flow prevention devices installed in accordance with the water supply risk level assessment as part of connections to commercial, industrial or institutional facilities connected to on demand networks will not become the property of Council. Such devices shall have a compliance schedule and a current warrant of fitness carried out annually by an approved person (IQP), responsibility for which rests with the owner of the facility. Where routine testing is requested by Council (as a condition of any approval granted) verification of the device tests shall be forwarded to Council within 30 days of the consumer having received the results of the tests. Backflow prevention on restricted networks shall be considered to be the maintenance of an air gap in the tank, no less than 50mm under all conditions of use.
- 11.5 Applicants and existing consumers shall fit and meet all compliance costs of fitting, testing and maintaining a backflow prevention device where this has been requested by Council, in order to protect the integrity of the supply from risks associated with activities carried out by the consumer, or on the consumer's premises.

- 11.6 Fire-fighting connections within consumers premises (such as sprinklers and hose reels) are to be approved as a separate application to connect to an on-demand network [no provision exists for direct fire-fighting connections on restricted networks]. Council cannot assure consumers of supply at a minimum pressure or flow at all times.
- 11.7 Fire-fighting water is provided without charge. Where this water passes through a water meter, the consumer shall estimate the quantity of water used and apply to Council to have this quantity credited [where charging is based on water used] to their water charges. Council reserves the right to limit or challenge any such claim made.
- 11.8 Where consumers on any on-demand network share a point of supply or water meter, Council shall meet the cost of separating the connections, creating a new point of supply (and meter if required) and reinstating works, where this has been requested by the consumers affected or determined by Council.

12 BREACH AND DISCONNECTION

- 12.1 If the consumer:
 - a) Fails to pay any fees and charges within the due period for payment.
 - b) Fails to repair any leak in the consumer equipment or continues to allow water to be wasted or misused after being warned in writing by Council of such wastage.
 - c) Interferes with or damages any network equipment.
 - d) Fails to construct, maintain or operate the consumer equipment in accordance with any legislative requirement or requirement of the specifications or approval.
 - e) Refuses to allow Council access to the consumer's premises in accordance with this bylaw.
 - f) Is otherwise in breach of any other obligation imposed upon the consumer by this bylaw.
- 12.2 Council may give written notice to the consumer of the alleged breach, the steps which Council requires the consumer to take to remedy that breach and stating the period, being not less than 7 days, within which Council requires that breach to be remedied.
- 12.3 If the consumer fails to comply with any notice issued Council shall be entitled to restrict the consumer's supply without further notice, and without prejudice to any other remedy which it may have.
- 12.4 If following disconnection Council agrees to restore supply, Council may first require payment of all or any of the following:
 - a) All outstanding Fees and Charges (except for any sum genuinely in dispute)
 - b) Such sum which reimburses Council for the reasonable legal and administrative costs or expenses incurred by Council in issuing the notice
 - c) Such costs incurred in disconnecting the supply and carrying out repairs or adjustments under this clause
 - d) Fees and charges that may apply.
- 12.5 Council may require the consumer to agree to additional terms and conditions for the future supply of water as are reasonable with consideration of all circumstances relevant to the connection in question.

13. PROHIBITION OR RESTRICTION OF SUPPLY

- 13.1 If at any time the Council considers that:
 - a) Because of adverse climatic conditions, or any other reason, the supply of water in any network or part of a network is not sufficient to allow for the water demand for all premises connected to that network
 - b) Emergency, unplanned work where a water pipe or related infrastructure is in need of urgent repair
 - Extraordinary measures are necessary or desirable to conserve the available water supply in the public interest
- 13.2 Or the Council is requested to:
 - Take fair, reasonable but necessary steps to comply with water restrictions that arise from district and regional plan rules, approval conditions and/or water protection measures imposed on it by or through the Regional Authority, the Council may issue a public notice to impose restrictions or prohibitions upon the use of water for any specified purpose and/or for any specified period, or a notice of non-supply (for restricted networks), provided this does not compromise the Council's obligation to provide an adequate supply of drinking water as defined and required by the Health (Drinking Water) Amendment Act 2007.
- 13.3 The powers of the Council may be exercised by:
 - a) Ordinary resolution; or
 - b) Any member or officer of the Council acting with duly delegated or recognized authority.
- 13.4 No person is entitled to any payment or compensation whatsoever arising directly or indirectly out of the lawful imposition of any such restriction or prohibition relating to the supply or use of water.

14 CONTROLLED CATCHMENT AREAS

- 14.1 The Council may designate any part of the district as a controlled catchment area.
- 14.2 When designating a controlled catchment area the Council may resolve:
 - a) To prohibit entry to the controlled catchment area by any person, except those specifically authorised or permitted in writing by the Council; and/or
 - b) Specify those activities which may not be undertaken by any person, within the controlled catchment area, except those specifically permitted in writing by the Council. These activities may include, but are not limited to:
 - i. Camping
 - ii. Taking or allowing to stray, any livestock or dog within the controlled catchment area
 - iii. Bathing or washing anything
 - iv. Depositing any dirt, rubbish or foul material of any kind
 - v. Hunting, trapping, shooting or fishing
 - vi. Damaging, removing or destroying any trees, shrubs or other existing cover or interference with any property
 - vii. Using any pesticide chemical compounds or toxic substances for any purpose whatsoever

- 14.3 Where a permit is required to enter a controlled catchment area, and a permit has been granted to a person to enter that controlled catchment area, that person must:
 - a) Upon demand, produce their permit for inspection by the Council, or its authorised officer, when requested to do so.
 - b) Not transfer or purport to transfer that the permit to another person.
- 14.4 The Council may at any time, by notice in writing delivered to the holder of a permit, revoke or suspend the permit.

15 DISPUTE RESOLUTION

- 15.1 In any case where a dispute arises between Council and any consumer(s), parties are to agree to meet and work together in good faith to resolve promptly any dispute arising under these terms and conditions (including specifications).
- 15.2 Failure to resolve disputes will require mediation using the same panel structure as in clause 9.5 or through conventional legal avenues for resolving such disputes.

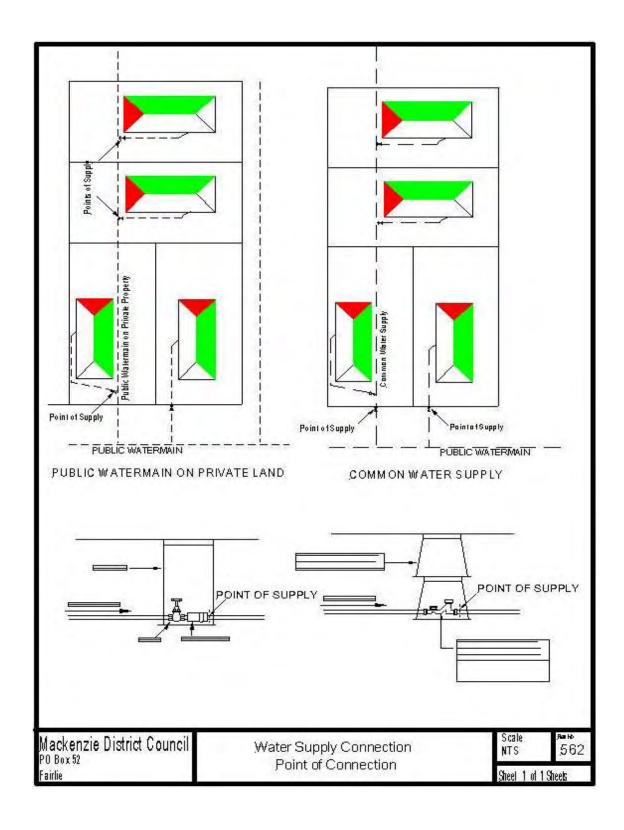
Water Supply Bylaw 2014

Adopted by: Council

Adopted date: 9 December 2014

Review by: 9 December 2019

Appendix 1 - - Point of Supply Diagram





MACKENZIE DISTRICT COUNCIL

DOWNLANDS WATER SUPPLY BYLAW 2014

DOWNLANDS WATER SUPPLY BYLAW 2014

1. SHORT TITLE AND COMMENCEMENT

- 1.1 This Bylaw is made pursuant to sections 145 and 146 of the Local Government Act 2002.
- 1.2 This Bylaw is the Mackenzie District Council Downlands Water Supply Bylaw 2014.
- 1.3 This Bylaw comes into force on 15 December 2014.
- 1.4 This Bylaw is intended to be read in conjunction with the following documents:
 - Council's Annual Fees and Charges
- 1.5 This Bylaw does not remove responsibilities for applicants or contractors in relation to the following Acts and Regulations:
 - Health (Drinking Water) Amendment Act 2007
 - Local Government Act 2002
 - Resource Management Act 1991
 - Building Act 2004 and associated Building Code
 - Local Government Rating Act 2002
 - Drainage and Plumbing Regulations 1978
 - Toxic Substances Act 1988 and Regulations 1983
 - Hazardous Substances and New organisms Act 1994
- 1.6 All permits, approvals or licenses issued under any revoked Bylaw will be deemed to have been issued under this Bylaw and be subject to the provisions of this Bylaw.

2. INTERPRETATION AND DEFINITIONS

2.1 In this bylaw, except where inconsistent with the context:

Air Gap Separation means a minimum vertical air gap between the outlet of the water supply fitting which fills a Water Storage tank, and the highest overflow water level of that Water Storage Tank.

Approval means approval in writing by Council.

Approved means approved by Council or by any officer of Council authorised in that behalf.

Approved form means a form which has been approved by Council for use to make application for any licence, certificate, authority, consent, approval, inspection or other service provided by Council.

Authorised officer means any person appointed by Council to act on its behalf and with its authority and includes contractors or any person appointed especially or generally to enforce the provisions of this bylaw.

Backflow means a flow of water or other liquid through any supply pipe in a reverse direction to the normal flow.

Consent means a consent in writing given and signed by an authorised officer of Council to discharge to or for a service connection to any of the network infrastructure services.

Council officer means any officer of the Mackenzie District Council, or in the case of any function delegated to the Timaru District Council means any officer of the Timaru District Council delegated by Council to take action in relation to any particular bylaw, or to undertake the duties of a Council Officer under the bylaw and any person appointed especially or generally by Council to enforce the provisions of this bylaw.

Customer means a person who uses, or has obtained the right to use or direct the manner of use of water supplied by Council to any premises.

Disconnection means the physical cutting and/or sealing off of any network infrastructure service for use by any person.

Local Authority means Council, person, or group of persons authorised by any Act to make bylaws, and which has made this bylaw, and includes the body corporate on behalf of which any such Council, person, or group acts.

Network infrastructure services means the services provided by Mackenzie District Council, or in the case of any functions delegated to the Timaru District Council means the Timaru District Council in the supply of water services.

Occupier in relation to any Premises or Residential Premise means any person occupying the premises

Owner of any property, or as applied to any land, building, or premises, means any person for the time being entitled to receive the rent of such property, or who would be so entitled if the same were let to a tenant at a rack rent; and where any such person is absent from New Zealand, shall include their attorney or agent.

Person includes a corporation sole and also a body of persons, whether corporate or unincorporated.

Point of supply is the boundary between the water network infrastructure and a private supply pipe.

Potable means water which complies with the health criteria of the Drinking Water Standards for New Zealand.

Premises means any land, dwelling, storehouse, warehouse, shop, cellar, yard, building, or part of the same, or enclosed space separately occupied, and all lands, buildings, and places adjoining each other and occupied together shall be deemed to be the same premises.

Private supply pipe means that section of pipe between the point of supply and the premises.

Public notice shall have the meaning assigned to it from time to time by the Local Government Act 2002.

Restrictor means a device fitted to the flow control device on a restricted flow supply to regulate the flow of water to a property.

Scheme means the Downlands Water Supply Scheme.

Service connection means that section of pipe between a network infrastructure service and the point of supply or point of discharge. This section of pipe is owned and maintained by Council and may include other fittings and equipment.

Service opening means a manhole or other opening for gaining access for inspection, cleaning or maintenance, of a network infrastructure service.

Water network infrastructure means the water treatment and conveyance systems including but not limited to land, buildings, machinery, pipes, pipe fittings and appurtenances, and any treatment work owned, operated or maintained by Council.

Water services means water supply services provided by the network infrastructure services.

Water storage tank means any tank having a free water surface under atmospheric pressure to which water is supplied across an air gap separation or through an approved backflow prevention device.

Water race shall have the same meaning as that provided in section 5 of the Local Government Act 2002.

Water supply means the provision of drinking water to communities via the water network infrastructure.

Waterworks includes all waterworks as defined in section 5 of the Local Government Act 2002.

3. GENERAL MATTERS

Content of Bylaw

3.1 Every schedule and policy note to this bylaw shall be deemed to form part of this bylaw provided that any such schedule or policy note may be altered from time to time by Council resolution.

Officers to continue in office

3.2 All officers appointed by Council under or for the purpose of any repealed bylaw, and holding office at the time of the coming into operation of this bylaw, shall be deemed to have been appointed under this bylaw.

Serving of orders and notices

- 3.3 Except where otherwise expressly provided for in any Act, in any case in which it is provided by this bylaw, that an order may be made upon or notice be given to any person requiring them to do or abstain from doing anything, or any notice is required by this bylaw to be given or sent to any person, such order or notice shall be delivered to such person, and may be delivered to them either personally or by sending the same, by messenger or post, to them at their last-known place of abode or business.
- 3.4 If such person is absent from New Zealand the order or notice may be sent to their agent instead of to such person, in any manner mentioned in the last preceding sub clause.
- 3.5 If such person is not known, or is absent from New Zealand, and has no known agent in New Zealand, and the order or notice relates to any land or building the order or notice, addressed to the owner or occupier of such building or land, as the case may require, may be served on the person in occupation thereof, or left with some resident of his/her abode; or, if there is no person in occupation, may be put up on some conspicuous part of such building or land. It shall not be necessary in such notice to name the occupier or the owner of such land or building.
- 3.6 Where an order or notice is sent by registered post it shall be sent so as to arrive in the due course of post on or before the latest time on which such order or notice is required to be served.

Powers of delegation

- 3.7 In all cases where this bylaw provides for the issue of any order, notice or licence, such order notice or licence shall be deemed to be issued in compliance with this bylaw if the same be issued by any officer of Council authorised by Council for that purpose.
- 3.8 Where pursuant to this bylaw any powers or duties are imposed on a Council Officer that officer may with the consent of Council delegate any of those powers or duties either generally or particularly to any other officer of Council.

4. Offences and breaches

- 4.1 No person shall do anything or cause any condition to exist for which a licence or approval from Council is required under this bylaw without first obtaining that licence or approval, and the failure to do so shall constitute a breach of this bylaw.
- 4.2 No application for a licence or authority from Council, and no payment of or receipt for any fee paid in connection with such application, licence, or authority, shall confer any right, authority, or immunity on the person making such application or payment.
- 4.3 Any person commits a breach of this bylaw who:
 - a. Does, or causes to be done, or knowingly permits or suffers to be done anything whatsoever contrary to or otherwise than as provided by this bylaw; or

- b. Omits or neglects to do, or knowingly permits or suffers to remain undone, anything which according to the true intent and meaning of this bylaw, ought to be done by them at the time and in the manner therein provided; or
- c. Does not refrain from doing anything which under this bylaw they are required to abstain from doing; or
- d. Knowingly permits or suffers any condition of things to exist contrary to any provision contained in this bylaw; or
- e. Refuses or neglects to comply with any notice duly given to him/her under this bylaw; or
- f. Obstructs or hinders any officer of Council in the performance of any duty to be discharged by that officer under or in the exercise of any power conferred upon him/her by this bylaw; or
- g. Fails to comply with any notice or direction given under this bylaw.
- 4.4 Where Council considers a breach of this chapter of the bylaw, or statutory or any other legal requirements is such that it is necessary to alter, disconnect, reduce or limit the network infrastructure service for environmental or health or safety considerations or where there is unacceptable risk of consequential damage to Council assets, Council may take immediate action necessary in order to make good the breach, and recover all reasonable costs.

5 Power of entry and removal of works

- 5.1 Any appropriately warranted officer or person contracted to supply services to Council, may enter onto any land and enter into any building (not being a dwelling house) for the purpose of inspecting all or any of the fittings, pipes, and other apparatus connected directly or indirectly with the network infrastructure services.
- 5.2 If any such Council officer or contracted person is refused entry or obstructed by any person in the course of undertaking such an inspection; that person commits an offence under this bylaw.
- 5.3 Without prejudice to Council's ability to prosecute any person for refusing entry to or obstructing an appropriately warranted officer or contracted party, Council may also restrict the water supply to the property for which inspection has been denied.
- 5.4 If any inspection conducted in accordance with sub clause 5.1 discloses any fitting or works that contravene the provisions of this chapter of the bylaw, then the said fitting or works may be altered or removed by the Council officer or contracted party in order to achieve compliance with this chapter of the bylaw. Notice of such alteration or removal shall be given to the owner or occupier of the property as soon as is reasonably practicable.
- 5.3 The exercise of this authority shall not relieve any such person from responsibility for any penalty for erecting or permitting the continued existence of any such work, material or thing.

6 Penalties for breach of bylaws

6.1 Every person who commits a breach of this bylaw is liable to a fine as specified in Section 242 of the Local Government Act 2002.

- 6.2 Council may, after a conviction for the continuing breach of any chapter of the bylaw, apply to any Court of competent jurisdiction for an injunction to restrain the further continuance of the breach by the person so convicted.
- 6.3 The continued existence of any work or thing in a state contrary to this bylaw shall be deemed a continuing offence within the meaning of this clause and/or the provisions of the Local Government Act 2002.

7 Dispensing power

7.1 Where in the opinion of Council a full compliance with any of the provisions of this bylaw, would needlessly or injuriously affect any person, or the course or operation of the business of, or be attended with loss or inconvenience to, any person without any corresponding benefit to the community, Council may, on the special application of that person dispense with the full compliance with the provisions of this bylaw.

Provided that any other terms or conditions (if any) that Council may deem fit to impose shall be complied with by such person as aforesaid.

8 Installation, etc, not otherwise provided for

8.1 If, after the coming into force of this bylaw, any person desirous of installing or using in the district any article or thing which had not been introduced into the district prior to the coming into force of this bylaw and which, while not complying entirely with the provisions of this bylaw, may, in the opinion of Council be properly installed, and put into use, Council may either generally or specifically authorise the installation and use of such article or thing, and they may impose such conditions as they deem necessary.

9 Forms

9.1 Wherever throughout this bylaw forms are prescribed, slight deviations therefrom, but to the same effect and not calculated to mislead, shall not vitiate them.

10 Fees and charges

- 10.1 Council may at any time by resolution passed after consultation as part of the Long Term Council Community Plan or the Annual Plan prescribe fees that may be charged in respect of any licence, certificate, authority, approval, consent given, inspection made or service given by Council under the provisions of the Local Government Act 2002 or any other enactment where that enactment contains a provision for Authorizing Council to charge a fee.
- 10.2 Where any inspection or service for which a fee has been paid (under the provisions of clause 114.1 hereof) has not been given or made, Council may refund any such fee or portion thereof as it may determine.

11 Scope of Bylaw

11.1 The purpose of this chapter of the bylaw is to enable Council to meet its statutory duties and obligations and to set standards of supply, installation, and control of water associated with the Downlands Water Supply to ensure the maintenance of a healthy community.

11.2 This bylaw provides for the

- Setting of requirements and procedures for applications, continuances and disconnections for water services associated with the Downlands Water Supply Scheme.
- b. Conditions and circumstances of supply of public water from the scheme.
- c. Administrative mechanisms for the operation and enforcement of this bylaw

12 Application

12.1 This chapter of the bylaw applies to areas serviced by the Downlands Water Supply Scheme network infrastructure services throughout the Mackenzie District.

13 Application for supply of service

- 13.1 Every person who proposes to:
 - a. Draw water from the Water Network Infrastructure; or
 - b. Vary the conditions of consent or approval that has previously been granted; or
 - c. Vary the location of the point of supply that has previously been granted; or
 - d. Disconnect from any network infrastructure service.

shall complete an application on an approved form for the supply of such service, together with payment of any prescribed charges. The applicant shall provide all of the details required by Council.

13.2 Council may approve or decline any application.

14 Continuity of supply of service

14.1 Council does not guarantee an uninterrupted or constant level of service (flow, pressure, quantity or quality), or that an existing service which is in excess of minimum operating parameters is not altered.

15 Liability

15.1 Council will endeavor to provide network infrastructure services in accordance with minimum operating parameters, but shall not be liable for any loss, damage or inconvenience which any person may sustain as a result of deficiencies in, or interruptions to any network infrastructure service.

16 Transfer of rights and responsibilities

16.1 No person may transfer to any other person the rights and responsibilities provided under this chapter of the bylaw.

- 16.2 No person shall extend any network infrastructure service by hose, pipe, or any other means beyond the customers property.
- 16.3 No person shall provide any network infrastructure service to any other party without approval from Council.

17 Demand management

- 17.1 All persons shall comply with any supply and usage restrictions and prohibitions which may be imposed from time to time by Council in order to manage supply or demand issues. Such restrictions may be publicly notified.
- 17.2 No person shall in case of any such restriction or prohibition be entitled to any payment or compensation.

18 Wastage of water

18.1 A person who is supplied with water by, or on behalf of, Council shall not waste the water or allow it to be wasted.

19 Flow metering

- 19.1 Council reserves the right to require a water meter to be installed and may set water supply and wastewater discharge fees and charges accordingly, where it considers that water use is or is likely to be excessive. A water supply deemed to be an extraordinary supply shall normally be metered and charged for.
- 19.2 Water meters shall be supplied, installed and maintained by Council at the Customers expense. Ownership of the meter is retained by Council. Installation of the meters shall be in accordance with Councils requirements.

20 Disconnection of service

20.1 A customer who proposes to disconnect from any network infrastructure service shall complete an application on an approved form for such disconnection, including an intention to demolish or remove a building. The demolition or removal shall not commence until the property has been disconnected to the approval of Council.

21 Approval to connect, disconnect or interfere

- 21.1 No person other than an authorised agent of Council, shall without approval make any connection or disconnection to or otherwise repair, alter, modify, tamper or interfere with any part of any network infrastructure service.
- 22.2 Without prejudice to its other rights and remedies, Council shall be entitled to estimate and charge for any additional network infrastructure service allowed to pass or not recorded where a meter or flow control device has been tampered with, and may recover from the customer any costs incurred by Council.

24 Vegetation

24.1 In the event of any vegetation causing or being likely to cause interference to the flow of water within, or block or damage to a network infrastructure service, Council may require the customer to remove the vegetation at the customer's expense with no compensation payable by Council.

25 Protection of network infrastructure services

- 25.1 Building over or adjacent to network infrastructure services:
 - a. No structure shall be located over a network infrastructure service, whether on public or private land.
 - b. The minimum horizontal separation distance between the structure and the service shall be 1 metre from the nearest face of the service.
 - c. Subject to approval, a building developer may meet the cost of diverting the network infrastructure service in accordance with Council standards.
 - d. Where compliance with (a), (b) and (c) above is found to be impracticable and the structure cannot be sited elsewhere on the property or modified to conform with the above conditions, and it is essential for the proposed structure to be built on that part of the property, approval may be granted subject to the building developer meeting the cost of any specific requirements. These requirements may include the provision of access manholes, pipe strengthening, ducting, additional support of the structure's foundations and relocatable construction. The network infrastructure service shall be registered by the property owner by a Memorandum of Encumbrance and Deed of Covenant against the Certificate of Title of the property.

25.2 Loading or material over a network infrastructure service

- a. No person shall cause the crushing load imposed on a network infrastructure service to exceed that which causes damage to the service.
- b. No person shall without approval place any additional material over or near to a network infrastructure service so that the network infrastructure service is further buried.
- c. A point of supply and service openings to a network infrastructure service shall be maintained free of soil, growth, or other matter or obstruction which prevents, or is likely to prevent convenient access by Council or its appointed contractor or agent. Removal of any covering material or adjustment of the opening shall be at the property owner's expense.

25.3 Excavation near network infrastructure services

(a) No person or owner or occupier shall without approval from Council allow or carry out excavation, or use of trenchless technology, or carry out piling or similar type work closer than 2 metres from the nearest face of any network infrastructure service.

In granting any approval, Council may impose conditions on the carrying out of any such work. Damage occurring to a network infrastructure service as a result of any such works shall be reported to Council immediately by the person undertaking and/or in charge of such work. Council shall be entitled to recover any costs incurred as a result of such damage.

25.4 Excavation in a road reserve or public place

a. No person shall carry out excavation work in a road reserve or public place without approval from Council.

26 Fees and charges

- 26.1 Council may from time to time set fees or charges for the supply and services of network infrastructure services.
- 26.2 Council may, under the provisions of Section 175 and Section 176 of the Local Government Act 2002, recover any cost incurred by Council in remedying any damage arising from a wilful or negligent breach of this chapter of the bylaw.

27 Types of Supply

27.1 Rural tank or trough supply

- a. A rural tank or trough supply is defined as one where a flow is supplied across an air gap separation into an approved on-site water storage tank or approved trough from which the supply of water is drawn. Sufficient storage shall be provided by the customer to meet demand fluctuations.
- b. Rural tank or trough supplies may be required for properties within designated areas, or under special conditions, set by Council from time to time.

27.2 Restricted flow supply

- a. A restricted flow supply is defined as a water flow which is supplied through a flow control device, and where storage is provided by the customer to cater for demand fluctuations. The supply shall be provided on the basis of the number of units of water allocated to the connection, supplied at a relatively uniform flow rate.
- b. Restricted flow supplies may be required for properties within designated areas, or under special conditions, set by Council from time to time.

27.3 Categories of supply

The two categories of rural water supply are defined as:

- (a) Ordinary Supply
 - Stock Stock water supplied on a calculated entitlement as set by Council from time to time.
 - ii) Domestic Water supplied which is used exclusively for domestic and household requirements (subject to the provisions of this chapter of the bylaw), and approved at the sole discretion of Council, at an allocation as set by Council from time to time.
- (b) Extraordinary Supply

All other purposes for which water is supplied other than ordinary supply shall be deemed to be an extraordinary supply and may be subject to conditions and limitations.

27.4 Change of use

Where the supply category changes from an ordinary to an extraordinary type or vice versa and/or where a change in the use of water supplied is proposed, a new application for supply of service is required.

28 Flow control device

28.1 Flow control devices for restricted flow supplies shall be supplied and installed at the customers cost. Maintenance of the filter and frost plugs shall be the responsibility of the customer. These devices shall remain the property of Council.

29 Modification, tampering or interference

- 29.1 Any owner or occupier of a property serviced by a flow control device that is found to be modified, tampered or interfered with, without the authority of Council or its authorised agent, commits an offence under this chapter of the bylaw.
- 29.2 It is a defence to any charge prosecuted by Council in relation to clause 29.1 hereof if the defendant establishes, on the balance of probabilities:
 - a. The modification, tampering or interference to the flow control device was necessary for fire fighting purposes and was reasonable in the circumstances; or
 - b. That the modification, tampering or interference to the flow control device was due to an event beyond the control of the defendant, including mechanical failure or sabotage, and in each case the intervening event could not have been reasonably foreseen or been prevented by the defendant.

30 Backflow prevention

- 30.1 All supply connections shall be fitted with an approved backflow prevention system.
- 30.2. Every tank used for the storage of water for any purpose other than flushing a water closet shall be provided with an overflow warning pipe of not less than 12mm internal diameter which shall be designed and installed so that the overflow is easily able to be seen and so that the discharge is not into any gutter, down-pipe or drainpipe or inside any building.

31 Frost Protection

31.1 No person shall reduce the cover over any water network infrastructure so as to make it more susceptible to frost damage.

32 Water storage

32.1 The customer shall be responsible for maintaining water storage in an efficient, watertight and potable condition.

33 Fire fighting

33.1 Where it is necessary to obtain water for fire fighting purposes it shall be allowable for the restrictor to be removed from the flow control device. The customer shall notify Council within 24 hours of such action being taken.

Downlands Water Supply Bylaw 2014

Adopted by: Council

Adopted date: 9 December 2014
Review by: 9 December 2019

MACKENZIE DISTRICT COUNCIL

REPORT TO: MACKENZIE DISTRICT COUNCIL

FROM: CHIEF EXECUTIVE OFFICER

SUBJECT: COMMUNITY BOARD RECOMMENDATIONS

MEETING DATE: DECEMBER 9, 2014

REF: PAD 5

PURPOSE OF REPORT:

To consider the recommendations made by community boards.

RECOMMENDATIONS:

1. That the report be received.

TWIZEL COMMUNITY BOARD:

2. That council **notes** the following resolution regarding signage on the new public toilets:

<u>Resolved</u> that the Twizel Community Board puts up a sign above the level of campervans to identify the public toilets.

Bruce White/Phil Rive.

3. That council **notes** the following resolution regarding rubbish bins over the Christmas period:

<u>Resolved</u> that for the period of Christmas to the first week in January two wheelie bins are placed outside the Lotto Shop in Twizel.

Phil Rive/Pat Shuker

4. That council **notes** the following resolution regarding a donation to the Twizel volunteer fire brigade:

<u>Resolved</u> that the Twizel Community Board donate \$50 to the Twizel Volunteer Fire Brigade towards their fireworks display.

Bruce White/Phil Rive

5. That council **notes** the following resolution regarding a donation to the Twizel Area School:

<u>Resolved</u> that the Twizel Community Board donates \$100 to Twizel Area School towards prizes for students.

John Bishop/Pat Shuker

TEKAPO COMMUNITY BOARD:

6. That council **notes** the following resolution amending the minutes of a previous meeting:

Resolved that the resolution regarding a funding request for water tanks in the regional park, recorded in the minutes of the Tekapo Community Board meeting of November 17, 2014, be amended to read "That the community board pay \$6,000 to the regional park to pay for the tanks."

Stella Sweney/Lyn Martin

7. That council **notes** the following resolution regarding the Alps2Ocean cycleway connection track with Tekapo:

Resolved that the Tekapo Community Board instructs the community facilities manager to prepare specifications for the walkway/cycleway as shown on the plan and bring back the costs of the project to the community board.

Murray Cox/Alan Hayman

8. That council **notes** the following resolution regarding the naming of the commercial lane in central Tekapo:

Resolved that the community board recommends to council that the name Rapuwai is suitable as a name for the commercial lane at Tekapo.

Lyn Martin/Stella Sweney

9. That council **notes** the following resolution regarding a grant request from the Aoraki Multicultural Trust:

That the Tekapo Community Board provide free hall hire by way of a monthly grant to cover hall use by the Aoraki Multicultural Trust. This will equate to approximately \$930 over 12 months hall hire at local user rates, and the community board requested a report on how the service is going in six months.

Lyn Martin/Alan Hayman

10. That council **notes** the following resolution regarding two requests from the Tekapo School:

Resolved that the Tekapo Community Board will take a case by case approach to applications from the school for hall use and that \$200 towards the use of the hall hire for the jumble sale be granted.

Alan Hayman/Stella Sweney.

11. That council **notes** the following resolution regarding a request from the University of Canterbury:

<u>Resolved</u> that the local rate for hall hire be offered to the University of Canterbury to support two astronomy conferences in the Tekapo Community Hall.

Alan Hayman/Lyn Martin

Cr Cox voted against this motion and asked for his vote to be recorded.

FAIRLIE COMMUNITY BOARD:

12. That council **notes** the following resolution regarding the former paintball site in Fairlie: School:

<u>Resolved</u> that the community board instructs staff to contact the leaseholder of the former paintball site and request that the land is tidied up to an appropriate standard.

Owen Hunter/Trish Willis

13. That council **notes** the following resolution regarding a grant application from the Fairlie District Promotions Association:

<u>Resolved</u> that the Fairlie Community Board declines the application for a grant to the Fairlie District Promotions Association for the re-designed Fairlie map.

Owen Hunter/Warren Barker

14. That council **notes and considers** the following resolution regarding the provision of land for the expansion of the Fairlie township:

<u>Resolved</u> that the Fairlie Community Board considers the land to be an opportunity for the expansion of the township and suggests the council investigates further.

Owen Hunter/Les Blacklock

ATTACHMENTS:

The minutes of the meetings of the Twizel, Tekapo and Fairle Community Boards.

A map of the area to be considered by council at the request of the Fairlie Community Board.

BACKGROUND:

The community boards have made a number of decisions for council to note and/or consider.

POLICY STATUS:

N/A

SIGNIFICANCE OF DECISIONS REQUESTED:

No significant decisions are required.

CONSIDERATIONS:

The Council delegated a range of authorities to staff and other organisations on 14 June 2005 when it also confirmed that it did not need to make any specific delegations to Community Boards to have them better perform their role.

This policy was amended on 29 January 2008 when the Council resolved to delegate to the Fairlie, Tekapo and Twizel Community Boards, the following responsibilities:

- The ability to consider requests from local organizations for financial assistance in the form of grants, where budget exists for such matters and subject to no one grant exceeding \$1,000.
- The ability to appoint local representatives to organizations within the community board area and other organizations where local representation is requested.
- The ability to authorize, within approved budgets, board members' attendance at relevant conferences and/or training courses.
- The ability to provide or withhold affected persons approval for planning applications on land adjoining Council owned land within the community board area.
- The ability to approve routine changes in policy affecting locally funded facilities within the community board area.

In the absence of delegated authority to the Community Boards on other matters, the Council has the opportunity to note and consider the issues raised and matters promoted on behalf of the Townships by their Boards and to endorse them where appropriate.

WAYNE BARNETT
CHIEF EXECUTIVE OFFICER

MACKENZIE DISTRICT COUNCIL

MINUTES OF A MEETING OF THE TWIZEL COMMUNITY BOARD HELD IN THE COUNCIL SERVICE CENTRE, TWIZEL ON MONDAY, NOVEMBER 17, 2014 AT 4.00PM

PRESENT:

John Bishop (Chairman)
Phil Rive
Bruce White
Pat Shuker

IN ATTENDANCE:

Garth Nixon (Community Facilities Manager)
Geoff Horler (Utilities Manager)
Jason Gaskill (Tourism Waitaki)
Arlene Goss (Committee Clerk)
Five members of the public

OPENING:

The chairman welcomed everyone to the meeting.

APOLOGIES:

Resolved that an apology be received from Cr Russell Armstrong.

Bruce White/Phil Rive

DECLARATIONS OF INTEREST:

There were no declarations of interest.

VISITOR:

Jason Gaskill from Tourism Waitaki was at the meeting to update the community board on the Alps2Ocean cycleway.

Mr Gaskill introduced himself and provided some background on his role running the Alps2Ocean commercial operation. Planning for off-roading the trail is continuing and negotiations are underway with land owners. Promotional activities are moving ahead with new trail counters installed. This year the number of people using the trail will probably exceed last year. He is expecting in excess of 10-12,000 visitors on the trail.

An online booking engine and website have been established allowing people to book their entire trip and hire bikes before they get here. He estimated about a thousand people spent multiple nights on the trail last year. He is working with NZ Cycle Trails and the government. NZ Cycle Trails have agreed to incorporate the Tekapo canal road into the Alps2Ocean. They are still working through logistics but everyone is happy. He has been raising the profile of the Tekapo section of the trail and will be working on signage over the next months.

Mr Gaskill said maintenance was a big issue. As more sections come off road the maintenance requirement became bigger. The trail is holding up well. A video camera has been installed to give people information about the conditions on the trail.

He asked if the community board had questions. The chairman asked if it was off-road from Twizel to Oamaru. No, a section between Sailor's Cutting and Duntroon is still on the highway, but they are working on getting it off-road. Bruce White asked about predicted numbers for 2018. Only have forecast numbers that far ahead. Based on current usage Mr Gaskill hopes the income from the trail can meet all operational costs by then. If not this will be flagged beforehand.

A member of the public asked if operators would pay a levy for the maintenance of the track. Mr Gaskill said a requirement of public funding is that the trail is free to use. But there are agreements with commercial operators. There is goodwill in the industry to make sure the trail is maintained. Spend about \$100,000 a year on maintenance. People recognise that to continue to benefit they need the asset to stay viable.

The chairman thanked Mr Gaskill for his presentation. Mr Gaskill left the meeting at 4.15pm.

MINUTES:

Pat Shuker said the minutes have missed recording her comment that the Manuka Tce water supply does not come under the jurisdiction of the Twizel Community Board. She questioned why this matter was included on the community board agenda. The chairman said the community board would always be advised about what was happening in Twizel, even if it did not have jurisdiction.

Resolved that the minutes of the meeting of the Twizel Community Board held on October 6, 2014, be confirmed and adopted as the correct record of the meeting.

Pat Shuker/Phil Rive

TWIZEL COMMUNITY BOARD MATTERS UNDER ACTION:

1. Town Projects:

- a. Walkways: Remove from list
- b. Tekapo Drive: Completed, remove from list
- c. Done, remove from list
- d. Greenway fencing On target at present. Edging to be installed for greenway from Mackenzie Drive to Hunter Cres. Garth Nixon said work is about to start on lifting the path.
- e. Cemetery completed, remove from list

2. Twizel PublicToilets:

Report on asbestos shows it is low risk. Garth Nixon is waiting to hear back from contractor on a price for demolition. This will then go to full council.

3. Bike Lockup:

Garth Nixon to wait until the toilets are gone before considering this. More bike space to be created when old toilets and building are removed from town centre.

4. Twizel Youth Centre:

Ongoing, out for public consultation.

5. Overnight Camping:

To be discussed later in the meeting.

6. Traffic Issues at Maitland Place and Irishman Drive:

To remain on the list until the work is done. This is a district-wide roading project with council sign-off. A price has been obtained from Whitestone and work will be underway shortly.

7. Twizel Water Supply Upgrade:

Geoff Horler said he is awaiting information from Opus. A briefing has been held with the community board on the treatment plant. The chairman said they appreciated this briefing.

8. Climbing wall in Twizel Events Centre:

Shaun Norman was at the meeting. He said this has been pushed back a month due to him being overseas and he will report back to a later meeting.

9. Security cameras for Market Place:

Security cameras are installed. Remove from list.

10. Manhole on the corner of Mackenzie Drive and Ostler Road:

No action to date. This is with Chorus. This is expected to be fixed within a fortnight. The community board has asked that this be followed up. Garth Nixon to follow up with Bernie Haar.

11. Christmas Decorations for Market Place:

Cr Armstrong will touch base with TPDA regarding progress on the decorations.

12. TPDA Lease Agreement:

Agreement has been finalised and signed. Remove from list.

13. New Twizel Medical Centre:

Council has approved this and work has begun on the subdivision. Remove from list.

Pat Shuker asked regarding the storm water that runs off the roof behind the Twizel gym. Garth Nixon said he will chase up the plumber to do this job.

Bruce White said the new toilet block needs a sign to say it's a public toilet, as it's not possible to tell when cars are parked in front of it. Garth Nixon will organise signage. A resolution was passed as follows:

<u>Resolved</u> that the Twizel Community Board puts up a sign above the level of campervans to identify the public toilets.

Bruce White/Phil Rive.

Pat Shuker asked if security cameras were working at the public toilets. Yes. She said she was on community patrol duty on Saturday night. There were people who urinated on the concrete and locked the toilet doors. Garth Nixon said they can be identified on the camera.

FINANCIAL REPORT TO SEPTEMBER, 2014:

The purpose of this report was to update board members on the financial performance of the Twizel Community as a whole for the period to September, 2014.

On page 13, community centre maintenance, this is mainly the cost of roof repair. There was a flooding issue in the gym. It needed significant scaffold work. There was also about a thousand dollar repair in the foyer that was on-charged to the hirer of the hall after someone was thrown into a wall there.

On page 14 under depreciation, why was there a variance on the budget for sewerage depreciation when council should be able to know in advance how much it would be depreciated? Geoff Horler did not know the reason for this. The chairman will ask the finance manager about this.

The chairman said there was money available in the greenways path reinstatement. Whitestone is doing work on this now. Bruce White was organising one reinstatement. Discussion was held on whether edging would be included, the chairman said the community board agrees on edging. Further discussion was held on construction materials.

Garth Nixon raised the subject of Twizel Reserves on page 19. There was an overspend expected with work at Lake Ruataniwha that was planned last year being carried out this year.

MEETING SCHEDULE FOR 2015:

The purpose of this report was to advise the community board of the schedule of meetings for 2015. Following discussion the community board agreed to move the winter meetings to 3pm in the months of June, July and August, 2015.

Resolved:

- 1. That the report be received.
- 2. That the schedule of meetings be noted.

John Bishop/Bruce White

John Bishop/Bruce White

WARD MEMBER'S REPORT:

Cr Russell Armstrong not present to give a report.

REPORTS FROM MEMBERS WHO REPRESENT THE COMMUNITY BOARD ON OTHER COMMITTEES:

There was nothing to report.

GENERAL BUSINESS - FREEDOM CAMPING BYLAW:

A copy of the draft Freedom Camping Bylaw and Freedom Camping Strategy was attached to the agenda at page 28.

Garth Nixon said this was currently out for public consultation. It was valuable for the community board to hear from others on this. He encouraged community board members to encourage members of the public to put in a submission so their concerns could be heard.

He explained the difference between the strategy and bylaw. There were limited areas where council had control, the rest was about education. We were only enforcing the bylaw. The strategy was about education, such as putting up signs.

The chairman said the word "Freedom" gave the wrong impression of what was needed to park a vehicle in a place. Council needed signs that said fully self-contained vehicles only.

Garth Nixon said signage and education were important. The chairman said the feedback he had received from people in self-contained campers was that they didn't want to park close to town. They were happy with Lake Wardell and Ruataniwha. The chairman tabled a newspaper item from the Otago Daily Times. He said there was no camping in Queenstown in an area with an 80km speed zone and under.

Bruce White said there would be objections to the town sites. Garth Nixon said council needed to identify the problem and justify it before imposing restrictions. There were examples around the country where councils were being taken to court and spending money on legal fees because they did not comply with the Act.

The chairman asked who was going to police it and was it possible to impose a trial period that would show if it was working after a few months.

Pat Shuker asked why people can't stop in Twizel and have a meal and then move on. Phil Rive suggested drink driving might be a problem.

Member of the public Margaret Armstrong spoke from the floor and said it was not the campervans disturbing her, it was the young people in vans who give her abuse and take their toothbrush and dishes to the public toilet. They also dropped their rubbish in the car park.

Another member of the public said he was currently a warrant officer and was having trouble with the vans that were not self-contained. He would prefer that freedom campers parked outside the township.

Another member of the public suggested not allowing freedom campers within the 50km speed limit area. Bruce White said if you place a restriction you needed to employ a warden and was this something the township was willing to finance. Garth Nixon suggested a contractor and discussed the cost of doing this.

A member of the public said people liked to stay outside the town in places like Lake Wardell. They wanted to get out of the cities and out of the town and enjoy life. They did not need to be close to shops.

One member of the public suggested employing a person to pick up the rubbish. Another member of the public said it was the policing that was important. Sometimes they arrive at midnight and leave at 5am. How do you police that?

The chairman encouraged those present to make submissions to the council with their views. He suggested a recommendation from the community board to council. Garth Nixon questioned whether the community board would undermine Cr Armstrong as their representative if they put a recommendation to council. Cr Armstrong would represent their views.

The chairman said he would speak to senior planner Toni Morrison regarding this. No recommendation was made.

GENERAL BUSINESS – LETTER FROM ROSE GOLDING REGARDING RUBBISH:

A letter from Rose Golding is attached to the agenda at page 61. Garth Nixon updated the community board on this. Someone from a holiday home had put their rubbish on top of the bins, instead of sorting it into the bins, and this rubbish went everywhere. Discussion was held on various alternatives to the recycling bins such as a skip outside the recovery park or a regular inorganic collection.

Bruce White suggested adding wheelie bins to take the extra rubbish and the community board discussed this. The chairman said the wheelie bin idea was something the community board could look at doing before Christmas. The following resolution was passed:

<u>Resolved</u> that for the period of Christmas to the first week in January two wheelie bins are placed outside the Lotto Shop in Twizel.

Phil Rive/Pat Shuker

Garth Nixon has responded to Rose Golding regarding these issues.

GENERAL BUSINESS – REQUEST FOR DONATION FROM TWIZEL VOLUNTEER FIRE BRIGADE:

This request is attached to the agenda at page 62. The chairman said this event had already happened and he donated fireworks to the event. It might be too late to do anything.

Bruce White said the fire brigade does good work and he would not want the community board to say no to a \$50 donation. He moved that the community board give them the money and this was seconded by Phil Rive. The following resolution was passed:

<u>Resolved</u> that the Twizel Community Board donate \$50 to the Twizel Volunteer Fire Brigade towards their fireworks display.

Bruce White/Phil Rive

LATE ITEM – REQUEST FROM TWIZEL AREA SCHOOL FOR A DONATION TOWARDS END OF YEAR PRIZES FOR STUDENTS:

The chairman has received a request from Twizel Area School. A copy is attached to these minutes. He said the community board usually gives the school \$100 towards this cause. He suggested that the same happen this year.

<u>Resolved</u> that the Twizel Community Board donates \$100 to Twizel Area School towards prizes for students.

John Bishop/Pat Shuker

Bruce White said he would attend the prize giving on behalf of the community board. The committee secretary was asked to contact those who have received money and ask for invoices.

GENERAL BUSINESS:

The chairman tabled a \$300 cheque he had received for the hire of the town mulcher. This was received by Arlene Goss (receipt number 234660).

Phil Rive asked regarding the demolition of the old public toilets. Garth Nixon has called for prices for demolition and the aim is to have this work completed before Christmas.

	NG NO FURTHER BUSINESS ARED THE MEETING CLOSED AT 5.24pm
CHAIRMAN:	
DATE:	

MACKENZIE DISTRICT COUNCIL

MINUTES OF A MEETING OF THE TEKAPO COMMUNITY BOARD HELD IN THE LAKE TEKAPO COMMUNITY HALL, TEKAPO, ON MONDAY, NOVEMBER 17, 2014, AT 7.30PM

PRESENT:

Peter Munro (Chair) Stella Sweney Alan Hayman Lyn Martin Cr Murray Cox

IN ATTENDANCE:

Garth Nixon (Community Facilities Manager)
Geoff Horler (Utilities Manager)
Jason Gaskill (Tourism Waitaki)
Stephanie Craig (Department of Conservation)
Arlene Goss (Committee Clerk)
4 members of the public

OPENING:

The chairperson welcomed everyone to the meeting.

APOLOGIES:

Resolved that apologies be received from Claire Barlow and Wayne Barnett.

Stella Sweney/Murray Cox

DECLARATIONS OF INTEREST:

There were no declarations of interest.

VISITOR:

Jason Gaskill from Tourism Waitaki was welcomed to the meeting. He provided details regarding his work on the Alps2Ocean cycle trail. NZ Cycle Trails, a government organisation, has officially agreed to adopt the Tekapo canal road as part of an Alps2Ocean related ride. He is working through some details and signage issues, but these are minor and easily managed. This allows the promotion of Tekapo and its connection with the main trail.

He is still working on some off-road developments in the Waitaki Valley. They have some funding, now working on landowner access. Discussions are progressing well. He expects to make firm commitments about getting that section off-road in about 18 months.

He estimates the track will have more users this year. There are more counters on the trail to give a better idea of how people are using the trail. There has been information received that a lot of users are doing multiple nights on the trail. People spending nights helps to fund the maintenance of the trail.

He has a target of the end of 2018 to make the trail a self-sustaining operation so it is not a drag on ratepayers. They are working hard to get to that position and will give updates to both councils. He submits quarterly reports to councils, these are public information and he is happy to send them out once they have been seen by the councils.

The chairman asked regarding 'self-sustaining', does this mean the accommodation places pay? No the structure will be able to cover its operational and maintenance costs. There is a booking engine as part of the website. This is structured so a percentage goes back to the trail. This should provide increased patronage without increased cost.

Do they have a counter to indicate how many people are starting at Tekapo? They will have two or three counters on the section, one at the start, one mid-way and one at the Hayman Rd end.

Cr Cox asked if there would be more toilets put in. This conversation is happening at the moment. With only one season we don't know where people need facilities. An app is launching soon to see where people are going and this will influence the location of new toilets. Mr Gaskill said if there were areas where the community board thought it would be wise to put toilets to suggest this to him.

Cr Cox asked how the surface of the track that was sprayed near Pukaki coped over winter. Not as well as hoped. They are working with DOC on the Pukaki Flats to improve the trail there. The track is checked for maintenance every six weeks.

The chairman said the community board was pleased and excited that it started in Tekapo and it would be an asset to the town. Mr Gaskill said he hoped over time it would become a significant activity here.

A member of the public asked for a guess as to how many people will start at Tekapo and how many at Glentanner. Mr Gaskill said some people were expecting that over time Tekapo would become the place to start because of ease of access. Other people view starting at Mount Cook as iconic. Others will like the ease of the ride on the canal road.

A member of the public asked if a circular route around Lake Alexandrina would encourage people to stay in Tekapo longer. Mr Gaskill said it wouldn't hurt. Communities needed to think about who would maintain tracks and fund the maintenance before building them.

Mr Gaskill left the meeting at 7.52pm.

MINUTES:

The chairman thanked Stella Sweney for standing in as chair at the last meeting. Stella Sweney has given some minor grammatical corrections to Arlene Goss. She also questioned the resolution regarding the Department of Conservation water tanks. The resolution reads that the community board would pay for both the cost and the installation of the tanks. She would like to amend that resolution to only include the cost of the tanks.

Resolved that the resolution regarding a funding request for water tanks in the regional park, recorded in the minutes of the Tekapo Community Board meeting of November 17, 2014, be amended to read "That the community board pay \$6,000 to the regional park to pay for the tanks."

Stella Sweney/Lyn Martin

Under Funding Requests, Item 2 – Tekapo Springs Information Centre: An amendment is to be made to change Ms Hemsworth's comments to: "Ms Hemsworth asked why the Tekapo Springs application was considered along with the other information centre and why her application was **not** treated individually on its own merits."

Under Ward Members Report, final comment: An amendment is to be made to change this to; "The Regional Park **campsite** opening is only a couple of weeks away."

Resolved that the minutes of the meeting of the Tekapo Community Board held on October 6, 2014, be confirmed and adopted as the correct record of the meeting with the changes noted above.

Lyn Martin/Murray Cox

TEKAPO COMMUNITY BOARD MATTERS UNDER ACTION:

1. Civil Defence:

Ray Gardener and Nathan Hole need to attend the next meeting regarding the Tekapo Emergency Plan.

2. Review of Freedom Camping Bylaw and its Alignment with the Freedom Camping Act:

Draft bylaws are currently out for public consultation. Submissions have been received. A hearing will be held on November 27 in Fairlie. It is important that people make a submission. Discussion was held on whether a community board as a whole, or individual members, could make personal submissions on the draft bylaw.

3. Council Owned Units for Worker Accommodation:

The community development worker is doing some work in this area.

4. Walkways and Cycle ways:

Garth Nixon has put pegs in the ground for a proposed route for the connection to the Alps2Ocean. Community board members have looked at this. Discussion was held on this route as outlined on a map in the agenda at page 10.

Lyn Martin suggested doing some landscaping as part of this work. Further discussion was held on the benefits of using this route. Stella Sweney questioned the location of the information centre in the long term. The chairman said that road frontage needs work. It would be a perfect way to use that ground as it's safe, scenic, gradual. It would need some transition and signage at the Aorangi Crescent end. Garth Nixon said the next step was to get approval from Land Transport because some of it the track is on their land.

Lyn Martin commented that there should be a traffic island at that end of the town. This needs to be discussed with Transit NZ. The community board resolved as follows:

Resolved that the Tekapo Community Board instructs the community facilities manager to prepare specifications for the walkway/cycleway as shown on the plan and bring back the costs of the project to the community board.

Murray Cox/Alan Hayman

5. Tekapo Plantation: Murray Place/Section A:

Mr Nixon said the contractor is engaged and work will take place over the next month with fencing and spraying completed. Whitestone will be planting shortly. To be updated at the next meeting.

6. Future of Moturiki Island:

Stephanie Craig said the Department of Conservation is waiting for the winds to die down before visiting the island. They have to get permission to go on the island and put up permanent signage. They have spoken to Ngai Tahu. Someone will inspect the

island at the end of December. They are advising the public not to go to the island. DOC said the trees have been weakened and may fall down, so this is a safety issue.

The chairman asked if part of the restoration would include planting. DOC don't have a firm plan. They want to work out whether it's safe to go there first. Would like to keep the community board updated. Will update the chairman who will forward an email to the community board members. As the town gets busier the island will be visited more often over summer.

Stella Sweney asked if there was an intention to trim trees. Because it's a culturally significant site they cannot just go there and cut down trees. Need to consult with Ngai Tahu first. Do signs prohibit fires? Stephanie Craig said she did not know, but will suggest it and talk with iwi about it. A member of the public asked if they were likely to plant pines or natives. DOC is not looking to plant anything at the moment.

7. Request to YHA:

This issue is currently with the Tekapo Property Group.

8. Litter at the Church of the Good Shepherd:

Garth Nixon has been in communication with the church regarding litter. This is a work in progress.

9. Tekapo Squash Club:

Cr Cox has discussed a move with the squash club committee.

Cr Cox and Garth Nixon have been working on costings for moving the squash club. When they are received there will be discussion with council in regards to funding.

10. Street Names Commercial Lane:

An email from Melanie Schauer with a suggestion for a street name is attached to the agenda at page 32. Garth Nixon suggested using the name to build ongoing relationships with iwi. Cr Cox said council was working closely with iwi in the development of the town lakefront area. Stella Sweney asked about the process to introduce numbers once the street is named. Council has a process in place. The chairman said this was urgent and needed to proceed. Lyn Martin asked if this would be a lane, drive, street etc. The community board would leave this decision to the roading manager.

<u>Resolved</u> that the community board recommends to council that the name Rapuwai is suitable as a name for the commercial lane at Tekapo.

Lyn Martin/Stella Sweney

Stella Sweney would like an explanation of the name to be included in communications with ratepayers.

11. Tekapo Promotions Association:

The chairman and Cr Cox have had an informal discussion with the Tekapo Promotions Association. A community board representative at their meetings would be great. The chairman and Cr Cox have both been members of this association in the past but are not now. Lyn Martin volunteered to do this on behalf of the community board.

12. Town Projects:

a. Landscaping the Community Centre Car park.
 Garth Nixon said documents have gone out to contractors to price this.

- b. Alps2Ocean Link between Tekapo and Canal Road.
 Start point will be at Alpine Springs Information Centre.
- c. Rock wall extension along Main Road to Aorangi Crescent.

 Garth Nixon has a price for this for the budget of \$30,000 and if the community board are happy to proceed with this work.
- d. Upgrade of Hamilton Drive lookout. Bernie Haar to progress this.
- e. Walkway on Lakeside Drive pruning, landscaping.
 This is regards to pruning and removing pine trees on Lakeside Drive. Is this something we should be talking in the community about? Discussion was held on the approach to take with these trees. An amount has been put aside to deal with this. The chairman thinks we need to go slowly because there will be a radical change to the look of the drive. He suggested thinning and planting at first. Garth Nixon suggested removing 50% to start with. The chairman would like to have a look at it with an expert. He would like to start with the ugly trees. Garth Nixon to talk to contractors regarding this, including the most cost effective way to do it.
- f. Regional Park community board to fund tanks at \$6000. Need an invoice.

Lyn Martin asked regarding the playground and the solar system project. Cr Cox said he would catch up with the playground committee. Solar system project has applications in to other groups to fund signage and planet signs. It was agreed to add these to the list of projects for future updates.

FINANCIAL REPORT TO SEPTEMBER, 2014:

This report is the financial report for the community board for the period to September 2014, the purpose of which to update board members on the financial performance of the Tekapo Community as a whole for that period. This information is early in the financial year and a lot of the accruals have not been done.

Income is down at the Tekapo community hall this month but is increasing overall. Expenditure is due to the purchase of the screens for the hall. Donations and grants relates to money paid to the Tekapo Promotions Association. Unplanned maintenance on page 25 relates to work on Pioneer Drive clearing wilding trees and grass.

Cr Cox asked regarding the Tekapo School pool. The community board makes a grant towards the running costs because they make the pool available to the public.

Resolved that the report be received.

Murray Cox/Alan Hayman

MEETING SCHEDULE FOR 2015:

The purpose of this report is to advise the community board of the scheduled meetings for 2015. The chairman noted that four of the meetings were in the school holidays. He will not make the October one. Cr Cox asked to move the October meeting a week ahead. After discussion the board decided to move this meeting to October 13, 2015. In the winter months the meeting time will go back half an hour.

Resolved:

1. That the report be received.

Alan Hayman/Murray Cox

2. That the attached schedule of meetings be noted with the meeting of October 5 moved to Tuesday, October 13.

Lyn Martin/Murray Cox

WARD MEMBER'S REPORT:

Cr Cox said most of the month has been tied up with the Tekapo Lakefront Development. The plan in the agenda is not the final one, this is ongoing. He has also attended meetings of the Upper Waitaki Water Zone committee. A nutrient allocation group has been set up to set nutrient limits in the basin. Decisions will be made on this by March, 2015.

REPORTS FROM MEMBERS WHO REPRESENT THE COMMUNITY BOARD ON OTHER COMMITTEES:

Cr Cox reported that the NZ Motor Caravan Association Park is open. They are getting five or six campervans a night in there. Apart from that the regional park committee are spraying weeds and cutting grass. Water tanks to go in before Christmas.

The chairman reported from the Tekapo Footbridge committee. The buy-a-plank campaign is finished with \$150,000 raised. Part of the NZTA requirement was a peer review and that has been going ahead.

The chairman asked regarding an update from the property group. Cr Cox said some updates are planned before Christmas. There have been delays around doing the storm water and subdivision for stage 1 which includes the new supermarket and main green area. Still looking like construction will start in January/February. In terms of storm water the council has asked the consultants to look at Lakeside Drive as well. Geoff Horler said the storm water is an issue now with Ecan, we can't just discharge it into the waterways. Needs to be treated.

Cr Cox said the lakefront development project has been quite complicated but it does seem to be coming together and we are conscious we need to get out to the public again, but until things are signed off it's hard to do that.

The chairman asked for updates regarding progress across the road from the community hall. Resource consent has been given for the new hotel and they are at the stage to look at building permits. There has been a lot of discussion around traffic and car parks and discussions are being held with the school around traffic issues and options for parking.

Stephanie Craig from DOC said she was leaving the meeting and asked if there was anything to take back to DOC. Cr Cox suggested the draft Freedom Camping Bylaw.

Stephanie Craig left the meeting.

DRAFT TEKAPO PARKING AND LANDSCAPE PLAN:

Cr Cox said this is the second draft of this report and follows the public drop-in session. He said a lot of the sites on the plan are depicted in concept rather than reality, so there could be changes to parking and buildings. There are still some difficulties around the western car

park with six different options. They haven't really allowed for public toilets and haven't addressed bus shelters. Still no addressing of car parking for boats and caravans, which may have to go outside the VC1 land.

Lyn Martin said there are no cycle stands or racks in the plan. Garth Nixon said these can be incorporated into street furniture. Stella Sweney is concerned about the western car park being a bottleneck with all the traffic passing through that area. Also sees this as an opportunity for the Church of the Good Shepherd to tidy up. There is no real recognition of the concerns of residents regarding that area. A lot of people would like to see buses and campervans restricted to the eastern car park and only cars there. She outlined problems with people visiting the church, including campervans who arrive when it's dark and leave in the morning. This plan doesn't address those problems. The chairman suggested closing off the end of Pioneer Drive. The footbridge is coming into play. Cr Cox said the consultants were asked to look at Hamilton Dr to Tekapo Springs but some of that is missing.

Discussion was held on parking at the Church of the Good Shepherd and whether reducing parking in this area would improve the situation. Providing toilets in the eastern car park might encourage buses to stop there. Weddings at the church are interrupted by people who shouldn't be there.

A member of the public said the issue of buses at the church is the biggest issue. He suggested making buses park outside the town. He said if buses park in town and people have to walk across the bridge to the church this becomes a pilgrimage. The tour companies don't provide anything for the benefit of a free attraction.

Alan Hayman said no buses or campervans should be allowed except for weddings or disabled access.

A member of the public wished to comment on the landscaping. He said the wilding pines were blocking a view coming into the Tekapo. He did not see anything in the report about existing trees and whether they should stay. He likes the general planting at the back which talks about natives. There are some random wilding pines in front of the pub obstructing the view. He wondered if Boffa Miskell should look at existing trees and see if any of them should stay.

A member of the public said the bus parking was not necessary by the church but if buses parked in town they would need to create bigger car parks for buses. Another member of the public said the solar system walk was included, but not shown in the concept plan.

A member of the public said it's a great report but until we know what the buildings are and where they are going it's hard to judge this. Cr Cox said Boffa was continuing to work on this. Trying to get Stage 1 sorted with the western car park was the first step.

Cr Cox will send the community board's feedback to Stephen Gubb for communication with Boffa Miskell and Aurecon.

Lyn Martin asked regarding pedestrian crossing points on the main highway. Geoff Horler said on a state highway you might get an island, but that's all you will get.

GENERAL BUSINESS - RABBIT CONTROL:

A letter from Stephen Hunter is attached to the minutes. He is asking permission to use bait traps in the plantation. He also wants permission to do some regular rabbit extermination around the town. Garth Nixon said the community board does have a budget for pest

control. He supports Mr Hunter's approach. The chairman suggested a quarterly report, or letter on a regular basis would be good to keep the community board informed.

GENERAL BUSINESS – GRANT REQUEST FROM AORAKI MULTICULTURAL TRUST:

Garth Nixon provided some background information regarding the use of the hall by charitable organisations. He said the Aoraki Multicultural Trust was a good cause and suggested they be offered the local user rate. The community board agreed. The community board would like to see a six monthly report on how the new service is going, how many people are using the service, and what value it is to the community.

Resolved:

1. That the report be received.

Stella Sweney/Lyn Martin

2. That the Tekapo Community Board provide free hall hire by way of a monthly grant to cover hall use by the Aoraki Multicultural Trust. This will equate to approximately \$930 over 12 months hall hire at local user rates, and the community board requested a report on how the service is going in six months.

Lyn Martin/Alan Hayman

GENERAL BUSINESS – REQUEST FROM TEKAPO SCHOOL REGARDING HALL USE AND GRANT REQUEST TEKAPO SCHOOL JUMBLE SALE:

These two items were considered together. Garth Nixon said from working with other schools he was aware they had an operational grant to provide certain services. If they did not have a hall there was money in the operational grant to purchase services.

He was concerned with the implications of regular hall use by the school, such as who cleans up after the children. At the moment there was a caretaker doing that work. The school would need to understand the current bookings and how the place was left. He said they currently get a reasonable deal on local user rates and the community board could make grants for one-off events.

The chairman felt the school has had a very good deal from the community board with the use of the hall. Cr Cox said the difficulty if they have open access is that you can't use it for other events. The hall is very well used with a large number of other bookings.

Lyn Martin asked if there was a large space available in the school for sports. No.

The Fairlie school pays \$15 an hour to use the sports hall in Fairlie.

The second request for a grant for the jumble sale was discussed.

<u>Resolved</u> that the Tekapo Community Board will take a case by case approach to applications from the school for hall use and that \$200 towards the use of the hall hire for the jumble sale be granted.

Alan Hayman/Stella Sweney.

GENERAL BUSINESS - GRANT REQUEST UNIVERSITY OF CANTERBURY:

A letter from the University of Canterbury requesting a grant towards the cost of a conference is attached.

Cr Cox said the hall was built to host events like this and he would expect them to pay for the hire. The grant should be coming from the University of Canterbury or Earth and Sky as a sponsor. Lyn Martin suggested a compromise of the lower fee. Discussion was held on the role of the University in the town and whether it was a commercial operation. The chairman said they should pay the lower, local rate as they have been in the town a long time.

<u>Resolved</u> that the local rate for hall hire be offered to the University of Canterbury to support two astronomy conferences in the Tekapo Community Hall.

Alan Hayman/Lyn Martin

Cr Cox voted against this motion and asked for his vote to be recorded.

PUBLIC EXCLUDED:

<u>Resolved</u> that the public be excluded from the following part of the proceedings of this meeting namely consideration of the item 'New Storm water Line'.

General subject of each matter to be considered

New Storm water Line.

Reason for passing this resolution in relation to each matter

Ground(s) under section 48(1) for the passing of this resolution

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: *New Storm water line under section* 7(2)(b)(ii).

Murray Cox/Alan Hayman

The Tekapo Community Board continued in open meeting.

TH	ERE BEING NO FURTHER BUSINESS	
THE CHAIRMAN	N DECLARED THE MEETING CLOSED AT 10.3	2PM

CHAIRMAN:	
DATE:	

MACKENZIE DISTRICT COUNCIL

MINUTES OF A MEETING OF THE FAIRLIE COMMUNITY BOARD HELD IN THE COUNCIL CHAMBERS, FAIRLIE, ON MONDAY NOVEMBER 24, 2014, AT 7:00PM

PRESENT:

Owen Hunter (Chairman) Les Blacklock Trish Willis Warren Barker Cr Noel Jackson

IN ATTENDANCE:

Garth Nixon (Community Facilities Manager)
Wayne Barnett (Chief Executive)
Arlene Goss (Committee Clerk)
Anne Thompson (Fairlie Heartlands)
Jackie Phillips (Fairlie Library)
Pauline Jackson (staff)

APOLGIES:

There were no apologies.

PUBLIC FORUM:

The chairman invited Anne Thompson to speak. She said the town turns 150 years old in 2016. She would like to consult with the community to see what the town wants to do to commemorate this. She would like the backing of the community board to start this consultation in the new year. Once suggestions are identified she will seek funding. The chairman asked which month and she didn't know. She suggested the community board might want to fund flags for the whole year or similar. The chairman said the community board will help where it can and it's an excellent idea.

Jackie Phillips introduced herself as the new library manager and her goal is to push the library forward. She has lots of ideas and would like to be involved more with the community board. She tabled a survey she has drafted and asked the community board for feedback before it goes out to every household. This is an attachment to these minutes. She said it was a busy time of year with the summer reading programme. The library is a valuable asset for the council and the college.

She is planning to start adult education classes in term one next year, with basic computer classes. This will be called MCEA or Mackenzie Continuing Education for Adults.

DECLARATIONS OF INTEREST:

There were no declarations of interest.

MINUTES:

<u>Resolved</u> that the minutes of the meeting of the Fairlie Community Board held on October 13, 2014, be confirmed and adopted as the correct record.

Les Blacklock/Trish Willis

FAIRLIE COMMUNITY BOARD MATTERS UNDER ACTION

Western Catchment board, this is still waiting on the regional council. Allandale Bridge walkway, no update.

Trish Willis asked regarding a solar-powered warning sign on the Allandale Bridge to keep speed down. The chairman said NZTA rotate those signs around the district. It's in Pleasant Point at the moment. The chairman said we could request it be put on the Allandale bridge approach. It was agreed that a request be made to NZTA on this matter. The chairman asked for this to be noted.

The chief executive asked about the last meeting the community board held with NZTA. The chairman said there was a positive attitude from both sides.

Trish Willis asked Anne Thompson if she had received any reports of problems on the bridge. No.

Regarding the raised ground at number 7 on the list of Matters Under Action, this has been sprayed but will require another spray before any work is done.

Trish Willis asked when planting would begin. Garth Nixon said it would be best to plant in autumn. Warren Barker asked if the area would be expanded. Garth Nixon has asked the landowner and the current areas is probably viewed as stage one in the project.

Trish Willis asked for an update on number 11 which is the lease of the former paintball site. Garth Nixon has spoken to the leaseholder. Another person has expressed an interest in leasing the land for storage. Garth Nixon to follow up.

The chairman said a lot of effort was put into landscaping the area and his first thoughts were that it should be a passive area, but at the moment it looks abandoned. Garth Nixon suggested re-establishing the front and leasing the back as an option. The chairman said it is flood prone. Trish Willis asked when the lease expires. The current leaseholder has paid for the next three months.

<u>Resolved</u> that the community board instructs staff to contact the leaseholder of the former paintball site and request that the land is tidied up to an appropriate standard.

Owen Hunter/Trish Willis

Trish Willis asked what the process is if he wants to use the land differently. He would need the approval of the community board before doing so.

REPORTS:

FAIRLIE COMMUNITY BOARD FINANCIAL ACTIVITY REPORT TO SEPTEMBER:

The chairman asked about the internal sewerage income on page 14. This is a timing issue and this amount has not yet been allocated.

The chief executive asked about an item on page 16, Fairlie Domain, other income \$13,800. Where does this come from? This income is from the lease of the camping ground and the lease of the land to the south near the sewerage ponds.

On page 18 regarding Fairlie township operational expenses. Is this project money that is unspent? Yes, it will be spent on the community centre courtyard.

Trish Willis asked if the money granted from council towards the courtyard will show in these accounts. No. We will overspend the budget and the balance will be funded from the land subdivision reserve.

The chairman answered questions regarding investment interest and its allocation to the townships.

The chairman asked if the swimming pool was tracking ok. Yes, there is not much activity at the pool yet.

Resolved that the report be received.

Les Blacklock/Warren Barker

SCHEDULE OF MEETINGS FOR 2015:

Cr Jackson suggested changing the meeting time to earlier in the evening. The community board discussed a 5pm timeframe and agreed.

<u>Resolved</u> that the schedule of meetings be noted and the time of the meeting be changed from 7pm to 5pm.

Noel Jackson/Trish Willis

WARD MEMBERS REPORT:

Cr Jackson reported regarding the roading collaborating between the three local councils plus Ashburton. This is in the pipeline. He thinks this should provide a saving on roading. There was a concern about the quality and speed of work, and a concern for the township would be the risk of losing Whitestone Roading.

The chairman asked regarding the current roading contract. This finishes for Whitestone at the end of September next year, at the same time as Waimate and Timaru's, so the discussion has been around aligning the form and specification of the contracts to be tendered at the same time. There is a possibility of larger contractors offering economies of scale. The flipside of this is that it might be detrimental to a smaller player such as Whitestone. There is more work to be done on this.

Funding support for the courtyard upgrade has been approved by council. The annual report has been approved. Bylaw submissions are to be heard on Thursday. The chairman said Freedom Camping is not a massive issue in Fairlie. Discussion was held on the habits of campervan drivers. Les Blacklock said the community board needed to encourage campervans and set places aside for them. The chairman said he sees a lot of them stocking up on groceries in Fairlie.

Further discussion was held on areas controlled by council as opposed to the areas controlled by other parties such as NZTA or DOC.

Warren Barker asked who polices the Lake Opuha area. We have a volunteer warden. The chairman said in the worst year there were 500 camped there with one toilet. Trish Willis said you need to weigh up the gain of what they bring to the community with the difficulties they create. The chief executive said he was part of a discussion about what it would take to get people to come into Fairlie and stay here. Camping would be one way to get people coming here and looking at the area.

REPORTS FROM MEMBERS WHO REPRESENT THE BOARD ON OTHER COMMITTEES:

The chairman reported that the Lions Club are going to put Christmas Tree lights in the big tree by the toilets. Garth Nixon will speak to an aborist and get back to the chairman regarding this.

The Lions would also like to decorate the main street of Fairlie at Christmas and have ordered an LED floodlight as a trial with the aim to put one on every tree in the main street. This would cost a thousand dollars per tree so they will see how the trial goes.

Trish Willis attended the Village Green committee meeting. Garth Nixon read an email from the committee regarding risks to toddler safety on the green.

The committee has no firm recommendations to the community board on this matter.

The chairman asked regarding stone throwing and broken windows. Garth Nixon has spoken to the parent of a youth throwing stones.

GENERAL BUSINESS:

GRANT APPLICATION FROM FAIRLIE DISTRICT PROMOTIONS ASSOCIATION:

An application for a grant to help fund an updated map of Fairlie is on the agenda at page 25.

The chairman said he was not sure if ratepayers money was appropriate for this purpose. It's a good map with some big improvements. He would have thought the advertising on the map would have covered the cost of it. Les Blacklock asked if this was a shortfall. The account shows money in reserve.

Cr Jackson said other districts have an A3 map that is self-funding. The chairman said it benefits the town but he is not sure if it falls under the community board. Trish Willis said if district promotions came to us with a recommendation that reaches people digitally such as paying for someone to improve the website she thought this would fit better with the economic focus council has for the district. She said the promotion of Fairlie is fragmented at a grass roots level and she would like to see groups working together on a marketing plan for Fairlie.

The chairman said the amount requested is more than what is in the grants budget. He asked the chief executive if council would look at this. The chief executive said at present it paid CCT and Aoraki Development. To have another call for money, this would have to meet a need that is not currently met.

Garth Nixon asked if the brochure was completed already and the request was retrospective. The chairman believed so.

The chairman asked staff to write to the promotions association to say the application has been declined, and refer the association to Heartlands or the Fairlie Library to use a new facility called Fundview which matches community organisations with funding opportunities.

Resolved that the Fairlie Community Board declines the application for a grant to the Fairlie District Promotions Association for the redesigned Fairlie map.

Owen Hunter/Warren Barker

FOOTPATH CLEARANCES:

The chairman said he was concerned about a new shop that has taken over the footpath with seating that blocks people from using the footpath. Cr Jackson said they are enhancing their business by putting seats and tables out in the sun, similar to another nearby business. The chief executive asked Garth Nixon to check the title to see where the boundary ends.

Garth Nixon left the meeting at 8.12pm and returned at 8.14pm.

Garth Nixon said the boundary was the front face of the building. The chief executive said he will follow this up with the planning and regulation manager. The chief executive asked if the chairman wanted to see action on this right away. No. Further discussion was held on the situation of occupying outside dining areas. The chief executive said the situation with the new business would be worked through in a sensible fashion.

ITEMS REQUESTED BY TRISH WILLIS:

Garth Nixon tabled a short summary regarding the matters raised. This is an attachment to these minutes.

Fairlie Township Streetscaping – Can this form part of the consultation with the community for the Long Term Plan? The chairman considered this was better driven by the community board. The chairman said it would be next year before we could tackle this. Trish Willis asked if there was a street in Fairlie that people like. Main Street, Sloane Street and Mackenzie Street were suggested. Les Blacklock asked how Princes Street was looking. We have lost some trees but it's coming along. A curb would tidy it up a lot.

The chairman suggested going for a walk before the next meeting to have a look. It was decided to organise this walk prior to the next meeting in February next year. Trish Willis asked to include Allandale Road entranceway in that walk. She asked what the plan was for this area. Garth Nixon said the plan was to put some planting in there and allow it to grow. He is using volunteer labour. The chairman asked for something in writing on what is occurring in this area.

Public toilets – Trish Willis asked for a plan for the toilets. Garth Nixon has an upgrade planned for next year after Easter and this includes replacement of the ceiling, a new manhole in the ceiling on the men's side, plumbing improvements in the roof, repair and replacement of the tiles that are broken, new paint throughout and new benches.

Mt Michael tourist stop – Trish Willis said this is looking tatty. It's NZTA administered and we don't have any control. Put this on the list for NZTA to consider tidying this area.

Blossom trees in the courtyard – Garth Nixon said there have been on-site meetings various community members. He thinks we can retain some trees but not all. Have reached a common understanding on where it stands. The chairman said we have compromised a bit on this.

Level of Service with Whitestone for street keeping – Trish Willis said the level of service has not been working. Garth Nixon said the contract was discussed with the community board and the community board wanted to reduce the litter collection in the town. Whitestone are probably doing a bit of work they are not being paid for. He asked the community board to be specific about their concerns. Trish Willis said her concern was leaves at certain times of the year, litter and street sweeping. The chairman said he saw a worker using a blower to blow things onto the footpath.

Main Street gardens watering – Trish Willis said the watering system doesn't get to all of the plants at the supermarket end.

Relocation of the community noticeboard – this hasn't happened yet. Somewhere in the centre of town is needed.

The chairman raised the issue of street furniture to be painted. The community board needs to agree on a colour. Garth Nixon suggested karaka green. Les Blacklock said that colour would be used for other street furniture and it would be good for everything to conform. The community board agreed with karaka green. Garth Nixon to talk to the contractor regarding this.

LAND SUBDIVISION PROJECT:

The chairman questioned whether this matter needed to be discussed in public excluded as listed on the agenda. He did not call for a mover or seconder for the resolution to discuss it in public excluded so the matter was discussed in the open meeting.

The chairman has been approached regarding private land near Fairlie that is currently for sale. He said he understand it was not council's core job to purchase land for development, but this land was ideally situated for the expansion of the township. Council already owned a small piece adjacent that would provide a road connection. This land is zoned rural. The chairman said there was potential here for growth. The land goes on the market in a week for \$500,000. To do a subdivision would be in the millions.

Cr Jackson said it was a good opportunity but Fairlie doesn't have the industry or the population growth. Retirees are looking to move here but he was not sure they would look in that area. Les Blacklock asked how large the land was – 22 hectares. Discussion was held on current building activity and land sales in the area. Les Blacklock said it would be negligent for the community board not to recommend that council look at this as an opportunity.

<u>Resolved</u> that the Fairlie Community Board considers the land an opportunity for the expansion of the township and suggests the council investigates further.

Owen Hunter/Les Blacklock

GENERAL BUSINESS:

Cr Jackson raised the issue of the signs at the entrance to town. He tabled a picture of suggested improvements. This is an attachment to these minutes. Discussion was held on this. Garth Nixon asked if he should develop this further. He asked for suggestions on lettering and solid letters were recommended.

Discussion was also held on the pending completion of repairs to the Old Library building. Cr Jackson suggested a few drinks on council inspection. The chief executive said there should be an opening ceremony or some recognition. He said the completion date would be pushing right up to Christmas. The leaseholder was hoping to open on New Year's Eve.

THERE BEING NO FURTHER BUSINESS THE CHAIRPERSON

DECLARED THE MEETING CL	03ED AT 9.14pm.
CHAIRMAN:	
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MACKENZIE DISTRICT COUNCIL

MINUTES OF A MEETING OF THE STRATEGY AND POLICY COMMITTEE HELD IN THE COUNCIL CHAMBERS, FAIRLIE, ON TUESDAY, NOVEMBER 25, 2014, AT 9.45AM

PRESENT:

Claire Barlow (Mayor/Chair)

Cr Murray Cox

Cr Graham Smith

Cr Evan Williams

Cr James Leslie

Cr Russell Armstrong

IN ATTENDANCE:

Wayne Barnett (Chief Executive Officer)
Nathan Hole (Planning and Regulation Manager)
Toni Morrison (Senior Planner)

Paul Morris (Finance and Administration Manager)

Arlene Goss (Committee Clerk)

APOLOGIES:

An apology was received from Cr Noel Jackson.

DECLARATIONS OF INTEREST:

There were no declarations of interest.

MINUTES:

Resolved that the committee confirm and adopt as a correct record the minutes of the Strategy and Policy Committee meeting on October 16, 2014.

Claire Barlow/Graham Smith

REPORTS:

ADOPTION OF SIGNIFICANCE AND ENGAGEMENT POLICY:

Resolved that the report be received.

Russell Armstrong/Graham Smith

The purpose of this report was for the committee to adopt the final Significance and Engagement Policy. The Mayor asked councillors if they had read the report and the submission from Walter Speck. They had.

Cr Leslie asked a question regarding the wording on page 19, point 'h'. Toni Morrison said the wording comes directly from the Local Government Act. Cr

Leslie questioned whether it was possible to pull out a single item such as a sports field from this list if council was considering a sale. Toni Morrison said if a particular asset was to be sold the policy means it would need to go through a special consultative procedure.

Cr Leslie also asked regarding the Twizel Medical Centre in the list of strategic assets on page 19. To avoid confusion he said we are talking about the property, not the business. He believed it would be clearer to say the land and buildings in the policy.

Toni Morrison asked if a decision had been made by council that would enable her to remove the Twizel Medical Centre from the policy. The chief executive said council has made a commitment to the deal regarding the new Twizel Medical Centre and has consulted with the public on the sale. A decision has been made. Toni Morrison recommended that an amendment be made to remove the Twizel Medical Centre from the policy.

The Mayor asked if clarification regarding the wording of the medical centre at Fairlie was needed. No. She suggested a resolution to remove the Twizel Medical Centre from the list of strategic assets in the policy.

<u>Resolved</u> that the Twizel Medical Centre be removed from the list of strategic assets in the Significance and Engagement Policy.

Murray Cox/Russell Armstrong

The committee then turned to the submission from Walter Speck. Toni Morrison said Mr Speck has not requested specific changes to the policy but would like to see consultation undertaken every time council wants to sell land.

The Mayor said while we don't accept the wording of the policy needs to change, we need to accept his suggestion. She said the analysis of this issue provided in the report was accurate and a good reflection of the situation.

Cr Cox said the land for sale will go up for consultation as part of the Long Term Plan. Paul Morris explained that a new process will see a separate consultation on land for sale, and this will see the list of land go on the website and be available for the public.

Cr Cox said during the District Plan review there would be consideration on whether the land is re-zoned.

The Mayor asked if forestry blocks were included in the list of strategic assets. No. Councillors will have a discussion on this as part of the Long Term Plan process.

Resolved:

1. That council notes the submission from Walter Speck and that no changes are made to the Significance and Engagement Policy.

Graham Smith/Evan Williams

2. That the committee adopt the final Significance and Engagement Policy.

Russell Armstrong/Evan Williams

THERE BEING NO FURTHER BUSINESS THE CHAIRMAN DECLARED THE MEETING CLOSED AT 9.56AM

CHAIRMAN:	
DATE:	
DATE:	
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MACKENZIE DISTRICT COUNCIL

MINUTES OF A MEETING OF THE FINANCE COMMITTEE HELD IN THE COUNCIL CHAMBERS, FAIRLIE, ON TUESDAY, NOVEMBER 25, 2014, AT 9.57AM

PRESENT:

Cr Graham Smith (Chairman)
Claire Barlow (Mayor)
Cr Russell Armstrong
Cr James Leslie
Cr Evan Williams

IN ATTENDANCE:

Wayne Barnett (Chief Executive Officer)
Paul Morris (Finance and Administration Manager)
Arlene Goss (Committee Clerk)

APOLOGIES:

An apology was received from Cr Noel Jackson.

DECLARATIONS OF INTEREST:

There were no declarations of interest.

MINUTES:

<u>Resolved</u> that the minutes of the meeting of the Finance Committee held on October 16, 2014, including such parts as were taken with the public excluded, be confirmed and adopted as the correct record of the meeting.

Claire Barlow/Russell Armstrong

SUB-COMMITTEE MINUTES:

Resolved that the minutes of the meeting of the Tekapo Property Group meeting held on November 11, 2014, including such parts as were taken with the public excluded, be received.

Claire Barlow/Murray Cox

REPORTS:

FINANCIAL ACTIVITY REPORT TO SEPTEMBER, 2014:

This is the financial report for council for the financial year to September, 2014. The chairman said the preparation of the financial report has been contracted out and this is the first report to be prepared by the contractor.

Resolved that the report be received.

Evan Williams/Russell Armstrong

The chairman commented on various items in the report. He is concerned about the degree of spending on the water zone committees. Paul Morris also commented on changes in depreciation affecting the budget. Potentially council hasn't rated enough to fund depreciation so might get a deficit come through. Governance income is down due to a timing issue. The chairman commented on higher consultancy expenses due to a number of projects currently underway.

The Mayor asked regarding administration expenses being \$6,000 over budget. Paul Morris said photocopying is up \$3,000, postage and freight up \$3,484.

The chairman said IT capital is underspent. This report is only for the first three months of the year and this is expected to remedy itself.

The chairman said the write-off of income from water created a \$10,000 deficit. Paul Morris explained there was a write off of some water accounts in Twizel and Fairlie. This related to leaks being fixed and the amount being remitted. This deficit was also due to budgeting for water meters once a year.

Regarding roading, the chairman said NZTA had been slow in reinstating so council was carrying roading expenses. This may be a timing issue. The Mayor asked regarding roading consultancy expenses. RAM has cost \$5,800. Lake Tekapo Footbridge was close to \$11,000, the roading collaboration contract was \$3,400. The Mayor said we wouldn't have budgeted for the extra money in these areas.

The chairman said the district plan review was over budget. He believed a lot of departments were going to be over budget with the extra work involved in the Long Term Plan this year. Paul Morris said the issues were around new legislation and needing 30 year infrastructure plans. A discussion was held on this process and what it meant for council. A report on this was also discussed later in the meeting.

Solid waste gate fees are down and we were not receiving as many recyclables. Waste cartage was ahead of budget. Cr Leslie asked if the gate fees budget was phased to allow for cycles in population numbers. It looks evenly phased so this might catch up over summer.

Cr Leslie questioned whether there might be the possible sale of Forestry Blocks. Paul Morris explained that some forestry was on council owned freehold land and some was on reserves. It was the freehold land that was being considered at the moment due to approaches from neighbouring landowners interested in buying the land. Paul Morris is preparing an analysis that looks at the returns on forestry compared with the benefits of selling the land. This will come to council at a later date.

BANCORP QUARTERLY REPORT:

Resolved that the report be received.

Evan Williams/Russell Armstrong

Finance and Administration Manager Paul Morris said the investment result was above benchmark, which was not bad considering the portfolio was shrinking. A workshop is planned for councillors to look at investment policy.

The chairman said there haven't been many years that we haven't been ahead of the benchmark, due to good management of council investments.

The meeting adjourned at 10.38am for morning tea and reconvened at 10.58am.

LONG TERM PLAN 2015-2025 PROJECT:

The purpose of this report was to inform council on the Long Term Plan project, costs and progress to date.

Paul Morris said he felt it was important to keep councillors informed of the progress and effort that has gone into this project. These figures were from the start of the project in May to the end of October.

Five key documents were needed. The Significance and Engagement Policy was ticked off. The 30 year infrastructure plan for water and roading needs to be adopted before consultation. The consultation document replaces the old draft Long Term Plan. This is effectively a list of the items the elected members want to consult with the public on. There may be other things in the plan but if they were not considered important they didn't have to go in the consultation document. This document goes out to the public. Will be about 20-30 pages. The fourth document is the Long term plan itself which has statutory standing. The final document is the financial strategy which determines the level of rates, rates increases and debt levels.

Paul Morris said the project to date had incurred significant staff and consultant input. The chairman said this work was part of the job. Paul Morris agreed but said the cost was in diverting staff from their regular jobs to carry out this work. There was no suggestion of paying staff more for this. Discussion was held on how difficult it is for smaller councils to meet the requirements of legislation to the same level as larger councils with more staff.

The Mayor suggested publishing something in the media regarding the hours and the work carried out, 'these are things we have to do as a matter of compliance'. The chairman said this has always been part of the job. The Mayor said the staff were under-resourced compared with other councils. The

Mayor said this was where rates were going and the public would never see any value for money from this work, but we had to do what every other council does.

Paul Morris said he would update councillors at every meeting on progress with the Long Term Plan. He expected this project would take about 5000 man hours, which is two people full time. It's a big project and ratepayers needed to know what additional workload was put on staff and will be put on councillors with additional meetings and workshops.

He expects this project to go until June next year. The chairman asked if we were expecting another \$50,000 of unbudgeted expenses with consultants. Yes. When does it reach the point that we need more staff, or do we continue to deal with consultants? The chief executive said at this stage the plan was to deal with consultants. We would have had to engage staff some time ago. Employing them now at this late stage was not practical.

The chairman said he would like a revised budget on expenditure. The chief executive said he would provide a regular report to outline the work done and the consequences of this, including expenditure.

Paul Morris said if councillors had any questions regarding budgets it would be good to get hold of the budget manager and ask questions of them. They would give a better explanation for variances.

The chief executive said there was a need for a workshop on what councillors would like to include in the consultation document. He asked them to think about what things they believed were important or of significant public interest.

Resolved that the report be received and the content noted.

Claire Barlow/Russell Armstrong

AORAKI FOUNDATION:

The purpose of this report was to seek grant funding to assist with the administrative costs of the Aoraki Foundation.

The chief executive said he felt it was odd that the foundation had been set up without sufficient provision to handle administration. He looked into this and discovered there was some administration covered by endowment funding but it was not enough.

The chairman said this was a worthy cause. The Twizel Medical Trust have received some funds from the foundation, but Cr Leslie said the greatest benefit to the Medical Trust has been in using the expertise of staff from the Aoraki Foundation.

Resolved

1. That the report be received.

Evan Williams/Russell Armstrong

2. That the committee approve a grant of \$1,000 each year for three years (2014-15 – 2016-17) to assist with the administration of the Aoraki Foundation.

Russell Armstrong/Claire Barlow

PUBLIC EXCLUDED:

<u>Resolved</u> that the public be excluded from the following part of the proceedings of this meeting namely:

- 1. Public excluded minutes of the Finance Committee meeting held on October 16, 2014.
- 2. Public excluded minutes of the Tekapo Property Group meeting held on November 11, 2014.
- 3. Forestry Lease Agreement.

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
Previous minutes of the Finance Committee, October 16, 2014	Enable commercial negotiations	48(1)(a)(i)
Previous minutes Tekapo Property Group, November 11	Enable commercial negotiations	48(1)(a)(i)
Forestry Lease Agreement	Enable commercial 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: All matters under section 7(2)(i).

Russell Armstrong/Evan Williams

The Finance Committee continued in open meeting.

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CHAIRMAN:	
DATE:	

MACKENZIE DISTRICT COUNCIL

MINUTES OF A MEETING OF THE ASSET AND SERVICES COMMITTEE HELD IN THE COUNCIL CHAMBERS, FAIRLIE, ON TUESDAY, NOVEMBER 25, 2014, AT 11.40AM

PRESENT:

Cr James Leslie (Chairman)
Mayor Claire Barlow
Cr Graham Smith
Cr Evan Williams
Cr Russell Armstrong

IN ATTENDANCE:

Wayne Barnett (Chief Executive Officer) Bernie Haar (Asset Manager) Geoff Horler (Utilities Manager) Suzy Ratahi (Roading Manager) Arlene Goss (Committee Clerk)

APOLOGIES:

An apology was received from Cr Jackson.

DECLARATIONS OF INTEREST:

There were no declarations of interest.

MINUTES:

<u>Resolved</u> that the minutes of the meeting of the Asset and Services Committee held on October 16, 2014, including those parts taken in public excluded, be confirmed as an accurate record.

Russell Armstrong/Evan Williams

REPORTS:

ASSET MANAGERS MONTHLY REPORT - NOVEMBER 2014:

The purpose of this report was to update the Asset and Services Committee on the progress on various projects and also the normal operation of the department for the past month. The following matters were included in the discussion of this report:

Bernie Haar took the report as read. He said he has met with the Twizel Community Board and Opus regarding the Twizel water upgrade. They are planning to publish a regular update in the Twizel Update. Bernie Haar will draft this and send it to the community board chairman and Cr Leslie for checking.

Cr Smith asked if the Twizel water upgrade was on track. Yes. Will there be any disruption to Twizel water? Bernie Haar spoke regarding the risks of a disruption to the water supply. He is looking at shutting down the town supply over a 2-3 hour period starting at 10-11pm. This would happen after Christmas. He would talk to the fire service and have contingency plans in place if it goes wrong.

Suzy Ratahi spoke regarding the roading report attached at page 14 of the agenda. NZTA has carried out an audit to make sure council complies with

funding requirements and has given council a gold star. The chairman congratulated Suzy on an excellent result.

The chairman said he was concerned about council's emergency reinstatement funding from NZTA. Suzy Ratahi said it would be very unlikely to get more than 70%. She outlined some of the requirements for funding. The chief executive said there were few things that were going to arise from this. There would be a requirement to have a reserve fund built up. There was also deferred maintenance occurring and this was getting worse. NZTA had been putting the squeeze on and the signals were that it would squeeze further. This would put council in a situation of having more deferred maintenance or having to meet the funding gap.

Cr Smith asked if council was going back to keeping good roading reserves. The chief executive said yes but decisions needed to be made regarding levels of service and whether council would fund above the subsidised level. There was further discussion on this matter. It was agreed that this issue needed to go to the community for wider discussion on levels of service.

The meeting adjourned at 12.08pm for lunch and reconvened at 12.35pm.

Geoff Horler asked if there were any questions regarding the utilities report. Cr Smith asked regarding the installation of the new sewerage pump at the Fairlie campground. This has been completed within budget.

The chairman asked for an update on the turbidity problems at the Twizel filter. A new filter had been running since Friday last week and was working well. This was an on-going problem but the extent of the problem would depend on the size of the filter. This was proceeding with monitoring taking place.

Regarding solid waste, solid waste manager Angie Taylor sent an apology for not being at the meeting. Bernie Haar spoke on her behalf. Bin audits were progressing. The education cartoons were being re-vamped. There had been a big clean-up at the Twizel Recovery Park with planting planned.

Cr Smith asked regarding gate fees at Twizel being behind budget, recyclables being down and the cost of waste cartage rising. Bernie Haar spoke regarding the reasons for these.

Cr Armstrong said the four square owner at Twizel was planning to talk to Angie Taylor regarding recycling his waste. Bernie Haar said he would follow up on this.

Resolved that the report be received.

Graham Smith/Russell Armstrong

PUBLIC EXCLUDED:

<u>Resolved</u> that the public be excluded from the following part of the proceedings of this meeting namely:

- 1. Previous minutes of the Asset and Services Committee meeting on October 16, 2014.
- 2. Clayton Road Land Ownership.
- 3. Contract 1218 Pumping Plant Supply Twizel.
- 4. Contract 1219 Emergency Generator.

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
Previous minutes October 16, 2014.	Commercial sensitivity	48(1)(a)(i)
Clayton Road Land Ownership	Maintain legal professional privilege	48(1)(a)(i)
Contract 1218 Pumping Plant Supply	Enable commercial negotiations	48(1)(a)(i)
Contract 1219 Emergency Generator	Enable commercial 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: *Previous minutes of the Asset and Services Committee under section 7(2)(b)(ii). Clayton Road Land Ownership under section 7(2)(g). Contracts 1218 and 1219 under section 7(2)(i).*

Russell Armstrong/Claire Barlow

The Asset and Services Committee continued in open meeting.

THERE BEING NO FURTHER BUSINESS THE CHAIRMAN DECLARED THE MEETING CLOSED AT 1.11PM

CHAIRMAN:	
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MACKENZIE DISTRICT COUNCIL

MINUTES OF A MEETING OF THE PLANNING AND REGULATION COMMITTEE HELD IN THE COUNCIL CHAMBERS, FAIRLIE, ON TUESDAY, NOVEMBER 25, 2014, AT 1.15PM

PRESENT:

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

IN ATTENDANCE:

Wayne Barnett (Chief Executive Officer)
Nathan Hole (Planning and Regulation Manager)
Arlene Goss (Committee Clerk)
Rob Hands (Rural Fire)

APOLOGIES:

An apology was received from Cr Noel Jackson.

DECLARATIONS OF INTEREST:

There were no declarations of interest.

MINUTES:

In the previous minutes the name Nathan Taylor, under those present, needs to be corrected to Nathan Hole.

Resolved that the minutes of the meeting of the Planning and Regulation Committee held on October 16, 2014, be confirmed and adopted as the correct record of the meeting with the correction noted above.

Claire Barlow/Graham Smith

REPORTS:

ALBURY FIRE STATION:

The purpose of this report was for the committee to consider a proposal from Rob Hands, SCRFD, to build a new garage to house the Albury Fire Tanker.

The chairman welcomed Rob Hands to the meeting. He gave a power point presentation regarding the Albury Fire Station. The current shed for the tanker is too low and new tanker will not fit. The best solution is to build another shed at the right height. This would also provide a facility for the volunteers to use for training.

An application was made to the national fire authority, who have committed 50% funding. There is about \$50,000 sitting in the Mackenzie ledger of retained earnings. A fair bit of this has come from training being carried out by volunteers. Albury have generated a lot of this income.

Rob Hands was looking for approval from councillors to spend that money, as it was not a budgeted item. Cr Smith asked if the new building would go on the same spot as the old building, and was there a use for the current building. The old building would stay and continue to be used. Was there a question of land ownership? Rob Hands said there was a question regarding the boundary with neighbouring land owned by Cr Smith. Councillors commented that Cr Smith had a conflict of interest in this matter.

The Mayor asked what the level of depreciation would be on a new building. Not much as it would be over the life of the building. Cr Leslie asked if the amount being requested included the cost of turning the old building into a training venue. Rob Hands hoped so as he wanted to do the whole project within the amount received. He had not priced the alterations to the current shed, but said he won't be coming back to council for more money.

The Mayor congratulated Rob Hands on his application and said it was a 'no-brainer'. Cr Smith asked for the total cost - \$60,000 of which the MDC contribution would be \$30,000 from retained earnings.

Resolved:

1. That the report be received.

James Leslie/Graham Smith

2. That the committee approves the expenditure of \$30,000 retained earnings to construct a new vehicle garage for the Albury Fire Tanker and to convert the current station into a training/meeting room.

Russell Armstrong/Evan Williams

Rob Hands said he would also like to draw councillor's attention to the volunteer welfare fund. In the event that volunteers come under hardship there was a process for allocating funding for the individual. This fund would build up and be managed by an independent body. A committee would be set up. He suggested setting up a budget line item to contribute an amount per volunteer. He said he would like council to consider this. If appropriate he would include this as a line in the budget request.

Rob Hands left the meeting at 1.29pm.

PLANNING AND REGULATION MANAGER'S ACTIVITY REPORT:

The purpose of this report was to provide the committee with an activity report for planning and regulations for the period 4 October to 17 November, 2014.

Nathan Hole said the value of building work consented over this period was just over \$3 million, compared with \$2.74 million for the previous period. He said building activity had been strong. Council was tracking to reach about 320 building consents this year, which was higher than any previous year.

He also said the council had recently gone through the building accreditation process and would retain its accreditation as a consenting council.

Cr Leslie asked regarding subdivision resource consents. Was Meridian planning to divide the land at Twizel into four allotments? Nathan Hole said there were two key allotments but there was also a small portion to be vested as legal road. Each small portion had its own allotment number. Council does not need to provide services to all four lots. He offered to show Cr Leslie the plan related to this.

Cr Williams asked what corrective matters were required by the building accreditation process. One was related to people's delegations and job titles and there were some amendments needed to processing forms. The auditors checked the appropriate staff levels and looked at council's percentage of compliance to meet the statutory time frames. This came in 89%. If it drops below 90% it raises the question as to whether council has the right number of staff.

Resolved that the report be received.

Claire Barlow/James Leslie

ROAD STOPPING PROPOSAL – BUCHANAN STREET, FAIRLIE:

This report is for the committee to consider a proposal from Owen Hunter to stop the unformed portion of Buchanan St, Fairlie, and buy land.

Nathan Hole said this would need to go to full council because that was where the delegation sits. This parcel of land was created in 1879 for a morgue that was not built. It also provides legal access into the domain. Owen Hunter has suggested adding an easement to protect this access.

The Mayor suggested council engage with the Walking Access Commission regarding this matter.

Nathan Hole said if council agreed this matter would be publically advertised and people could make submissions. He asked if council wanted to consider whether this was a key piece of land or not.

The Mayor raised the role of Owen Hunter as community board chairman and questioned whether there was a conflict of interest. The chief executive said Owen Hunter was not making a decision on this matter. If it went to the community board he would declare an interest and not vote.

Nathan Hole was asked who would pay the costs of stopping the road. The person seeking to stop a road usually pays for the costs of stopping the road. Owen Hunter has put forward a price of \$60,000 with the expectation this would cover the costs. The Mayor said we would need to get a valuation. Cr Smith said this amount would not pay for the stopping of the road. Nathan Hole said there would be costs of advertising for submissions, legal costs, a hearing, a right of appeal, and survey costs. Council would need an agreement up front that Owen Hunter would pay these costs.

The Mayor said it was important to get feedback from the community board before this matter went to council. A recommendation from the community board could be debated at council.

The chairman said another option was for council to pay to stop the road and put a viable section on the market and hopefully make a little money from it. Cr Smith said there would always need to be access provided for. Nathan Hole said this access was proposed to be provided along the boundary with Owen Hunter's current home next door to the site.

The chief executive asked Nathan Hole if this land was identified as surplus and Nathan Hole said he would check this. Cr Leslie checked and said the land had already been consulted on in the Long Term Plan and listed as surplus.

There was a suggestion that the land could become part of the domain. Nathan Hole said it was currently zoned residential and had its own title. It was a saleable parcel of land if council wanted to sell it. Cr Armstrong suggested a full costing of the costs of stopping the road and an approach back to Owen Hunter to see if he was still interested.

Resolved:

1. That the report be received.

James Leslie/Russell Armstrong

2. Resolved that the committee sends Owen Hunter's proposal to the Fairlie Community Board and asks them to make a recommendation to council.

Russell Armstrong/James Leslie

VERBAL REPORTS FROM THE WATER ZONE COMMITTEES:

Cr Williams said the Opihi Orari Pareora Water Zone committee has held some public meetings and received a fair bit of public support. They are still working to form catchment groups to isolate some of the problems and find local ways to manage them.

Cr Cox said the Upper Waitaki Water Zone committee have formed a nitrogen allocation working group. There had been discussion around current consents

and whether water or nutrient allocations could change as a result of the water zone process. Some farmers probably thought they were safe with current consents but they needed to understand that there could be some changes coming up. The other side of the equation was to make sure the technical information was correct. The committee have done some work around what would happen to the health of Lake Benmore in terms of the aspirational needs of farmers going forward. There was a discussion on the Mackenzie Agreement. There was no government money for this but some aspects could be fed into the water zone process. But the committee was also reminding people that other things like plan change 13 had to be fed into the zone implementation plan as well. The zone committee also had a presentation from Meridian to say they would be looking for exemptions from the National Fresh Water Management Strategy.

PUBLIC EXCLUDED:

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

1. Plan Change 13 High Court Appeal Update.

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
Plan Change 13 High Court Appeal Update	Maintain legal professional privilege	48(1)(a)(i)

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

James Leslie/Graham Smith

The Planning and Regulation Committee continued in open meeting.

THERE BEING NO FURTHER BUSINESS THE CHAIRMAN DECLARED THE MEETING CLOSED AT 2.34PM

CHAIRMAN:	
DATE:	

MACKENZIE DISTRICT COUNCIL

MINUTES OF A HEARING OF THE PLANNING AND REGULATION COMMITTEE HELD AT THE COUNCIL CHAMBERS, FAIRLIE, ON THURSDAY, NOVEMBER 27, 2014, AT 9.30AM

PRESENT:

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

IN ATTENDANCE:

Wayne Barnett (Chief Executive Officer)
Nathan Hole (Planning and Regulation Manager)
Garth Nixon (Community Facilities Manager)
Toni Morrison (Senior Planner)
Jane Whyte (Consultant)
Arlene Goss (Committee Clerk)
Jack Montgomerie from the Timaru Herald

The meeting was also attended by those speaking to their submissions with times allocated as follows:

9.30 Bruce Pipe

9.40 Andrea & Gavin Cox

10.00 Bruce Lochore - NZMCA

10.50 Peter & Jane Race

11.00 Ray Frew

11.10 Lyn Martin

11.20 Stella Sweney

11.50 Walter and Zita Speck

OPENING:

The chairman welcomed everyone to the meeting.

APOLOGY:

Resolved that apologies be received from Cr Noel Jackson and Cr Evan Williams.

Graham Smith/Russell Armstrong

DECLARATIONS OF INTEREST:

Cr Cox declared that one of the submitters was his brother. Cr Armstrong declared that his wife also made a submission. Due to the number of

submitters and nature of submissions the chairman did not think this created a conflict of interest.

HEARING OF SUBMISSIONS:

The purpose of this meeting was to consider public submissions to the following draft bylaws and strategies:

- Draft Freedom Camping Bylaw 2014
- Draft Freedom Camping Strategy 2014
- Draft Dog Control Bylaw 2014
- Draft Dog Control Policy 2014
- Draft Mobile Shops and Traders Bylaw 2014
- Draft Market Place Liquor Ban Bylaw 2014
- Draft Wastewater Network Bylaw 2014
- Draft Water Supply Bylaw 2014
- Draft Downlands Water Supply Bylaw 2014

Resolved:

1. That the report be received.

Claire Barlow/Graham Smith

2. That the committee receive the submissions and hear from those submitters who wish to be heard.

Graham Smith/Claire Barlow

The chairman explained the process and requirements of the hearing. He said the committee will consider submissions then send recommendations to the council meeting in two weeks time, with the final decisions to be made by council.

BRUCE PIPE, SUBMISSION 24:

Bruce Pipe said he owns a property in the MDC area on the edge of Lake Ohau. He would like to make three points. Freedom Camping might have an eco warrior influence but these people are camping on the cheap. They are not making a contribution to local businesses. He asked that priority given to freedom campers is low and be behind the priority given to local residents and businesses.

He said his second point was that the integrity of the district scheme must be maintained.

His third point was that by bringing in a bylaw to solve an issue it may create a greater problem elsewhere. The area he was concerned about was part of the Lake Ohau foreshore. It was a popular picnic and boating area and there could be 50-60 people in that area on a popular day, with no toilets. He said this creates health and water quality issues. He said camping is becoming

more common with a mixture different types, including tents, cars, caravans and campervans. This is happening in an area deemed by council to be an outstanding natural landscape, it also has a lakeside protection zone. Council has gone to great lengths to limit the development of the three private properties in this area with a range of conditions imposed on any development. This includes controls over colour schemes and house design. For example there were to be no clothes lines in front of houses. Freedom campers have clotheslines strung between the trees.

He said the problem is likely to get worse. He said while houses are permanent, the campers are temporary. But when tourists visit the area their impression is what they see on that day.

He said freedom camping cannot meet the controls in the district scheme. He would like freedom camping to be banned in the area described as the shorefront, from the weir to Port Bryson boat ramp and 200 metres from the edge of the lake.

Cr Smith asked if the problems are just the peak periods or all the way through the season. Mr Pipe said the potential for greater problems is in summer, not only campervans but with the salmon farm nearby people spend the day fishing and move to Lake Ohau to stay the night. The real problem is public holidays and school holidays and the issue is NZ people, not rental campervans with overseas tourists.

Cr Smith said at Lake Opuha camping has been banned at the peak Christmas period and would this work. Mr Pipe said the problem times included Easter, school holidays and other times.

GAVIN COX, SUBMISSION 42/43:

Gavin Cox said he wished to make two submissions, one as a ratepayer and the second as the general manager of Lake Tekapo Hotels and Holiday Park.

As a ratepayer with two properties in Tekapo he believes the bylaw attracts the non compliant freedom camper and creates pollution. He wants the bylaw to be consistent with Queenstown which only allows camping in areas outside the 80km zone and areas where there is freedom camping now. It should be fully enforsed by a full time officer of the council and then people could find out where they can freedom camp without being hassled. He would like to see more promotion of responsible freedom camping. No council bylaw or policy should have an adverse affect on local businesses. The proposed sites provide for 140 vans a week which is a significant loss to the holiday park. The holiday park provides adequate accommodation.

As general manager of Lake Tekapo Hotels and Holiday Park, he said the park does encourage freedom camping but only self contained in designated areas. To provide the parks listed in the draft bylaw threatenes the financial viability of the camp. He outlined work undertaken by local businesses in the

campground. He quoted from the Act to say that an authority may make a bylaw only if necessary. He said the bylaw is not the best way to address the problem of freedom camping in the district. He said self contained drivers prefer the security of the camp ground and the amenities and social atmosphere. His camp is accessible 24/7. The camp will incur an annual income loss in the vicinity of \$300,000 and it won't solve the problems as outlined in the strategy.

Mr Cox asked if the council would also impose a \$300,000 levy on other businesses in the area to make it a fair playing ground. He believes freedom camping should be prohibited in all areas where the speed limit is under 80km. He listed the current camping areas like Lake Alexandrina as good places.

He thinks campervans who break the rules should have an instant fine. It is essential that the bylaw be enforced all year around. He would like a solution with no negative impact on the ratepaying community and businesses.

Cr Cox asked regarding the additional sites. If those additional parks are put into the town, does he think those people would have normally gone to the camping ground. Mr Cox said yes, people gravitate to places where there are other campervans.

BRUCE LOCHORE, NZMCA:

Mr Lochore said the NZMCA fully supports the proposed the bylaw and strategy. It addresses the issues created by errant freedom campers while not having a negative impact on good campers. Domestic tourism here is large. NZers want to come to this district almost as a pilgrimage. Mackenzie is in the unique position of attracting a large number of international visitors. With that sometimes comes issues. There are issues related to freedom camping but these come from predominately international tourists in non certified, un-self contained vehicles. The Freedom Camping Act is the tool and the proposed bylaw and strategy is a way to enact it.

The responses to submissions in the staff report are correct. There is room for restriction or prohibition in some areas. He understands concerns from holiday parks that they feel this is a loss of business. He said they are the single biggest benefactors of growth in this sector. This sector is growing rapidly and they have the ability to benefit from it. Also other businesses such as cafes and supermarkets will benefit.

The decision to prohibit freedom camping in non self contained vehicles is bold and MDC have addressed the number one concern head on. This concern is the issue around defication and non self contained vehicles. He applauds the strong approach by the council to prohibit these in the district. MDC has supported the bylaw with a clear strategy and NZMCA supports the implementation of it.

If MDC had not taken this approach the law states freedom camping would have been anywhere and everywhere. This has gone a long way towards managing freedom camping and he applauds council for that.

PETER AND JANE RACE, SUBMISSION 89/90:

Peter Race from the Twizel Holiday Park said you cannot prevent freedom camping everywhere in the district. It's the location and policing of the sites that is vital. If done in the correct areas it can be policed properly. He has questions for council such as why are the proposed sites in the townships in close proximity to camping grounds. Fairlie, Tekapo and Twizel proposed sites are within a few hundred metres of holiday parks. This doesn't seem right. Why is council targeting this industry?

Is council in consultation with the NZMCA and apprehensive at what has gone on at other councils around the country? He is a member of the NZMCA and has been a freedom camper and is now a campground owner.

It's great business for the towns. The motor homes are big business in our communities. They will always buy essentials but don't need to be in urban areas. Let's learn from other regions mistakes so we don't have problem after problem. Stop the problems before they occur. He said the policing of these sites will be difficult and costly to the ratepayer.

He quoted from the Otago Daily Times that says a council will spend \$20,000 policing an area. This is a good opportunity for everyone to work together to get this right. Freedom camping must be encouraged in the correct vehicle and appropriate place so you can control it. He called for instant fines.

Twizel Holiday Park has always had a good relationship with council and a lot goes on behind the scenes, including him being an enforcement officer in moving campers on. He hopes to continue this relationship into the future.

Cr Cox asked Mr Race where he moves campers on to. He tells them to go into the holiday parks, but its often too late if it's the next morning and they are leaving town.

RAY FREW, SUBMISSION 94:

Mr Frew is against Freedom Camping. He called for the appointment of an enforcement officer. Mackenzie has good holiday parks. Has good camping at the top of Lake Benmore, and at Ruataniwha Holiday Park, and council is proposing free sites next to them. The strategy suggests working with landowners. There is no mention of not being able to charge people, so why not make all existing campgrounds freedom camping areas and appoint an enforcement officer.

Yesterday morning someone parked outside the toilets at Twizel. Two motorhomes and a tent at another site. There was a roaring fire next to one of

the tents yesterday morning which is a disaster waiting to happen. He would like one nice site like the DOC site at Mount Cook. He said seeing motorhomes and tents dotted here and there does not enhance the tourism of the area. In Gisbourne there are nine sites set up with a charge.

He has come across rubbish, empty bottles and has tidied up after campers. Cr Smith said some of the issue is that there is no signage. Mr Frew said if the council don't put a sign up he will put one up himself. Needs signs put up around the town. He thinks you should take the 'r' out of Freedom and make them pay a little bit to stay.

ADJOURNMENT:

The hearing adjourned for morning tea at 10.20am and reconvened at 10.42am.

LYN MARTIN, SUBMISSION 72, AND STELLA SWENEY, SUBMISSION 108:

Lyn Martin - The strategy of encouraging and informing is noble but changing behaviour is a long shot. She believes gentle persuasion will not be sufficient. Enforcement is required. Time taken to encourage behaviour change will give the impression that this area is soft on freedom camping. She agrees that camping should not be permitted in a township but should be enocouraged outside the township. She asked that MDC follow the approach taken by Lakes District. A freedom camping decision should not be driven by a perceived lack of tourists and their dollars.

Stella Sweney – She said she understands that "by speaking today we will not be able to speak on this matter at future community board meetings" but they have chosen to speak. The first issue is confusion at having a strategy and a bylaw. A bylaw with explanatory notes would be clearer.

She has visited the Wanaka area and saw a superb freedom camping spot. Freedom camping is a reality that we need to manage and manage well for the district. Will the proposed bylaw effectively manage freedom camping in the district? No. Why? There is confusion about what freedom camping is, with the desire from council to have commercial gain from these visitors by having parks in urban areas.

Twizel residents have made it very clear they will not accept FC parks next to the town centre and other submissions oppose parks in central Tekapo. The bylaw needs to be consistent with Queenstown District Council, it needs to be no freedom camping in urban areas across the district.

Need a safe and enjoyable experience. The MDC strategy and bylaw favours visitors over residents. The plan for how the bylaw will be enforced is essential. Need a firm reputation on social media. In Tekapo there are sites within a 10min drive and a large parking area at the entrance to the national park. One area at the regional park and three others a short drive away is sufficient for Tekapo.

Lyn Martin - Enforcement is not clear. There has been none to date. The strategy says to use notices but then what. Education sounds great but it would be more specific to state that areas outside the town are opened up. If the community chooses enforcement they will come up with the money. The management of non self contained vehicles needs strong enforcement. Social media can work for us as campers learn that enforcement is a reality.

Stella Sweney - The NZMCA has argued strongly for a permissive environment but they are only one segment of the freedom camping group, there are many others who are visitors to our country for a few weeks and it's another ball game. A permissive reigeme would be fine for NZMCA members but unfortunately they will need to be restricted as well, because of people who don't understand our laws.

Mayor Barlow asked - do you think the Mackenzie ratepayers will be happy to pay for enforcement? Stella Sweney said she has already had volunteers put their hands up.

Mayor Barlow said there had been no submissions from Fairlie. Did they think think the district should have a consistent policy or room for different rules in different towns. Stella Sweney said Fairlie residents would have to respond to that.

The meeting adjourned at 10.55am, awaiting the arrival of submitters, and reconvened at 11.40am

WALTER SPECK, SUBMISSION 116:

Walter Speck said his submission was in support of Stella's submission but he would like more of a strategic approach. He has lived in TEkapo for 30 years. The one thing we know and the message we receive from our guests is that Lake Tekapo is one of the most scenic places in the world. We can never recreate a natural landscape so it needs to be protected. All our decisions should take into consideration that we have to protect and enhance our views and appearance. Don't want a situation where signs lead to buildings or toilets being erected in 10 years. Need to plan so no visual disruption or noise iscreated. In front of the lake we need to protect the views. This is our future and our asset.

We have got a camping ground in Tekapo. Campers should go to this. Freedom camping areas should be out of site but should not compete with a business and not be in urban areas. Have to ask questions, do we want quality or quantity, do we want visitors to be beneficial or a burden. Visitors come here to benefit from our views and landscape so we have to manage them so they do not destroy our future. Tourists do not want to see clutter, too many people or smell anything bad or suffer from noise or a traffic jam.

He raised a problem area of Pines Beach which is not under council ownership. We need to protect areas going up the lake.

The chairman thanked everyone for attending the meeting and for making their submissions. These will be considered at 1pm at a second meeting the committee to consider the issues and make recommendations to council.

THE CHAIRMAN DECLARED THE HEARING CLOSED AT 11.46AM

CHAIRMAN:	
DATE.	
DATE:	

MACKENZIE DISTRICT COUNCIL

MINUTES OF A MEETING OF THE PLANNING AND REGULATION COMMITTEE HELD IN THE COUNCIL CHAMBERS, FAIRLIE, ON THURSDAY, NOVEMBER 27, 2014, AT 1.00PM

PRESENT:

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

IN ATTENDANCE:

Wayne Barnett (Chief Executive Officer)
Nathan Hole (Planning and Regulation Manager)
Garth Nixon (Community Facilities Manager)
Toni Morrison (Senior Planner)
Arlene Goss (Committee Clerk)
Jane Whyte (Consultant)
Jack Montgomerie from the Timaru Herald
6 people who earlier made submissions on the Freedom Camping Bylaw

APOLOGIES:

Resolved that an apology be received from Cr Noel Jackson and Cr Evan Williams.

Claire Barlow/Graham Smith

DECLARATIONS OF INTEREST:

The chairman said two close relatives of councillors have made submissions on bylaws. These are the brother of the chairman and the wife of Cr Armstrong. This does not warrant either of those councillors abstaining from voting, but the interest has been noted.

CONSIDERATION OF SUBMISSIONS:

FREEDOM CAMPING BYLAW AND STRATEGY:

The purpose of this report was to provide the committee with a summary of submissions that have been received to the draft Freedom Camping Bylaw 2014; provide the committee with a summary of submissions that have been received to the draft Freedom Camping Strategy 2014; seek recommendations on any amendments to the draft bylaw before presentation for council adoption; and seek that the committee adopt a final Freedom Camping Strategy following consideration of submissions.

Jane Whyte said the report attempts to group the points made in public submissions. Staff have noted those areas that fit within the legislation for the committee to consider. They have also prepared some maps to assist with decision making.

Jane Whyte took councillors through the points one at a time. The first was the idea of combining the strategy and bylaw. Discussion was held on the purpose of the bylaw and strategy. Garth Nixon said the benefit of having a strategy was that it was possible to amend it without a bylaw review. The chairman said the committee will consider this at the end of the considerations.

The next set of submissions was from submitters who supported specific sites but not some of the sites identified. Those submissions in support of sites are noted.

The next group of submissions said they did not was a change the current system but they also were not very supportive of freedom camping. These people did not appear to understand that under the current system freedom camping is permitted everywhere in the district without any restriction.

One submission is in support of reviewing the strategy in two years.

Signage came through in submissions. In the report from staff an example is provided regarding the type of signage could be used. It's clear in the bylaw that signage is needed. The chairman said signage needs to be consistent with what people are seeing in the districts they are coming from, so it's recognisable.

Car parking concerns. Some people were concerned that freedom campers would cause a conflict with other activities. The staff view is that this is not likely to be a problem. This concern is linked to the decision to put freedom camping in urban areas. Cr Leslie said this problem also comes up on the Lake Ohau foreshore.

Facilities for toilet and waste, fires, health and safety matters featured. The toilet and waste issues came through in almost all of the submissions. The chairman said the strategy was saying all camping areas should be for self-contained vans only. This comes back to policing.

The next group of submissions related to economic considerations, including the effects on holiday parks. Under the Act trade competition is not one of the reasons to justify a bylaw restriction.

Another problem raised was adverse effects on property values. This is often a consequence of other problems like nuisance effects.

Economic contributions. There were submissions that said freedom campers didn't contribute financially and other submissions to say they did contribute economically. The Mayor said this is not a matter we can consider when creating a bylaw.

Visual impact was in some submissions. Visual distraction is not specifically identified in the bylaw. But if you need to protect an area or protect access to the area it's valid to consider this. The Mayor asked if it was appropriate to use a bylaw to limit activity that goes on in the basin because it has been declared an outstanding natural landscape. Jane White suggested that the district plan was a better tool to protect this than a bylaw.

The chairman said it was interesting regarding the Lake Ohau submission that houses had restrictions on things like washing lines but campervans did not.

The next group of submissions was in regards to monitoring and enforcement. This would depend on what the final form of the bylaw is. Policing and monitoring is a very important matter. If you have a bylaw it is a regulation and it is appropriate to enforce it. The chairman said we could use the policing tools under the Local Government Act.

Jane Whyte said under the Act camping is allowed unless it's not. The purpose of the bylaw was to impose restrictions and prohibitions.

The chairman asked regarding sending fines to rental companies - is this in the contract that people sign with rental companies? Garth Nixon said he understands that normally the fine is against the vehicle rather than the person, and then the rental company is responsible for recovering the money.

The chairman agreed that the NZMCA should be a stakeholder in the strategy.

Jane Whyte said the issue of self-contained vehicles was a key matter because self-containment would solve many of the other problems such as toilet facilities. The committee agreed to discuss this.

In the draft bylaw the areas identified are restricted to self-contained vehicles. Non self-contained vehicles will be directed towards appropriate campgrounds. The Mayor asked 'can you put a blanket ban on non-self-contained camper vans'. Yes potentially. But the bylaw can only be enforced on council land, not on all land in the district. Cr Smith said this would be a good stance for council to take. The chairman said if this decision was made the strategy would say that only self-contained campers are welcome in the district, and the bylaw would enforce this on council land.

The two key reasons would be to provide for public health and safety and the preservation of natural areas. Toni Morrison asked if there were areas with public toilets such as at Lake Opuha where non self-contained camping would be appropriate.

Garth Nixon said people can go camping with their portaloo and tent and he cautioned against only allowing self-contained vehicles. Jane Whyte said currently the bylaw talks about self-contained camping, which includes vehicles and tent camping in the definitions.

Toni Morrison asked if it was possible to attribute waste and litter to freedom campers or could it come from day trippers. Active monitoring is needed to determine this.

The Mayor said if the intent is to protect the area, protect it from what. Jane Whyte said this was not explained further in the Act. She believes it's about protecting the area being used, rather than the whole environment of the Mackenzie basin.

The chairman said if you are camping you need to be self-contained, whether in a tent or a vehicle. A public toilet is a toilet, not a bathroom or kitchen or laundry. Even if there is a public toilet it does not make you self-contained. A pup tent and a sleeping bag next to a toilet are not self-contained.

Councillors were asked if they want to include in the bylaw that freedom camping is only permitted for self-contained camping under this bylaw? The chairman said this would address many of the problems put forward in submissions.

Garth Nixon said there is a need to look at the definition for self-contained. The chairman said this would include having your own water and waste water.

Councillors agreed to introduce a new restriction that freedom camping within the Mackenzie District is self-contained camping only in the areas that can be enforced by council.

Jane Whyte said a group of submissions suggested no freedom camping anywhere, or none in urban areas. Council cannot prohibit it everywhere in the basin. Council does not own the whole basin so there is no legal tool that can achieve this.

Regarding no freedom camping in urban areas, Garth Nixon put a map of central Twizel on the screen and asked if there were any areas in the strategy that people are happy with as camping areas. The chairman said the public are not ready for it and we don't have a policing in place to give people confidence that it will be managed. The Mayor said we can't police them unless we have an effective bylaw in place.

Garth Nixon looked at council land in Twizel. He suggested removing the parking space behind the events centre. If the whole town centre was banned where do we send them? The Mayor said her reading of submissions was that people don't want them anywhere in the town centre. She asked how Queenstown frame their bylaw to prevent freedom camping in urban areas. Jane Whyte said each area of Queenstown has been looked at in a piece by piece approach.

Garth Nixon said there were concerns about people camping in Market Place. This could be banned except for self-contained campers and could be policed.

Cr Leslie gave an example from Westland but this was a policy, not a bylaw. Jane Whyte explained the difference between a policy and a bylaw. Cr Leslie asked if the bylaws could be the same in neighbouring areas. Yes if the problems are the same.

The Mayor asked regarding an area to the southwest of Twizel has been suggested by a submitter. If we have a single area like this can we say this is the only place you can camp? Cr Armstrong suggested a single area would make monitoring and enforcement easier. He suggested an area of land near the industrial area. Further discussion was held on the various locations in Twizel and whether the overall approach should be to restrict freedom camping as much as allowed in the bylaw or take a different approach.

The Mayor read from the Queenstown bylaw and asked if we could do similar. Discussion was held on whether this approach could be taken. She said banning camping in Twizel was a safety issue related to children being safe to go where they want.

Garth Nixon suggested banning freedom camping in the area around Market Place and behind the events centre and encourages it elsewhere. Cr Armstrong suggested the area near the golf course which is currently leased by the golf club.

The committee agreed to ban all freedom camping in Market Place, which is central Twizel. Other parts of Twizel were considered. Garth Nixon suggested also banning freedom camping in the lagoon area on the shore of Lake Ruataniwha next to the commercial campground. This is about protecting access to the lake. Councillors supported this.

Regarding Tekapo, Garth Nixon suggested extending the restricted area in Tekapo to include the whole lakefront area near the Church of the Good Shepherd. Can we prohibit camping in that particular area? Jane Whyte said yes there is a reason that falls within the reasons in the bylaw. The committee agreed to ban freedom camping in this area.

Garth Nixon raised the commercial business area in Tekapo. There are three suggested parking areas in the bylaw. The committee asked for these sites to be removed. Regarding the parking/rest area on Hamilton Drive, discussion was held on this site as a possible alternative. The chairman suggested this site could be trialled and monitored. The chairman said the concerns were around litter, if this was policed it could be maintained. Garth Nixon asked if members were happy to bump the number of campervan spaces up from five parks to 10. The committee decided to leave it at five and monitor. Any overflow could go to the commercial campground. There are also other areas outside the township.

There were two public submissions regarding camping in Murray Park, Tekapo. Is Murray Park a reserve? The chairman suggested a clause regarding parks and reserves to protect public access to all reserves, playground and recreational parks. Discussion was held on this and the implications of it. It would affect plans to use the sports park in Fairlie for freedom camping. It was decided to ban freedom camping at Murray Park and deal with other parks and reserves as problems arise.

There was one submission related to Fairlie, asking for a ban in the urban area at page 80 of the submissions. This is submission number 38 representing the holiday park in Fairlie. We have had no submissions from the residents of Fairlie to say they want a ban and we reserve the right to monitor and address a problem if it arises. The committee took no action on this.

Regarding the lakefront set back zone, there was one submission asking for a greater setback area than the current 20m from the shore at Lake Opuha. The committee was happy with 20m.

Regarding Lake Ohau, having to be self-contained solves many of the issues raised by submitters. Cr Smith asked if a similar restriction to Lake Opuha, regarding not camping at the peak time in Christmas, was appropriate at Lake Ohau. Garth Nixon said this area hasn't been raised with us previously in terms of rubbish or clean up. There is an Alps2Ocean toilet in the area.

The chairman asked if council would consider having a rubbish skip at Lake Ohau. Garth Nixon said he would prefer to put in signage asking campers to take away their rubbish. Cr Leslie suggested a limit on long-term camping. Cr Armstrong said the biggest problem was people camping 2-3 weeks at a time. Garth Nixon suggested a one week limit but Toni Morrison asked how this would be enforced.

Cr Smith is reluctant to have a lot of different rules for different places. Cr Leslie said the main purpose of the Lake Ohau site was for boat access. This is an access problem. He doesn't want Freedom Camping there at all. Garth Nixon suggested leaving the status quo because including Lake Ohau in the strategy would mean it was promoted and attract more people than it does currently.

The committee agreed no freedom camping would be allowed at all in an area around the boat ramp to allow public access to the boat ramp and lake. This area goes from where the road reaches the foreshore to 200m past the boat ramp.

Jane Whyte raised the issue of the length of time for freedom camping. Submissions suggested five nights. The reason for this restriction would be to allow public access and access for other campers. The committee discussed this and agreed on a seven day restriction.

Regarding a submission to remove a toilet at Haymans Road, this is on LINZ land and out of council control. Regarding an area called the Pines, this is also LINA land at Lake Pukaki and a good spot for camping. It's always tidy and well organised and we need to encourage camping on this site. The car park at the Lake Pukaki Visitor Centre is Meridian land with no opportunity to control freedom camping in this area. A couple more areas listed on page 18 of the report are also out of council control.

Jane Whyte asked for clarification regarding urban areas generally. Do councillors want to seek a full ban on urban areas? The committee decided not to do so, because this would not work in Fairlie where campervans are encouraged in the urban area.

The committee then considered monitoring and enforcement. This matter is of concern and has been raised a number of times by submitters. Garth Nixon said we currently have a number of volunteer officers around the district. In terms of issuing infringement notices and fines, he is not sure that voluntary officers would be able to do that. His opinion was to employ contractors in Twizel and Tekapo for 2-3 evenings a week. They would monitor, police, and provide education and feedback to council.

Cr Smith said it's important that we monitor and enforce this. The chairman said we need to collect data on where vans are and any problems. Cr Leslie suggested a lead in period of a year to educate people without fining them, and bringing in a contractor after that. Garth Nixon said volunteers cannot be relied on to collect accurate information because they were limited in how often they could go out. He also saw immediate enforcement as a way to recover the costs of things like signage. Queenstown issues 10,000 fines per annum with a 70% success rate in recovering payment.

The chairman said fining someone would send the message out on social media that we are firm. Cr Leslie asked about the community patrol. They would be keen to help. Cr Armstrong suggested offering them a percentage. Garth Nixon said we have not done enforcement before so need to learn how to do it correctly. He raised the possibility of collaboration with Timaru District Council.

Nathan Hole said there is no reason why volunteers couldn't be trained to issue an infringement notice, but we would need to make sure they understand what's required. The person issuing the notice needs sufficient evidence to back it up.

Jane Whyte said council can tell submitters that it intends to monitor and enforce the bylaw. The chairman asked staff for a future report to council on how they are going to do that and how much it will cost.

The issue of fire danger can be included in the signage.

Jane Whyte returned to the first question and asked if the councillors saw a need for both a bylaw and a strategy. Yes, the strategy allows us to address the whole district, including areas that are not our land. We cannot control this land but we can say what we want to see.

One submission asked for a definition of licenced campground. This definition is no longer needed given the changes that have agreed to. Jane Whyte said several submissions also asked for changes to specific clauses and these would be addressed when the changes were made. A final version of the bylaw and strategy would go to the council meeting on December 9 for councillors to approve.

Resolved:

1. That the report be received.

Graham Smith/Russell Armstrong

 That the committee, having considered all submissions and heard from submitters who wished to speak to their submission, makes decisions in regard to the submissions, notes its reasons for those decisions and recommends any appropriate changes to the draft Freedom Camping Bylaw 2014.

Graham Smith/Claire Barlow

3. That the committee ddirects staff to make any changes identified in 2. above and presents the revised draft Freedom Camping Bylaw 2014 along with the committee's reasons for its recommendations, to Council for consideration at its meeting on 9 December 2014.

Claire Barlow/James Leslie

4. That the committee having considered all submissions and heard from submitters who wished to speak to their submission, makes decisions in regard to the submissions, notes its reasons for those decisions and adopts a final Freedom Camping Strategy 2014 with the changes noted above.

Graham Smith/Russell Armstrong

DOG CONTROL BYLAW AND POLICY AND MOBILE SHOP AND TRADER BYLAW:

The purpose of this report was to provide the committee with a summary of submissions that have been received to the draft Dog Control Policy and draft Dog Control Bylaw 2014; provide the committee with a summary of submissions that have been received to the draft Mobile Shop and Trader Bylaw 2014; and seek recommendations on any amendments to the draft bylaw before presentation for council adoption.

There were five submissions on mobile shops and traders, four from Twizel and one from Tekapo. The one from Tekapo was in support. All the Twizel submissions opposed the bylaw and did not want traders anywhere in Twizel. Most are from business owners and most of the concerns are related to trade competition. There is a level of restriction in the bylaw regarding distance from other shops at 200m.

The chairman said completely prohibiting mobile traders would prevent market days from taking place. Cr Smith asked if there were any pressing problems in Twizel.

Nathan Hole said a mobile shop selling fish and chips has been the subject of concerns from one business. Most of the issues are related to people trading from rural areas like the Lake Pukaki Lookout. We get complaints about 2-3 times a year related to mobile traders.

We need to have a bylaw, but it's up to us how we monitor and enforce it. One person has suggested extending the 200m to 300m. Nathan Hole says the 200m has worked well in the past.

Regarding the dog bylaw and strategy there are two submissions, both addressing dogs in Twizel. One says dogs should be on a lead in the shopping area and people need to be picking up after their dogs. This is a prohibited area so dogs should not be allowed in there already. The bylaw does have provisions that people pick up after their dogs. The chairman said the problem is signage letting people know that dogs are not allowed in Market Place. The Mayor said you also need to enforce this. The dog officer does do regular checks of Market Place. The Mayor said we could put information in the local newspapers detailing that fines will be issued.

Resolved:

1. That the report be received.

Graham Smith/Claire Barlow

- 2. That the Committee, having considered all submissions recommends the follow draft bylaws be adopted without amendment:
 - a. the draft Dog Control Bylaw and Policy 2014,
 - b. the draft Mobile Shops and Traders Bylaw 2014

Claire Barlow/James Leslie

CONSIDERATION OF OTHER DRAFT BYLAWS:

The purpose of this report was to: provide the committee information arising from the Special Consultative Procedure Consultation undertaken with respect to a number of draft bylaws and seek recommendations on any amendments to the draft bylaws before presentation for council adoption.

Resolved:

1. That the report be received.

Claire Barlow/Russell Armstrong

- 2. That the committee note that no submissions were received on the following draft bylaws:
 - a) Draft Market Place Liquor Ban Bylaw
 - b) Draft Wastewater Network Bylaw
 - c) Draft Water Supply Bylaw
 - d) Draft Downlands Water Supply Bylaw

Graham Smith/Russell Armstrong

3. That the committee recommends the draft bylaws be adopted without amendment and direct staff to present the draft Bylaws along with the committee's reasons for its recommendations, to Council for consideration at its meeting on 9 December 2014.

Graham Smith/Russell Armstrong

THERE BEING NO FURTHER BUSINESS THE CHAIRMAN DECLARED THE MEETING CLOSED AT 4.00PM

CHAIRMAN: _			
DATE:			
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MACKENZIE DISTRICT COUNCIL

MINUTES OF A MEETING OF THE MACKENZIE DISTRICT COUNCIL HELD AT THE COUNCIL CHAMBERS IN FAIRLIE ON TUESDAY OCTOBER 28, 2014, AT 9.30AM

PRESENT:

Claire Barlow (Mayor)

Cr Graham Smith

Cr Murray Cox

Cr James Leslie

Cr Russell Armstrong

Cr Evan Williams

Cr Noel Jackson

IN ATTENDANCE:

Wayne Barnett (Chief Executive Officer)

Bernie Haar (Asset Manager)

Suzy Ratahi (Roading Manager)

Garth Nixon (Community Facilities Manager)

Arlene Goss (Committee Clerk)

Jack Montgomerie (Journalist, Timaru Herald)

OPENING:

The Mayor welcomed everyone to the meeting.

APOLOGIES:

There were no apologies.

DECLARATIONS OF INTEREST:

There were no declarations of interest.

BEREAVEMENTS:

The Mayor noted the following bereavements:

- Jennifer Mary Murray, died September 16, sister of Jim and Anne Murray, late of Tekapo.
- Judy Farrin, died September, mother of Michelle Berghan, late of Fairlie.
- Prapai Tawee, died September, mother of Pla Lloyd-Forrest (Fairlie), late of Thailand.
- Leslie Edward Uddstrom, died September 16, grandfather of council Planning and Regulation Manager Nathan Hole, late of Greymouth.
- Mary Patricia Collom, died October 1, late of Twizel.
- Valerie Ann Stead, died October 17, wife of Eddie, late of Fairlie.

A moment of silence was observed.

ORDER OF BUSINESS:

The Mayor noted that the item 'Annual Report' would need to be postponed because the annual report was not yet ready to adopt. At the end of the order of business the Mayor will adjourn the meeting to Friday to allow consideration of the annual report at that time.

MAYOR'S REPORT:

This was the report of Mayoral activities from September 17 to October 28, 2014.

The Mayor was asked about her meeting with the auditor. She said the auditor's feedback was that the council is under-resourced when it comes to doing everything required of staff. The auditor was not critical of staff but said it was a resourcing issue. Cr Smith asked if the delay in the annual report process would mean extra audit fees. The chief executive said there is no indication that we are picking up extra fees. He said the auditors had not raised any major concerns in the annual report process. The Mayor said the staff have done really well and worked hard. Cr Jackson asked what audit fees we pay. About \$70,000 a year for three audits.

Resolved that the report be received.

Graham Smith/Russell Armstrong

REPORTS:

CHIEF EXECUTIVE'S ACTIVITIES:

This was the report of chief executive activity from September 17 to October 28, 2014.

Cr Smith asked about the meeting the chief executive held with Jason Gaskill. Was this about joining Tekapo to the Alps2Ocean track? Yes that was included in the discussion. The chief executive said there has been activity and discussions happening regarding this initiative. The Mayor said Genesis have done a good job of signage and setting up their end at Hayman Road. She recommended that councillors take a look at this work by Genesis.

Cr Smith asked regarding the chief executive's meetings with Genesis and Meridian. The chief executive said this was around the possibility of getting water from the Tekapo basin into the Fairlie area. What they said was that if there was a group prepared to have a sensible discussion they were prepared to talk, but they need to be commercially-focussed.

The councillors noted that both Lakes Tekapo and Pukaki are low at the moment and near minimum level.

Resolved that the report be received.

James Leslie/Noel Jackson

LAND SALE AT TWIZEL:

The purpose of this report was to obtain council's confirmation in relation to an exemption under Section 40(1)(a) of the Public Works Act 1981.

The chief executive said as a matter of practice with land sales the council has started consulting APL, a specialist property management group.

APL has reviewed the Twizel land sale to Meridian. The work they have done on this relates to looking at the Public Works Act. There is a definition of a public work in the act. They have come back to say the land was originally taken for a public work and, as such, there is a requirement to offer it back. However the land was for sale at the time it was required and it would be unreasonable and impractical to offer it back. The resolution before councillors today would make this official.

Cr Jackson said there will be other public land that this applies to. The chief executive said the council needs a method to deal with the wider category of land rather than each piece individually. He said the council is taking a very careful approach to this to ensure all processes are followed correctly.

Resolved:

1. That the report be received.

Graham Smith/Evan Williams

2. That it would be unreasonable, impractical or unfair to offer Lot 1, DP 445569 back to a previous owner on the basis that that land had been placed on the open market prior to the Crown purchase.

Evan Williams/Murray Cox

LAND SALE TO TEKAPO LAKE RESORT LTD:

The purpose of this report was to seek council approval in relation to vendor conditions within the Lake Tekapo Resort Ltd Sale and Purchase Agreement.

Jack Montgomerie from the Timaru Herald joined the meeting at 9.57am.

Councillors discussed whether an auction would have been a better way to sell this land and agreed that a better outcome was achieved with a negotiated sale, allowing conditions to be imposed on the buyer.

Cr Jackson asked regarding the concept design. This has not yet been received by council. The chief executive said the survey plan would be signed off by Cr Cox but the concept plan would come to full council for approval.

Resolved:

1. That the report be received.

Evan Williams/Graham Smith

2. That Council resolves to approve the terms and conditions of the Sale and Purchase Agreement per Clause 61(a).

Graham Smith/Russell Armstrong

3. That Council resolves that it has satisfied all local government and other administrative requirements necessary to prepare the property for sale per Clause 61(b).

Graham Smith/Russell Armstrong

4. That Council delegate authority to grant approval for Clause 61(c) to Councillor Cox.

Graham Smith/Russell Armstrong

Bernie Haar and Suzy Ratahi joined the meeting at 9.59am

HIGH COUNTRY MEDICAL TRUST:

The purpose of this report is to seek approval of the deeds of lease and agreement with the High Country Medical Trust and to seek direction in relation to the costs associated with the proposed site for the new Twizel Medical Centre.

The chief executive asked to note a change to his report. On page 45 under the heading 'Background', in the last paragraph he noted that the survey and legal costs were not included in the price. When survey and legal costs are added it brings the estimate to approximately \$78,600. Cr Armstrong asked what this includes. Boundary adjustment, services put in including sewerage.

Cr Jackson asked for clarification regarding the square metre figure, which varies in the report. This is 2,756sqm. Do we have a written agreement with golf club? We are finalising that now.

The Mayor asked if the document written by Gresson Dorman been checked by council's lawyers. Yes.

Cr Armstrong asked when the construction of the services would be ready. The trust want to get underway with building. They will be able to start building before the services are in.

Cr Jackson asked if a house was going on the site. No, just a medical centre.

Cr Smith said the cost of the subdivision has gone up from an initial estimate of \$50,000 and council needed to discuss how to fund this. The chief executive said the initial estimate was that it would cost from \$50,000 to \$100,000.

Garth Nixon joined the meeting at 10.06am.

Two public submissions have been received on this. Councillors have seen these submissions. Both are in favour of the proposal.

Cr Smith asked for more discussion on recommendation 5 - how we fund it. He said this is ratepayer funding and the council is taking some liability. He is concerned that council needs to be fair to the whole district. Cr Cox said medical centres are assets for the whole community. The Mayor said it is important to secure the money so it goes back to the community if the medical centre goes into private hands. She also said the money from the land sale to Meridian needs to go back into the Twizel community and this is a way to do this.

Cr Jackson asked if the new medical centre will pay rent. Only a peppercorn rental on the land.

Resolved:

1. That the report be received.

Graham Smith/Evan Williams

2. That Council instruct the CEO to execute the deeds to confirm a lease and the Agreement relating to Twizel Medical Centre premises.

Graham Smith/Evan Williams

3. That Council instruct the CEO to commission a subdivision to enable the proposed lease to the High Country Medical Trust.

Graham Smith/Evan Williams

4. That the cost of subdivision be added to the value of the 'New Medical Centre Loan' within the Agreement relating to Twizel Medical Centre premises.

Graham Smith/Evan Williams

5. That the cost of subdivision be funded from Council's Real Estate Reserve.

Graham Smith/Evan Williams

6. That Council authorise the CEO to allow the High Country Medical Trust access to the proposal site for construction purposes pending completion of the subdivision.

Graham Smith/Evan Williams

MID-SOUTH CANTERBURY ROADING COLLABORATION:

The purpose of this report is to update the council on the status of the South Canterbury Roading Collaboration initiative and seek approval to enter into an updated Memorandum of Understanding.

The chief executive said this amends the MOU to include Ashburton District Council.

Cr Leslie asked regarding the adoption of a joint strategy for maintenance services on page 88 under key dates. He asked how far down the track we are on this. The chief executive said we are mid-stream. A lot of work is being done to review the terms and conditions of the maintenance contract that all councils use. There will be a decision to be made about how we progess from that and what structure we end up with to re-tender the maintenance contracts.

The process of working through the terms and conditions of the contracts has raised questions regarding the number of contracts, whether you amalgamate them, what services to include or not. There will be reports coming back to council on this.

Cr Leslie asked regarding the current contract with Whitestone - this ends in September next year and will be re-tendered. Tendering process will occur mid-June.

Cr Leslie said he is concerned we will be the 'minnows in the pool' and the 'big boys' will end up controlling our services.

Cr Smith said there are a number of issues around the delivery of service. The chief executive said all the issues will come back to council before the decisions are made. This is a good healthy process. It's improving the interaction of staff with other councils.

Resolved:

1. That the report be received and noted.

Evan Williams/Noel Jackson

2. That the revised Memorandum of Understanding as appended, be approved for execution by the Chief Executive Officer.

Evan Williams/Russell Armstrong

Suzy Ratahi left the meeting.

VEHICLE REPLACEMENT:

The purpose of this report is to confirm the replacement programme for the council vehicles as allowed for in the budget and in line with council policy.

Bernie Haar spoke regarding the 'all of government' agreement. He said there are some significant savings for the council, but it means we have to buy new cars and buy off the list.

Cr Smith said sometimes in the past we have bought a low mileage second hand vehicle. Is the new price going to be cheaper than a one year old

depreciated vehicle? Bernie Haar said the discounts on the new vehicles are within one to two thousand dollars of the second hand price.

The Mayor said the council will look at possible changes to the policy on vehicle replacement at another meeting.

Cr Leslie asked what happens to the old cars. They go on TradeMe.

Cr Armstrong asked regarding safety features. Bernie Haar said there is a five star rating on most of the new vehicles and the safety of users is paramount.

Resolved:

1. That the report be received.

James Leslie/Claire Barlow

2. That the vehicle replacement programme for 2014/15 be confirmed.

James Leslie/Russell Armstrong

The meeting adjourned for morning tea at 10.34am and reconvened at 10.52am. Bernie Haar left the meeting at 10.34am.

FUNDING SUPPORT FOR COURTYARD UPGRADE:

The purpose of this report is to request funding support from Council to undertake the upgrade of the community centre courtyard at Fairlie.

The Mayor asked Garth Nixon how much is in the land subdivision reserve and what is our policy on spending this money. This funds recreational reserves and the balance is about \$700,000.

Cr Smith thought the job is more expensive than planned. Garth Nixon said earlier options were for a different level of work. There are additional costs for planting.

The Mayor asked for a hand rail on the other side of the community steps. Garth Nixon agreed.

Resolved:

1. That the report be received.

Murray Cox/Russell Armstrong

2. That Council approves a contribution of \$15,000 from the Land Subdivision Reserve as their contribution to this project.

Graham Smith/Murray Cox

REPORT ON TWIZEL SOIL HEAP INCIDENT:

This report was presented to council to advise council of the initial investigation in to an accident at Twizel on October 18.

Garth Nixon said Worksafe have been sent this report. They have said they will leave it open and any further action will depend on outcomes. It's not a work site or a work accident.

Cr Smith said the parents have got some responsibility regarding what their children are doing. The Mayor said a 12-year-old should be able to play on his own.

Cr Leslie said this family arrived in town on Friday and the accident happened on Saturday morning, they just dug the hole that day. The size of the hole was only big enough for a small person to crawl into.

The chief executive said he has spoken to the father and it's a freak accident. 12-year-old boys should be out playing in a dirt pile and no one anticipated this accident. This is something that no one had foreseen and the chief executive did not want to put any blame either on the council or the parents. Now that we know about it we have taken action to ensure it doesn't happen again.

All parties have addressed their part and haven't been pointing fingers. The father wished to have the situation investigated which is reasonable, all parties have acted responsibly.

Cr Leslie met with the boy, Deon, yesterday and he's doing well. The Mayor sent a card on behalf of the council to Deon wishing him a speedy recovery.

The dirt pile has been pushed over and all piles will be kept lowered from now on.

Resolved that the report be received.

Murray Cox/James Leslie

TWIZEL PUBLIC TOILETS:

The purpose of this report is for council to endorse the Twizel Community Board's decision to demolish the old toilet block.

Cr Smith asked what the cost would be to demolish this. Garth Nixon said this is unknown but he has heard an estimate of about \$10,000.

Cr Armstrong said at the last community board meeting he suggested the Twizel Youth Club put a price in to demolish, and council would only need to pay the cost of dumping the material at the recycling park. He suggested that people be allowed to take materials from the building in return for a donation to the youth club. He has not had a reply from the youth club yet. He will chase this up.

The community board want to get this done before Christmas.

Garth Nixon said when council advertised for expressions of interest in demolishing the building there was nothing that came from that. But since then he has had an offer for the land, but they are reluctant to include demolition in the land purchase. This land is not on our list for disposal so it would require a special consultative process, and also need to get the title sorted before it could be sold.

Cr Armstrong said if council sells the land he is concerned the toilets will be turned into shops. Garth Nixon said the people who put in the offer have stated their intention to build shops for lease.

The Mayor said the health and safety risk of allowing people to take materials from the site was too great and councillors agreed. The site needs to be level and safe. She asked Garth Nixon to ensure a contract was in place to make it a safe demolition site.

Resolved:

1. That the report be received.

Russell Armstrong/Noel Jackson

2. That Council approves the demolishing of the old public toilet building as soon as possible.

James Leslie/Russell Armstrong

ANNUAL REPORT 2014:

This item was postponed and will be considered on Friday, October 31.

MEETING SCHEDULE FOR 2015:

The purpose of this report is to advise Council of the meeting dates for council and committees in 2015.

Resolved:

1. That the report be received.

Murray Cox/James Leslie

2. That the schedule of meetings be noted.

Murray Cox/James Leslie

COMMON SEAL AND AUTHORISED SIGNATURES:

The purpose of this report was to advise of the documents signed under the Common Seal from August 13, to October 21, 2014:

Resolved:

1. That the report be received.

Graham Smith/Evan Williams

2. That the affixing of the common seal to document 787 be endorsed.

Graham Smith/Evan Williams

COMMUNITY BOARD RECOMMENTATIONS AND MINUTES:

This report from the chief executive was accompanied by the minutes of the meetings of the Twizel and Tekapo Community Boards on October 6, and the Fairlie Community Board on October 13, 2014.

Resolved that the report be received.

Graham Smith/James Leslie

TWIZEL COMMUNITY BOARD:

Council **noted** the following resolution regarding the request for land from the Twizel Early Learning Centre:

<u>Resolved</u> that the Twizel Community board supports the Twizel Early Learning Centre request for council land required for the construction of a new centre.

Council **noted** the following resolution regarding the fate of the old public toilets in Market Place, Twizel:

<u>Resolved:</u> that the Twizel Community Board resolves the public toilet building is demolished as opposed to being relocated.

Council **noted** the following resolution regarding the installation of security cameras in Twizel:

<u>Resolved:</u> That the community board instructs Garth Nixon to go ahead with finalising the security camera system for the town and gym with the view to having these installed before Christmas.

Council **noted** the following resolution regarding the High Country Medical Trust:

<u>Resolved:</u> that the Twizel Community Board supports the Mackenzie District Council in the furthering of the High Country Medical Trust medical centre.

TEKAPO COMMUNITY BOARD:

Council **noted** the following resolution regarding Tekapo township projects:

<u>Resolved:</u> That the Tekapo Community Board prioritise the town projects as per the list above (see the minutes) with modifications, and pay the funding requests as suggested above.

Council **noted** the following resolution regarding the funding of water tanks in the regional park:

<u>Resolved:</u> That the Community Board pay \$6,000 to the regional park to pay for the tanks and the installation of the tanks.

FAIRLIE COMMUNITY BOARD:

Council **noted and considered** the following resolution regarding the upgrade of the community centre courtyard:

Resolved that the community board request that council contribute \$15,000 towards the cost of upgrading the community centre courtyard.

Council **noted** the following resolution regarding the useage of the community centre:

Resolved that the community board initiate a survey of residents regarding the possible future use and opportunities for the community centre.

COMMITTEE MINUTES:

Resolved that the minutes of the meeting of the Finance Comittee held on October 16, 2014, including such parts as were taken with the public excluded, be received.

Graham Smith/Russell Armstrong

Resolved that the minutes of the meeting of the Asset and Services Comittee held on October 16, 2014, including such parts as were taken with the public excluded, be received.

James Leslie/Russell Armstrong

Resolved that the minutes of the meeting of the Planning and Regulation Committee held on October 16, 2014, be received.

Murray Cox/Russell Armstrong

Resolved that the minutes of the meeting of the Strategy and Policy Committee held on October 16, 2014, be received.

Claire Barlow/Murray Cox

FORESTRY BOARD MINUTES:

<u>Resolved</u> that the minutes of the meeting of the Mackenzie Forestry Board held on October 16, 2014, be received.

Graham Smith/Russell Armstrong

COUNCIL MINUTES:

The Mayor noted an error on page 156, second line. This should read "rejection of concept plans".

Resolved that the minutes of the meeting of the Mackenzie District Council held on September 16, 2014, including such parts as were taken with the public excluded, be confirmed and adopted as the correct record of the meeting with the change noted above.

Claire Barlow/Graham Smith

EXTRAORDINARY COUNCIL MINUTES:

Resolved that the minutes of the extraordinary meeting of the Mackenzie District Council held on September 24, 2014, be confirmed and adopted as the correct record of the meeting.

Claire Barlow/James Leslie

PUBLIC EXCLUDED:

<u>Resolved</u> that the public be excluded from the following part of the proceedings of this meeting namely:

- A) Possible Land Purchase.
- B) Previous minutes Fairlie Community Board, October 13.
- C) Previous minutes Finance Committee, October 16.
- D) Previous minutes Asset and Services Committee, October 16.
- E) Previous minutes Council, September 16.

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
Possible Land Purchase	Enable commercial negotiations	48(1)(a)(i)
Previous minutes Fairlie Community Board October 13	Commercial sensitivity	48(1)(a)(i)
Previous minutes Finance Committee October 16	Enable commercial negotiations	48(1)(a)(i)
Previous minutes Asset and Services Committee October 16	Commercial sensitivity	48(1)(a)(i)
Previous minutes Council September 16	Maintain legal professional privilege	48(1)(a)(i)

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

minutes of Asset and Services Committee under section 7(2)(b)(ii). Previous minutes of the Finance Committee and Possible Land Purchase under section 7(2)(i). Previous minutes of Council under section 7(2)(g).

Russell Armstrong/James Leslie

Council continued in open meeting.

At 1.45pm the Mayor adjourned the meeting until 9am on Friday, October 31, to consider the Annual Report at that time. Crs Armstrong and Leslie gave their apologies in advance.

The meeting reconvened at 9.06am on Friday, October 31. Those present were the Mayor, Cr Cox, Cr Jackson, Cr Williams, Cr Smith, the chief executive, the finance and administration manager, the accountant, and the committee clerk.

ANNUAL REPORT:

The Mayor tabled the annual report and Paul Morris said the letter of representation from Audit NZ had been received that morning.

It was noted that on page 124, under council structure, Graeme Page and John Bishop were no longer on council and the committee structure was incorrect. This needs to be corrected.

Paul Morris apologised for the lateness of the report. It was a difficult audit this year due to asset revaluation. This has had an impact on the accounts. There was also a new audit team so we had to go over a lot of the stuff we expected them to already know.

He said the auditors were asking him to make late minute changes to the report this morning. The requests for changes in council's treatment of accounting items from this year to last year were staggering. It required a lot of re-work.

In the last week he has had a lot of backwards and forwards correspondence from Audit NZ regarding all the changes, including some things that previous audit teams had put in place that were reversed. The Mayor asked what our recourse was to complain. Paul Morris said the first port of call would be the audit director.

The accounts are required to be signed off by October 31, so we are at the last day.

Paul Morris noted a late change on page 107 under council employees. We have a banding for employee salaries in bands of \$10,000. Where there are five or less employees in a band, you group it up to the next band. This is so you don't identify who those five employees are. We have done this. Audit NZ have asked us to change the 2013 comparative.

Paul Morris outlined to councillors how to interpret the funding impact statements.

The Mayor had some questions regarding the performance measures. A workshop will be held next week to review these. She asked about page 29, sewerage, result not achieved. The chief executive said this was a monitoring issue. The processes set up for scheduling the monitoring were not robust. This has been fixed.

On page 33 under stormwater, what is a CSR? Customer Service Request.

On page 37 the Mayor did not understand the roading information.

The Mayor expressed concern at the solid waste result.

On page 44 under "publically notify district plan changes by 30th April 2014". Has this happened?

On page 45 under dog control, 117 dogs unregistered at year end. This year end is before our penalty season and most dogs are picked up after this. This measure doesn't illustrate the reality of the situation.

On page 49, the target is 70% of solid waste diverted and this needs to be addressed.

On page 54, under Forestry Board we didn't achieve the adoption of the statement of intent. Need to address this.

Paul Morris said on page 62 under the statement of comprehensive income it shows we made a deficit of \$561,000. The reasons for this included roading costs being above budget. The depreciation was \$420,000 higher than budget due to the revaluations of assets. We had anticipated we would be further down the track with the Tekapo Lakefront Development and profit on real estate is down by \$900,000, due to the timing of sales. Note 31 in the annual report explains these matters.

Cr Smith asked why rates were less than budget. Paul Morris said we made a mistake in the annual plan when the budget was determined.

Paul Morris said the revaluation has added \$21.3million to the value of our assets. This means an impact on depreciation. The main reason for the increase is because of what has happened in Christchurch. Council will have to fund this depreciation going forward.

Cr Smith compared the use of roading reserves with the use of depreciation and discussion was held on this.

Paul Morris said another loss of \$389,000 related to forestry changes in value. We have sold some of the trees that were blown down, but this has led to a decrease in the value of the forestry stock. Gains included a \$145,000 increase in the value of the carbon units.

Cr Jackson asked how we stack up with other councils in terms of forestry. Waimate got out of forestry and Ashburton is also getting out of it. They are selling their forestry to dairy farmers.

Paul Morris moved to page 64 which is the balance sheet. Our asset values have increased to \$209,000 and our asset revaluation reserves went from \$83,000 to \$104,000. He explained how depreciation works.

Cr Smith would like an explanation on the deficit to be communicated to ratepayers. Paul Morris said a summary document needs to go out within the next month. The summary needs to be audited to make sure it accurately represents what's in the report. Councillors will be able to approve this. A special meeting will be held next Friday to consider this. Discussion was held on providing context in the summary.

This summary will be attached to the Twizel Update and the Fairlie Accessible.

Paul Morris thanked his team, especially Tania, for their effort on the Annual Report. He would also like to acknowledge Pauline, Julie and Catherine for their work in putting this together. The Annual Report takes a lot of time and staff worked very hard on it.

The Mayor suggested the following resolution and it was passed by council:

<u>Resolved</u> that the Mayor and councillors thank Paul Morris and staff for their hard work on the 2014 Annual Report.

Noel Jackson/Graham Smith

Consideration then moved to the staff recommendations in the report:

Resolved:

1. That the report be received.

Graham Smith/Noel Jackson

2. That the Annual Report 30 June, 2014, be approved.

Graham Smith/Noel Jackson

3. That the Mayor and Chief Executive Officer be given approval to sign the Letter of Representation for the Annual Report for the year ended 30 June, 2014.

Graham Smith/Noel Jackson

4. That the Annual Report for 30 June, 2014, be adopted.

Graham Smith/Noel Jackson

THE MAYOR D	DECLARED THE MEETING CLOSED AT 9.58AM
MAYOR:	
DATE:	

MACKENZIE DISTRICT COUNCIL

MINUTES OF AN EXTRAORDINARY MEETING OF THE MACKENZIE DISTRICT COUNCIL HELD AT THE COUNCIL CHAMBERS IN FAIRLIE ON FRIDAY, NOVEMBER 7, 2014, AT 9.42AM

PRESENT:

Claire Barlow (Mayor)

Cr Graham Smith

Cr Murray Cox

Cr James Leslie

Cr Russell Armstrong

Cr Evan Williams

IN ATTENDANCE:

Wayne Barnett (Chief Executive Officer)

Paul Morris (Finance and Administration Manager)

Bernie Haar (Asset Manager)

Arlene Goss (Committee Clerk)

OPENING:

The Mayor welcomed everyone to the meeting.

APOLOGIES:

An apology was received from Cr Noel Jackson and an apology for lateness from Cr Evan Williams.

DECLARATIONS OF INTEREST:

There were no declarations of interest.

PUBLIC EXCLUDED:

<u>Resolved</u> that the public be excluded from the following part of the proceedings of this meeting namely:

TWIZEL SEWERAGE TREATMENT PLANT.

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
Twizel Sewerage Treatment Plan	Enable commercial 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: *Twizel Sewerage Treatment Plant under section 7(2)(i).*

Murray Cox/Russell Armstrong

Council continued in open meeting.

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