



**Mackenzie**

DISTRICT COUNCIL

# **MINUTES**

**Ordinary Council Meeting**

**29 June 2021**

**MINUTES OF MACKENZIE DISTRICT COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, FAIRLIE  
ON TUESDAY, 29 JUNE 2021 AT 9.30AM**

**PRESENT:** Mayor Graham Smith, 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), Tim Harty (General Manager Operations), Alexis Gray (General Manager People and Culture), Tim Mulcock (Transition Manager), Aaron Hakkaart (Planning Manager), Sam Molyneux (Executive Assistant), Arlene Goss (Governance Advisor), Charlie O'Mannin (media).

**1 OPENING AND PUBLIC FORUM**

The Mayor declared the meeting open. A karakia was given by Cr Emily Bradbury.

There were no requests to speak in the public forum.

**2 APOLOGIES**

An apology was received from Cr James Leslie.

**3 VISITORS**

There were no visitors.

**4 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**5 BEREAVEMENTS**

The Mayor read out the following bereavements and a moment of silence was observed.

Jean Evans – died May 27, 2021. Wife of Tony, mother and mother-in-law of Wayne, Dorothy and the late Robyn. Aged 81 years.

Felicity Knubley – died June 19, 2021. Wife of Miles, mother of Christopher and Peter. Aged 83 years.

Rex Tonycliffe – died June 12, 2021. Husband of Jean, father of Shane and Danielle, Debbie and Warren, Kim and Enzo. Aged 69 years.

**6 MAYOR'S REPORT**

**6.1 MAYORAL ACTIVITIES REPORT**

The Mayor took his report as read and noted a speech given by Professor James Dalziel which was well received.

The councillors noted that the Mayor had had a very full month and congratulated him on this. The Mayor said he enjoyed the opening of the Hooker Hut.

The Mayor then gave an account of the mid-winter swim at Lake Tekapo.

The meeting with Tourism Minister Stuart Nash was positive. The Mayor also had an urgent meeting with the Prime Minister last Thursday. It was about recovery from the recent flooding. The Prime Minister made money available to Canterbury for recovery. It was a positive meeting but a lot of concern in the room about the cumulative effects of disasters. One concern was the massive amount of shingle in the river beds. Ecan has a big job shifting shingle and mending stock banks. An extra \$100,000 would go to the Mayors for welfare needs. Phill Mackay was working as recovery manager in this area. Council had some damage to fencing on forestry blocks and this would be covered by insurance.

The Mayor asked people to be mindful of Covid and scan when out and about.

Cr Murphy asked about the dinner with St Johns. This was to thank the volunteers.

**RESOLUTION 2021/46**

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 councillors went through this report and noted the highlights.

The chief executive updated the councillors on the progress of Te Manahuna Ki Uta/Destination Mackenzie. This initiative would go out for public consultation next week. There are no major concerns and everything is going well.

Discussion took place on the number of service requests in the community services area. Tim Harty noted this number was down but the area remained busy.

**RESOLUTION 2021/47**

Moved: Cr Anne Munro

Seconded: Cr Murray Cox

That the report be received.

**CARRIED****7.2 COUNCIL FINANCIAL REPORT**

Paul Numan outlined the highlights of the financial report. Generally speaking Council was in a stable financial decision. Capex would right itself in the next few months or be rolled into the

following year. Forestry harvesting costs were up due to the need to harvest storm damaged trees.

The timing of financial reports was discussed. These were released monthly, with the latest report included on the agenda for meetings. It was noted that the presentation of financial reports would be improved in the future.

**RESOLUTION 2021/48**

Moved: Cr Anne Munro

Seconded: Cr Emily Bradbury

That the financial report for Mackenzie District Council to May 2021 be received.

**CARRIED****7.3 AFFECTED PERSON APPROVAL RM210056 - 208 GLEN LYON ROAD, TWIZEL**

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

Councillors were concerned about the significance of the overhang, and also that the building would be accommodation rather than a garage, due to the presence of a toilet on the plan.

**RESOLUTION 2021/49**

Moved: Cr Emily Bradbury

Seconded: Cr Murray Cox

1. That the report be received.

**CARRIED****RESOLUTION 2021/50**

Moved: Cr Anne Munro

Seconded: Cr Murray Cox

2. That affected persons approval be withheld for land use consent RM210056 to construct a garage within the 10-metre internal setback required in the Residential 4 Zone from the south-east internal boundary where the land adjacent is owned by Council and zoned Recreation Passive.

**CARRIED****7.4 AQUATIC SERVICES - SEC 17A REVIEW**

Council was asked to consider the report "Aquatic Services Provision – Service Delivery, Section 17A Local Government Act, May 2021" and determine the approach to be applied.

Tim Harty took the report as read. He said there had been a good swimming season last summer with good feedback from the community. He asked Council to consider outsourcing the aquatic

services for three years. He also would like to add to the contract that Council may or may not take up an option to contract the management of the Twizel Events Centre.

The contract would include terms and conditions to comply with things like health and safety. This will be an open tendered process following policy. Anyone can tender.

**RESOLUTION 2021/51**

Moved: Cr Anne Munro

Seconded: Cr Stuart Barwood

1. That the report be received.

**CARRIED**

**RESOLUTION 2021/52**

Moved: Cr Emily Bradbury

Seconded: Cr Anne Munro

2. That MDC undertake a procurement process to deliver recreation facility management services. The facilities included will be:
  - Strathconan Swimming Pool, Fairlie
  - Twizel Swimming Pool, Twizel
3. That the option for the future inclusion of the Twizel Event Centre into the contract be further explored.
4. That the term of the contract be a minimum of three years with options for extensions based on performance.

**CARRIED**

**7.5 DEBT RECOVERY POLICY**

Audit New Zealand have identified the need for Mackenzie District Council to have a formal policy guiding the process and decisions regarding debt recovery. This policy was presented to Council for adoption.

Tim Mulcock said this policy aligned the council with legislation and confirmed practice, particularly in recovering unpaid rates.

There were various options to recover rates. It could take several years to work through a situation where there was a long term failure to pay rates.

**RESOLUTION 2021/53**

Moved: Cr Murray Cox

Seconded: Cr Matt Murphy

1. That the report be received.

**CARRIED**

**RESOLUTION 2021/54**

Moved: Cr Murray Cox

Seconded: Cr Anne Munro

2. That the Debt Recovery Policy be adopted by Council.

**CARRIED**

**7.6 STATEMENT OF PROPOSAL FOR THE IDENTIFICATION OF STRATEGIC ROUTES AND PRIORITY THOROUGHFARES**

Tim Mulcock spoke to this report. The purpose of this Statement of Proposal (SOP) was to seek public feedback on the proposed priority thoroughfares and strategic routes that may warrant prioritising due to their location, strategic importance and proximity to Unreinforced Masonry Buildings (URM).

This Statement of Proposal was presented to Council for adoption, following which it will be presented for public consultation.

**RESOLUTION 2021/55**

Moved: Cr Stuart Barwood

Seconded: Cr Matt Murphy

1. That the report be received.

**CARRIED**

**RESOLUTION 2021/56**

Moved: Mayor Graham Smith

Seconded: Cr Anne Munro

2. That the Statement of Proposal for the Identification of Strategic Routes and Priority Thoroughfares be adopted by Council.
3. Emily/Anne moved one below

That the Mayor and Chief Executive be delegated authority to amend the dates for consultation if deemed appropriate.

**CARRIED**

**7.7 ECONOMIC DEVELOPMENT STRATEGY**

This report was pulled from the agenda and will go to the Commercial and Economic Development Committee for further discussion. The report was not received.

**7.8 MONTHLY REPORT - SOUTH CANTERBURY CHAMBER OF COMMERCE - APRIL 2021**

Paul Numan said the MOU with the Chamber of Commerce had been signed and council would continue to work with them.

The Mayor said it was a thrill to see so many entries in the business awards from the Mackenzie District. It was heartening to see so many businesses inspired and optimistic in what had been a difficult year.

Cr Murphy asked about the new MOU. The chief executive said this was contractual so shouldn't be discussed in public. It would be workshopped with councillors.

**7.9 RECOVERY MANAGER COVID-19 FINAL REPORT**

Recovery Manager Phill Mackay was welcomed to the meeting. He took his report as read and was happy to take questions.

There were job vacancies across the district in different types of jobs, and there was a challenge getting people to move into the district. Supply chain issues were affecting people and slowing things down.

Council recognised that Covid was with us for the foreseeable future and was being recognised in business as usual. The community advisory group would continue to meet. They were driving some good initiatives for the community.

A researcher was surveying in this area and had asked to meet with Council.

Two workshops were held in Fairlie and Twizel by the district health board looking at the social needs of the community. This was productive and appreciated.

The Mayor thanked Mr Mackay on behalf of Council for his work as recovery manager and the councillors applauded.

**7.10 UPDATE ON THE RENOVATION OF COUNCIL OFFICES - FAIRLIE AND TWIZEL**

The purpose of the report was to provide Council with an update on the recently completed building renovation works at the Fairlie and Twizel Council offices.

Tim Harty outlined the report. This was the first significant upgrade and maintenance of both buildings in 30 years. Cr Murphy asked about fire egress for both buildings. This work on fire egress would be funded in year 1 of the Long Term Plan.

**RESOLUTION 2021/57**

Moved: Cr Anne Munro

Seconded: Cr Stuart Barwood

1. That the report be received, and

**CARRIED**

**RESOLUTION 2021/58**

Moved: Cr Stuart Barwood

Seconded: Cr Anne Munro

2. That staff inform the community of the purpose, nature and cost of the alterations via Council's usual communication channels.

**CARRIED**

### **7.11 PROCUREMENT OF TECHNICAL REVIEW SERVICES FOR ENGINEERING PROJECTS**

Staff sought to engage Technical Review Support from GHD Limited for significant engineering projects, including, but not limited to, the Fairlie Water Treatment Plant and Three Waters Reform Projects.

Tim Harty outlined the need for engineering support due to the number of large projects currently being undertaken and the recent retirement of the asset manager.

The cost of this would come from government funding, so there was zero ratepayer impact. The councillors asked to remove the word "initial" from the staff recommendation, and add the words "up to" \$100,000.

#### **RESOLUTION 2021/59**

Moved: Cr Matt Murphy

Seconded: Cr Emily Bradbury

- 1) That the report be received, and
- 2) That the recommendation in the attached proposal and procurement plan be approved, and further that
- 3) A budget of up to \$100,000 (excluding GST), funded from approved and appropriate project allocations be accepted for this ongoing engagement.

**CARRIED**

### **7.12 HERITAGE FUND APPLICATION**

The purpose of this report was to consider an application for funding from the Heritage Protection Fund from H & S Tennent.

Aaron Hakkaart and Melissa McMullan joined the meeting. Council has a Heritage Fund of \$5000 per year. Staff advertised this fund and received one request. This was the request now before Council.

Discussion was held on how to ensure the unspent money was not lost and would accrue to the next year.

Cr Murphy asked about the application being retrospective. Council has the discretion to grant retrospective applications.

#### **RESOLUTION 2021/60**

Moved: Cr Anne Munro



Seconded: Cr Matt Murphy

1. That the report be received.

**CARRIED**

#### **RESOLUTION 2021/61**

Moved: Cr Stuart Barwood

Seconded: Cr Murray Cox

2. That Council consider the payment of \$2,500.00 from the Heritage Protection Fund to H & S Tennent as a contribution towards the restoration work already completed on the Bank of New Zealand Building, Main Street, Fairlie.

**CARRIED**

### **7.13 ADOPTION OF MACKENZIE SPATIAL PLANS**

The purpose of this report was to seek Mackenzie District Council's endorsement and adoption of proposed Spatial Plans for Fairlie, Tekapo/ Takapō, Twizel, Albury, Kimbell and Burkes Pass.

These plans have been in progress for 18 months and have reached the stage where proposed plans have been prepared using community and runanga feedback. These would form a key part of the district plan review.

Cr Cox asked about process. Once approved the ability of the public to question these would be through the district plan review. The Mayor thanked the planning team for their work and effort to engage the community on the spatial plans.

#### **RESOLUTION 2021/62**

Moved: Cr Anne Munro

Seconded: Cr Matt Murphy

1. That the report be received.

**CARRIED**

#### **RESOLUTION 2021/63**

Moved: Cr Stuart Barwood

Seconded: Cr Emily Bradbury

2. That Council resolve to endorse and adopt the Spatial Plans for Fairlie, Tekapo/ Takapō, Twizel and the Settlement Plans for Albury, Kimbell and Burkes Pass.

**CARRIED**

**7.14 BYLAW AND POLICY STATEMENT OF PROPOSAL ADOPTION**

The purpose of this report was to provide Council with the relevant background information to the attached Statements of Proposal. This process was required to ensure a suite of bylaws that were legislatively sound. These bylaws need to go through a statutory consultation process.

Aaron Hakkaart asked Council to consider the options regarding gaming machines.

The number of gaming machines in the district was currently 45, with a cap of 65. Questions were asked to clarify the different options. It was noted that the revenue collected by gaming machines did not come back to the Mackenzie community.

There were very few benefits to the district of having gaming machines. Cr Murphy asked if there was a need for any machines in the district at all.

Cr Barwood suggested a ceiling of 45 gambling machines. and if businesses were sold the machines would continue with the new business owners, but if the business was closed the machines would get taken out and the ceiling dropped. He moved a motion to this effect and Cr Munro seconded.

Cr Murphy argued that 45 machines was too high.

A vote was taken and there was a split, as recorded below. The motion was carried.

**RESOLUTION 2021/64**

Moved: Cr Anne Munro

Seconded: Cr Matt Murphy

1. That the report be received.

**CARRIED**

2. That Council adopt option three in relation to the proposed Class 4 Gambling and TAB Venue Policy 2021. This being a sinking lid with the ability to transfer the machines when the business sells, but should the business close the machines would be non-transferrable.

In Favour: Crs Anne Munro, Stuart Barwood and Emily Bradbury

Against: Crs Murray Cox and Matt Murphy

Abstained: Cr Graham Smith

**CARRIED**

**RESOLUTION 2021/65**

Moved: Cr Anne Munro

Seconded: Cr Stuart Barwood

3. That the Council adopt the Policies and Bylaws Review – Statement of Proposal pursuant to section 83 of the LGA 2002.

**CARRIED**

**RESOLUTION 2021/66**

Moved: Cr Stuart Barwood

Seconded: Cr Anne Munro

4. That the Council adopt the Proposed New Policies and Bylaws – Statement of Proposal pursuant to section 83 of the LGA 2002.

**CARRIED**

## **8 COMMUNITY BOARD RECOMMENDATIONS**

### **8.1 MINUTES OF TWIZEL COMMUNITY BOARD MEETING - 3 MAY 2021**

#### **RESOLUTION 2021/67**

Moved: Cr Matt Murphy

Seconded: Cr Murray Cox

1. That the Minutes of the Twizel Community Board Meeting held on Monday 3 May 2021 be received.
2. That Council notes the following resolutions passed by the Twizel Community Board:
  - a) That a professional mountain bike/pump track builder be engaged to undertake maintenance and upgrade works to the Twizel Pump track (Glen Lyon Rd).  
That this work be undertaken in conjunction with community engagement.  
That follow-up rider training be provided over a weekend following completion of the track works.  
That funding of approximately \$9,000 to undertake this project be allocated from the Twizel Township Projects budget.
  - b) That the Twizel Community Board instructs staff to remove the one tree closest to the building in Market Place, and prune the rest of the trees.
  - c) That a grant of \$450 be approved for Lakes Ballet towards the costs of a teacher and six students attending an event in Christchurch.
  - d) That a grant of \$500 be approved for the Twizel Kindergarten Committee to bring a parenting speaker to Twizel to speak to parents and professionals.
  - e) That a grant of \$61.35 be approved for Neighbourhood Support to pay for venue hire for a public meeting in Twizel.

**CARRIED**

### **8.2 MINUTES OF TEKAPO COMMUNITY BOARD MEETING - 5 MAY 2021**

#### **RESOLUTION 2021/68**

Moved: Cr Matt Murphy

Seconded: Cr Murray Cox

1. That the Minutes of the Tekapo Community Board Meeting held on Wednesday 5 May 2021 be received.
2. That Council notes the following resolutions passed by the Tekapo Community Board:
  - a) That the Tekapo Community Board requests that council carry forward the balance of the Tekapo grants fund to the new financial year.
  - b) That the Community Board recommend that Council adopt the 2021/22 fees and charges for the community facilities within the Community Board area as proposed, with the change to a standardised approach of a 20% discount for regular hall users who use the facility 10 times or more.

**CARRIED**

### **8.3 MINUTES OF FAIRLIE COMMUNITY BOARD MEETING - 6 MAY 2021**

#### **RESOLUTION 2021/69**

Moved: Cr Matt Murphy

Seconded: Cr Murray Cox

1. That the Minutes of the Fairlie Community Board Meeting held on Thursday 6 May 2021 be received.
2. That Council notes the following resolutions passed by the Fairlie Community Board:
  - a) That the Fairlie Community Board instructs staff to come back to the next meeting with a proposal for community engagement on the Peace Trees.
  - b) That the Fairlie Community Board asks Council to carry forward the balance of community board funds into the new financial year.
  - c) That staff obtain a quote for the removal of the Fairlie Domain Douglas Fir from an MDC-approved contractor, and  
That the applicant be approached to discuss the costs for removal of the Douglas Fir, and if agreeable to meet the costs, that the tree and stump be removed, and  
That a suitable replacement deciduous tree be planted in the winter following the removal of the Douglas Fir, at a location within the Fairlie Domain.
  - d) That the Community Board recommend that Council adopt the 2021/22 fees and charges for the community facilities within the Community Board area as proposed with the changes noted in the minutes.

**CARRIED**

**9 CONFIRM COUNCIL MINUTES**

**9.1 MINUTES OF COUNCIL MEETING - 18 MAY 2021**

<p><b>RESOLUTION 2021/70</b></p> <p>Moved: Cr Matt Murphy                  Seconded: Cr Murray Cox</p> <p>That the Minutes of the Council Meeting held on Tuesday 18 May 2021 be received and confirmed as an accurate record of the meeting.</p> <p style="text-align: right;"><b>CARRIED</b></p>
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**10 ADJOURNMENTS**

The meeting adjourned at 11.13am for morning tea and reconvened at 11.32am.

**11 PUBLIC EXCLUDED**

**RESOLUTION TO EXCLUDE THE PUBLIC**

<p><b>RESOLUTION 2021/71</b></p> <p>Moved: Cr Anne Munro                  Seconded: Cr Matt Murphy</p> <p>That the public be excluded from the following parts of the proceedings of this meeting.</p> <p>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:</p>		
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><b>11.1 - Minutes of Public Excluded Council Meeting - 18 May 2021</b></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><b>11.2 - Equip Alignment Session - Action Plan</b></p>	<p>s6(b) - the making available of the information would be likely to endanger the safety of any person</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</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>

	members or officers or employees of any local authority	
<b>11.3 - Engagement of the Property Group to Provide Consultancy Support for Private Property Issues</b>	<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>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>	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
<b>11.4 - CHRISTCHURCHNZ Destination Marketing services Contract</b>	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	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
<b>11.5 - Judicial Review Decision - Tekapo Sky Hotel</b>	<p>s6(a) - the making available of the information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial</p> <p>s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege</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
<b>CARRIED</b>		

**RESOLUTION 2021/72**

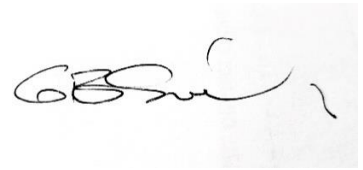
Moved: Cr Anne Munro  
 Seconded: Cr Emily Bradbury

That Council moves out of closed meeting into open meeting.

**CARRIED**

**The Meeting closed at 12.10pm.**

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 3 August 2021.

A handwritten signature in black ink, appearing to be 'G. S. ...', is written on a light-colored rectangular background.

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**CHAIRPERSON**