



MINUTES

Ordinary Council Meeting

9 February 2021

**MINUTES OF MACKENZIE DISTRICT COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, FAIRLIE
ON TUESDAY, 9 FEBRUARY 2021 AT 9.30AM**

PRESENT: Mayor Graham Smith, Deputy Mayor James Leslie, Cr Anne Munro, Cr Stuart Barwood, Cr Murray Cox, Cr Emily Bradbury, Cr Matt Murphy

IN ATTENDANCE: Suzette van Aswegen (Chief Executive), Paul Numan (General Manager Corporate Services), TimHarty (General Manager Operations), Scott McKenzie (Roading Manager), Tim Mulcock (Transition Manager), Chris Clarke (Communications Advisor), Jo Hurst (Corporate Accountant), Aaron Hakaart (Planning Manager), Melissa McMullen (Planner), Cathy Matheson (Records Advisor), Arlene Goss (Governance Advisor), Robin McCarthy (public), Charlie O'Mannin (media).

1 OPENING AND PUBLIC FORUM

Robin McCarthy from Pukaki Airport was invited to speak. He outlined his background as a pilot and his qualifications in the aviation industry and said he wanted to speak about Pukaki Airport. The airport runway was not ideally located and he believed the airport was poorly managed and losing money. He said he wanted to buy the airport for a dollar, as it was a loss-making operation.

The Mayor said this would prompt discussion and thanked Mr McCarthy for making his proposal.

2 APOLOGIES

There were no apologies.

3 VISITORS

Kris Rodgers from Quotable Value (QV) will attend the meeting at 11am to talk about the results of the district's three-yearly revaluation, which has just been completed.

Craig Carter, the chief executive of CLM, and Vaughan Hope, the chief executive of the Richmond Aquatic Centre, would attend following lunch at about 1pm.

4 DECLARATIONS OF INTEREST

There were no declarations of interest.

5 BEREAVEMENTS

The Mayor noted the following bereavements and a moment of silence was observed:

- Norman Girvan, passed on January 23, 2021, in his 89th year. Husband of Clarice.
- Doreen Cox, aged 96 years, mother of Councillor Murray Cox and freedom camping ambassador Gavin Cox.
- Lorraine Jones, aged 89 years, mother of Councillor Emily Bradbury.

6 MAYOR'S REPORT

6.1 MAYORAL ACTIVITIES REPORT

The Mayor thanked Cr Murphy and Sam Molyneux for their work organising the scholarships.

He then outlined some of the features from his report. Discussion took place on the progress made in council relationships with runanga and the Department of Conservation.

RESOLUTION 2021/1

Moved: Cr Stuart Barwood

Seconded: Cr Anne Munro

That the report be received.

CARRIED

7 REPORTS

7.1 CHIEF EXECUTIVE OFFICER'S ACTIVITIES REPORT

The chief executive updated Council on current activities, including Te Manahuna Ki Uta/Destination Mackenzie. She plans to attend a meeting of the Waitaki District Council to outline this work to them.

The Mayor asked about the spike in service requests in the community facilities department. This was due to having a staff vacancy in that area. Cr Leslie asked about three LGOIMA requests that were beyond their due date. Chris Clarke said he was awaiting a response from staff on each of these matters.

Regarding the People and Culture report there were still high leave balances and management was working on reducing this. It was noted that policies were in place to buy back leave if staff requested it, however the chief executive wanted people to take their leave and have a good break.

RESOLUTION 2021/2

Moved: Cr Emily Bradbury

Seconded: Deputy Mayor James Leslie

That the report be received.

CARRIED

7.2 COUNCIL FINANCIAL REPORT

Paul Numan said the organisation continues to deliver a positive financial performance result. Revenue is ahead of budget, operating expenditure is on budget. Capital expenditure is under budget, with reasons provided in the report.

The Mayor asked about the costs of securing gravel for roads. The roading manager said he was in discussion with Ecan. Consents were taking longer and costing more to achieve, but MDC was ahead of some of the other councils who were also trying to secure gravel.

Capital expenditure was discussed and the need to get contractors lined up and contracts signed. The timing of the construction programme was important.

RESOLUTION 2021/3

Moved: Cr Anne Munro

Seconded: Deputy Mayor James Leslie

That the financial report for Mackenzie District Council to December, 2020, be received.

CARRIED

7.3 TRANSPORTATION MAINTENANCE CONTRACT

The purpose of this report was to secure Council approval of the Section 17A review for procurement of road maintenance services, proposed procurement process and plan for the tendering of the 2021 Transportation Maintenance Contract. Staff also sought approval of the appointment of Axell Consultants to support the tender procurement process.

General Manager Operations Tim Harty outlined the contents of the report and answered questions from the councillors. It was noted that this needed to get this done considering current resources. The roading manager was comfortable that other projects were also underway or starting shortly.

Mr Harty was asked how an extraordinary weather event would impact the timeframes. The current contract was still in place, but may require an extension if this occurred.

The Mayor thanked staff and councillors for the extra work they had done on this matter.

RESOLUTION 2021/4

Moved: Cr Matt Murphy

Seconded: Cr Stuart Barwood

1. That the report be received.

CARRIED

RESOLUTION 2021/5

Moved: Cr Stuart Barwood

Seconded: Cr Matt Murphy

2. That Council adopts the section 17A Review for Procurement of road maintenance services, and further that,
3. Council adopts the Proposed Procurement Process for the Road Maintenance Contract, as laid out within the Road Maintenance Procurement Memo, and further that,
4. Council approves the additional expenditure to engage Axell Consultants to support and deliver the tender in line with the attached procurement process.

CARRIED**7.4 AFFECTED PERSONS APPROVAL – RM210003 – 14 UNWIN PLACE, TWIZEL**

The purpose of this report was to consider a request for affected party approval under Section 95E of the Resource Management Act 1991.

Planning manager Aaron Hakaart and Planner Melissa McMullen joined the meeting and explained the process of seeking written approval for a setback breach.

Councillors asked if there was a fence proposed along the boundary. No. The applicants were proposing landscaping to soften the effect.

Cr Murphy questioned whether a precedent was being set. He also noted questions around the proposed future use of the building. It contained a bathroom but the proposal said it was not going to be a sleepout. Questions were asked regarding the requirements of the district plan related to the rules around adding sleepouts. Following discussion the councillors approved the request.

RESOLUTION 2021/6

Moved: Deputy Mayor James Leslie

Seconded: Cr Anne Munro

1. That the report be received.

CARRIED**RESOLUTION 2021/7**

Moved: Mayor Graham Smith

Seconded: Deputy Mayor James Leslie

2. That affected persons approval be provided for land use consent RM210003 to construct a garage within the 2-metre internal setback required in the Residential 1 Zone from the southern internal boundary where the land adjacent is owned by Council and zoned Recreation Passive.

CARRIED

Cr Cox voted against the resolution.

7.5 REVISED SENSITIVE EXPENDITURE AND ELECTED MEMBER REIMBURSEMENT POLICIES

As part of implementing recommendations from Audit New Zealand, updated policies for Sensitive Expenditure and Elected Members Reimbursement of Expenses have been developed. These policies were presented to Council for adoption.

Tim Mulcock spoke to this report. The new policy included a new mileage rate and a childcare allowance. The Mayor noted the reimbursements aligned with the remuneration national rates.

RESOLUTION 2021/8

Moved: Mayor Graham Smith

Seconded: Deputy Mayor James Leslie

1. That the report be received.

CARRIED**RESOLUTION 2021/9**

Moved: Cr Matt Murphy

Seconded: Cr Emily Bradbury

2. That Council adopts the revised Sensitive Expenditure Policy.
3. That Council adopts the revised Elected Members Reimbursement of Expenses Policy.

CARRIED**7.6 REVISED PRIVACY POLICY AND STATEMENT**

From December 1st 2020, the Privacy Act 2020 came into force, replacing the provisions of the Privacy Act 1993. As a result the Privacy Policy has been revised to align with the new Act. In parallel a statement has also been prepared for publication on the Mackenzie District council website.

This policy was presented to Council for adoption.

RESOLUTION 2021/10

Moved: Cr Anne Munro

Seconded: Cr Matt Murphy

1. That the report be received.

CARRIED**RESOLUTION 2021/11**

Moved: Cr Anne Munro

Seconded: Cr Murray Cox

2. That the revised Privacy Policy be adopted by Council.

CARRIED**7.7 ELECTED MEMBERS CODE OF CONDUCT FOR ADOPTION**

The purpose of this report was to consider and adopt the draft Code of Conduct for Elected Members.

It was noted that this policy was a requirement of CouncilMark assessment.

Cr Munro asked for a repeat typo to be corrected. This was adding the words “of Conduct” twice in some places. The code was still to be adopted by community boards and would need to go to them under Schedule 7 of the Act.

Two other errors were noted. On page 111, MDC was typed twice. On page 112, the words “info received, disclosed, undischarged bankrupt” shouldn’t be there.

RESOLUTION 2021/12

Moved: Cr Murray Cox

Seconded: Deputy Mayor James Leslie

1. That the report be received.

CARRIED

RESOLUTION 2021/13

Moved: Mayor Graham Smith

Seconded: Deputy Mayor James Leslie

2. That Council adopts the Elected Members’ Code of Conduct.

CARRIED

7.8 INFOMETRICS MACKENZIE DISTRICT QUARTERLY ECONOMIC REPORT 2020-09

Paul Numan offered to answer questions on this report. He noted it was out of date.

There was a need to get more up to date information. Cr Munro asked whether an update on the most recent activity could be given at the Extraordinary Meeting that was planned on the 23rd of February. The governance advisor would follow up on this.

7.9 ADOPTION OF REVISED MEETING SCHEDULE FOR 2021

The purpose of this report was to advise Council of the Revised Schedule of Meetings for the Mackenzie District Council and Council Committees for 2021.

The chief executive noted that councillors would need to use every Tuesday in the first half of the year. The councillors were asked to inform the governance advisor if they were not able to make it on a Tuesday so that planning could take this into consideration.

RESOLUTION 2021/14

Moved: Cr Matt Murphy

Seconded: Cr Anne Munro

1. That the Revised Schedule of Meetings attached to the agenda, showing the meeting dates for 2021, be adopted.

CARRIED

7.10 NOTICE OF MOTION - REQUEST TO HOLD EXTRAORDINARY MEETING

RESOLUTION 2021/15

Moved: Cr Emily Bradbury
 Seconded: Cr Matt Murphy

That an Extraordinary Meeting of Council be called (between now and the next scheduled meeting) to decide on the following urgent matters:

- The adoption of the Mackenzie District Council Annual Report.
- The consideration of tenders for watermain renewals in Twizel, Contract 1266.
- The consideration of tenders for the construction of a shared use path in Twizel, mainly on Ostler Road, Contracts 1268, 1269 and 1270 (to be confirmed).

CARRIED

The meeting adjourned for morning tea at 11am and reconvened at 11.20am.

The Mayor welcomed Gail Smits and Kris Rodgers from Quotable Value, and rates officer Pauline Jackson.

Gail Smits and Kris Rodgers gave a presentation on the results of the district revaluation. A copy of their presentation is available as an attachment to these minutes.

The Mayor thanked them for coming to the meeting and sharing their knowledge with the councillors.

8 COMMUNITY BOARD RECOMMENDATIONS

8.1 MINUTES OF TWIZEL COMMUNITY BOARD MEETING - 7 DECEMBER 2020

It was noted that two free green waste days had been held in Twizel and this had brought a reduction in fire risk on properties.

Cr Leslie asked regarding the bus parking. Cr Bradbury said her impression was that all bus parking was to be moved out of the current car park. Mr Harty said it was important to come back to Council with implications of these requests, including relevant bylaws.

RESOLUTION 2021/16

Moved: Cr Anne Munro
 Seconded: Cr Emily Bradbury

That the Minutes of the Twizel Community Board Meeting held on Monday 7 December 2020 be received.

That Council notes the following resolutions passed by the Twizel Community Board:

1. That the Twizel Community Board funds a day of free entry to the resource recovery park for green waste to the value of \$4,000
2. That the following two locations are identified as suitable locations for mobile trading within the Twizel Township: Ostler Road car park, and the corner of Nuns Veil Road and Mackenzie Drive.
3. That the Twizel Community Board approves the grant application from Twizel Area School for \$100 towards student prize giving.
4. That the Twizel Community Board approves the grant application from Lisa Geary for \$166.05 to pay for Events Centre hire for the Twizel Community Christmas Lunch.
5. That the Twizel Community Board recommends to Council that the bus pick up and drop off is moved to the Long Vehicle Parking Area.

CARRIED

8.2 MINUTES OF TEKAPO COMMUNITY BOARD MEETING - 9 DECEMBER 2020

RESOLUTION 2021/17

Moved: Cr Anne Munro

Seconded: Cr Emily Bradbury

That the Minutes of the Tekapo Community Board Meeting held on Wednesday 9 December 2020 be received.

That Council notes the following resolutions passed by the Tekapo Community Board:

1. That the three locations identified as suitable locations for mobile trading within the Tekapo township are Hamilton Drive, Simpson Lane and a Lakeside Drive site to be determined, with the intention of developing an appropriate amenity.
2. That the Tekapo Community Board approves a grant of \$1,000 towards the swing upgrade project carried out by the Bright Stars Trust, by way of soft fall to maintain compliance.
3. That the revised community board meeting schedule for 2021 be adopted.
4. That the Tekapo Community Board supports the engagement of a project manager to scope the implementation of works on the Tekapo lakefront.
5. That the Tekapo Community Board approves the plans for D'Archaic Drive with the addition of a fixed roof structure rather than a shade sail for the barbeque area.

CARRIED

8.3 MINUTES OF FAIRLIE COMMUNITY BOARD MEETING - 10 DECEMBER 2020

RESOLUTION 2021/18

Moved: Cr Anne Munro

Seconded: Cr Emily Bradbury

That the Minutes of the Fairlie Community Board Meeting held on Thursday 10 December 2020 be received.

That Council notes the following resolutions passed by the Fairlie Community Board:

1. That the Village Green and Denmark Street are identified as suitable locations for mobile trading within the Fairlie Township, and that mobile trading be allowed within the 200m limit with written permission from competing shops.
2. That the Fairlie Community Board approves a grant of \$250 to Cameron Bennison towards a community Christmas dinner in Fairlie.
3. That the Fairlie Community Board approves a grant of \$250 to Mackenzie Library towards the Books for Babies project.
4. That the Fairlie Community Board approves a grant of \$250 to the Fairlie Heritage Museum towards the New Year’s Day Parade.
5. That the Fairlie Community Board approves a grant of \$250 to the Mackenzie Enhancement Board towards the Southern Man concert on New Year’s Eve.
6. That the Fairlie Community Board approves a grant of \$250 to the Mackenzie Enhancement Board towards the Fairlie Kids Christmas Event.
7. That flowers be sent to Charlotte Borrell from the Fairlie Community Board and the money come from the community board’s grants budget.
8. That provision for a dog park on the south east site, across the Allandale bridge, gets added to the parks strategy for consideration.

CARRIED

9 CONFIRM COUNCIL MINUTES

9.1 MINUTES OF COUNCIL MEETING - 15 DECEMBER 2020

RESOLUTION 2021/19

Moved: Cr Anne Munro

Seconded: Cr Emily Bradbury

That the Minutes of the Council Meeting held on Tuesday 15 December 2020 be received and confirmed as an accurate record of the meeting.

CARRIED

9.2 MINUTES OF ENGINEERING AND SERVICES COMMITTEE MEETING - 15 DECEMBER 2020

RESOLUTION 2021/20

Moved: Cr Anne Munro
Seconded: Cr Emily Bradbury

1. That the Minutes of the Engineering and Services Committee Meeting held on Tuesday 15 December 2020 be received.

CARRIED

9.3 MINUTES OF COMMERCIAL AND ECONOMIC DEVELOPMENT COMMITTEE MEETING - 15 DECEMBER 2020

RESOLUTION 2021/21

Moved: Cr Anne Munro
Seconded: Cr Emily Bradbury

1. That the Minutes of the Commercial and Economic Development Committee Meeting held on Tuesday 15 December 2020 be received.

CARRIED

9.4 MINUTES OF PLANNING AND REGULATIONS COMMITTEE MEETING - 15 DECEMBER 2020

RESOLUTION 2021/22

Moved: Cr Anne Munro
Seconded: Cr Emily Bradbury

1. That the Minutes of the Planning and Regulations Committee Meeting held on Tuesday 15 December 2020 be received.

CARRIED

9.5 MINUTES OF AUDIT AND RISK COMMITTEE MEETING - 8 DECEMBER 2020

RESOLUTION 2021/23

Moved: Cr Anne Munro
Seconded: Cr Emily Bradbury

1. That the Minutes of the Audit and Risk Committee Meeting held on Tuesday 8 December 2020 be received.

CARRIED

10 PUBLIC EXCLUDED

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION 2021/24

Moved: Cr Murray Cox

Seconded: Cr Emily Bradbury

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
<p>10.1 - Fairlie Water Treatment Plant - Confirmation of Land Purchase Approach</p>	<p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p> <p>s7(2)(f)(i) - the withholding of the information is necessary to allow free and frank expression of opinions by or between or to members or officers or employees of any local authority</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>
<p>10.2 - Building Control Authority Funding and Business Case</p>	<p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>

	(including commercial and industrial negotiations)	
10.3 - Risk Management Report	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
10.4 - Outstanding Actions from Council and Committee Meetings	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
10.5 - Minutes of Public Excluded Council Meeting - 15 December 2020	s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
10.6 - Minutes of Public Excluded Commercial and Economic Development Committee Meeting - 15 December 2020	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
10.7 - Minutes of Public Excluded Planning and	s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the

<p>Regulations Committee Meeting - 15 December 2020</p>	<p>information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>
<p>10.8 - Minutes of Public Excluded Audit and Risk Committee Meeting - 8 December 2020</p>	<p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>
<p>CARRIED</p>		

RESOLUTION 2021/25

Moved: Mayor Graham Smith
 Seconded: Deputy Mayor James Leslie

That Council moves out of closed meeting into open meeting.

CARRIED

The Meeting closed at 2.25pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 23 March 2021.

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CHAIRPERSON