



Otorohanga District Council

MINUTES

26 August 2008

OTOROHANGA DISTRICT COUNCIL

26 August 2008

Minutes of an ordinary meeting of the Otorohanga District Council held in the Council Chambers, Maniapoto St, Otorohanga on Tuesday 26 August 2008 commenced at 10.08am.

MINUTES

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PRESENT

Mr DF Williams (Mayor), Crs SR Adam, S Blackler, AL Gower, AG Ormsby, DM Pilkington and RJ Prescott.

IN ATTENDANCE

Messrs DC Clibbery (Chief Executive), R Chadwick (Engineering Manager), GD Bunn (Finance & Administration Manager), AR Loe (Environmental Services Manager) and CA Tutty (Customer Services Team Leader).

OPENING PRAYER

Cr Adam read the Opening Prayer.

APOLOGY

Resolved that the apology received from Cr WH Earwaker be sustained.

Cr Prescott / Cr Adam

CONFIRMATION OF MINUTES

OTOROHANGA DISTRICT COUNCIL - 5 AUGUST 2008

Resolved that the minutes of the meeting of the Otorohanga District Council held on 5 August 2008, as previously circulated, be approved as a true and correct record of that meeting.

Cr Blackler / Cr Adam

REPORTS

Item-119 OTOROHANGA COMMUNITY BOARD MINUTES - 10 JULY 2008

Resolved

That the minutes of the meetings of the Otorohanga Community Board held on 10 July 2008 be received and the recommendations contained therein adopted.

Cr Ormsby / Cr Prescott

Item-120 KAWHIA COMMUNITY BOARD MINUTES - 25 JULY 2008

Discussion

PROPOSED WAIWERA STREET SUBDIVISION

Cr Pilkington reported Board Members met with representatives of Ngati Hikairo on Sunday 17 August 2008. She said it was an extremely positive meeting.

KAORA TRACK

The Engineering Manager reported costs of \$18,000 would be incurred to stabilise part of the Kaora Track. The Engineering Manager advised Council was in the process of obtaining a Resource Consent for the work which has been requested for a total period of 35 years.

Resolved

That the minutes of the meeting of the Kawhia Community Board held on 25 July 2008 be received and the recommendations contained therein adopted.

Cr Pilkington / Cr Blackler

Item-121 LOAN RAISING 2008/09

Discussion

The Finance & Administration Manager presented a report requiring Council to pass a resolution authorising loan raising for the current financial year. He reported no new debt had been raised during the last financial year. During this current financial year the following renewal loans are maturing and Council will be required to refinance them -

15 November 2008	\$1,037,000	To refinance a Loan maturing on that day
15 December 2008	\$2,100,000	To refinance a Loan maturing on that day
15 June 2009	\$1,400,000	To refinance a Loan maturing on that day

The Finance & Administration Manager advised a further \$1,000,000 maybe required to finance Capital Works as outlined in the Annual Plan. This will be assessed later in the financial year and loans raised if necessary and when required. He said the Country is still in a 'credit crunch' situation and reported that changes have been made to the Security Act which allow Councils to go back to the public for funding. He said the issuing of an Investment Statement will allow Council to generate more competitive rates and longer term loans. He said over the balance of the 10 year period Council should be able to reduce its debt.

Resolved

That

1. Pursuant to the Local Government Act 2002, Council resolves to authorise the Chief Executive to borrow up to \$5,537,000 for a term not exceeding ten years, secured against the rates revenue of the District, and separate rates as provided for in any Deed of Charge.
2. The purpose of the loan shall be to refinance existing debt, to allow the works contained in Council's Annual Plan for 2008/2009 and other works to be carried out.
3. Council delegates to the Chief Executive the authority to determine:
 - the coupon rate;
 - the period of interest payments;
 - the maturity date;
 - any other terms and conditions necessary for the issuing of security and for compliance with the Local Government Act, any other applicable Act, the security, and the Register and Paying Agency Agreement, and to issue such debenture stock with a face value sufficient to yield the sum \$5,537,000 and execute such; and
4. to give one or more certificates in respect thereof for the purposes of the Local Government Act.
5. And further that, in authorising this borrowing, Council has considered the risks and benefits associated with the proposal and is satisfied that the proposed borrowing complies with Council's Borrowing Management Policy.

Cr Adam / Cr Pilkington

Item-122 ESPLANADE STRIP - RM080057

Discussion

Messrs Dave Latham and Trevor Walters attended the meeting. The Environmental Services Manager summarised his report on an application for a Subdivision Consent received from TF & SE Walters on 8 May 2008. He said the application site is located on the eastern side of Otewa Road and has an area of 42.9599 ha. Cr Blackler highlighted the fact that there was already an area of Esplanade Reserve on the other side of the river and with an access leg. The Environmental Services Manager informed Members it was necessary to consider the intent of the legislation and other Government and community initiatives that have seen more emphasis placed on recreation and access. His Worship said there were two aspects to the proposal. He said ability must be allowed for the public to access rivers from all sides and that there were signals suggesting TLA's facilitate agreements and the necessary legislative requirements. Cr Blackler pointed out that should Council create a Recreational Reserve then maintenance costs will be the responsibility of Council. The Environmental Services Manager agreed an Esplanade Strip was the preferred recommendation. Cr Blackler referred to the existing stock bridge across the river and queried what obligation would be on the landowner or Council in regards to maintenance of this bridge. Cr Blackler expressed the opinion it would be desirable to accept the offer of the Applicant to extend the existing esplanade reserve.

Mr Latham highlighted a map of the general property and advised no Esplanade Strips exist in the area other than Reserve land directly across the river relating to the former Quarry. He referred to the District Plan, in particular the assessment criteria regarding isolation and said his Applicant had lodged the request for a waiver due to the isolation of the area, contour of the land and the stock bridge. He said the Applicant was concerned about the risk factor relating to the stock bridge. He said this bridge is used for the Applicant's own purposes and that it was not in a particularly good state of repair. He said the provision of a Recreation Strip will give cause for the public to use the bridge, and if this occurred Council would have to bear some of the risk having created this linkage.

Members were informed that the creation of an Esplanade Strip is not mandatory under this District Plan however, the Applicants are seeking a waiver which can only be approved by Council. In terms of placing the proposed Strip elsewhere, this would be difficult as there is only a limited amount of river bank owned by the applicant.

His Worship said he had obtained information which may have some impact on the decision to be made. He suggested any decision be placed in abeyance until he has presented this information. His Worship thanked Messrs Latham and Walters for attending the meeting.

In discussion later His Worship suggested that Council obtain an Esplanade Strip each time a subdivision is approved in order to increase legal access to the river. He said he would like Council to establish a precedent for the consideration of future applications of this sort. Cr Blackler expressed the opinion it would be more reasonable for the Reserve or Strip to be continuous along one side of the river. The Chief Executive advised there is an existing access to the eastern side of the river however, when the opportunity exists for Council to establish a Recreational Esplanade Strip then it should take the opportunity. In reply to Cr Pilkington as to where EW fits into the proposal, the Environmental Services Manager advised that this is a District Council process. At this stage it was not clear from the plans and information provided in the report which areas of river bank were available for the creation of an Esplanade Strip.

Resolved

That

1. The decision to take an Esplanade Strip on the Walters subdivision be deferred and,
2. The Environmental Services Manager confirm the amount and location of riverbank available for an Esplanade Strip and present an amended report, for consideration by the Hearing Committee on 11 September 2008.

Cr Gower / Cr Adam

Item-123 APPLICATION FOR GRANT TO COVER CONSENT FEES - ST JOHNS

Discussion

The Environmental Services Manager presented a report on a request received from the Secretary of the St Johns Otorohanga Area Committee, that Council make a grant to cover Resource and Building Consent Fees for the new Ambulance Station in Kakamutu Road. His Worship informed Members the building will be multipurpose and has involved the St John's working with the Otorohanga Plunket Society. The Environmental Services Manager expressed the opinion, that should Council support the application, it would not be desirable to approve an 'open ended grant'. His Worship said he was comfortable in supporting the request and advised Members that the Otorohanga Community Board also supported the project through the sale of the former Plunket building. Cr Ormsby queried whether a report had been prepared on the site, in particular the possible requirement to pile drive the foundations. The Environmental Services Manager replied the initial Consent for site preparation has not yet been granted and that the St Mary's School would be the only affected party. He further informed Members that the Applicant will fill and compact the site, then provide a certified building platform on which the building will be erected. Crs Blackler and Pilkington agreed to support the request subject to any grant being capped at \$5,000 and with the Association being responsible for all charges in excess of this amount.

Resolved

That

1. The Environmental Services Manager's report be received,
2. Council approve a grant of up to \$5,000 to offset the Consent fees for the new St Johns building in Kakamutu Road, Otorohanga.

Cr Blackler / Cr Pilkington

Item-124 WAIKATO RIVER TRAILS TRUST

Discussion

Council's Roding Manager attended the meeting and presented a report informing Members that the Waikato River Trails Trust, a non-profit organisation is forming a walkway extending more than 100km between Lakes Karapiro and Atiamuri alongside the Waikato River. He said they have requested formal approval from Council for a 1150m length within the Otorohanga District along Waipapa Road. Cr Adam referred to the section of road and said this was fairly narrow. He queried whether stability would be affected. The Roding Manager replied no earthworks would be involved in the proposal and that through the formation of the grassed walkway some advantages may be obtained. Cr Gower expressed the opinion the public needs to be provided for and that this was a good concept.

Resolved

That

1. The Roding Manager's report be received
2. Approval be granted for the Waikato River Trails Trust to construct and operate a portion of their network within the Road Reserve along Waipapa Road, on the condition that future maintenance costs are met by the Trust.

Cr Adam / Cr Prescott

Item-127 ROAD LEGALISATION OF PART OF WAITOMO VALLEY ROAD SO 401399

Discussion

The Finance & Administration Manager presented a report advising Council has documents requiring consent to the legalisation of part of Waitomo Valley Road.

Resolved

That

1. The Otorohanga District Council hereby consent to the Minister of Land Information declaring:
 - a. Pursuant to Sec 114 of the Public Works Act 1981 the land described in the First Schedule below to be vested in the Otorohanga District Council.
 - b. Pursuant to Sec 116 & 117 of the Public Works Act 1981 the road described in the **Second Schedule** below being stopped and vested by way of exchange in BE & AJ Pitts-Brown and Lamb Trust Services Ltd by way of amalgamation with the land in computer Freehold Register 258748 subject to mortgage 6032611.4 and subject to the granting of an appurtenant right of way and right to transmit telecommunications and electricity over Section 11 SO 401399 in favour of the land held in Computer Freehold Register 258747 and the land held in Computer Freehold Register 258746.
 - c. Pursuant to Sec 116 and 117 of the Public Works Act 1981 the road described in the **Third Schedule** below being stopped and vested by way of exchange in BE & AJ Pitts-Brown and Lamb Trust Services Ltd by way of amalgamation with the land held in Computer Freehold Register 258746 subject to Mortgage 6032611.4.
 - d. Pursuant to Sec 116 and 117 of the Public Works Act 1981 the road described in the **Fourth Schedule** below being stopped and vested by way of exchange in RW & V Roberts and CM Loewenthal by way of amalgamation with the land held in Computer Freehold Register SA CB/485 subject to Mortgage B373320.2 and Mortgage B373320.3.
 - e. Pursuant to Sec 116 and 117 of the Public Works Act 1981 the road described in the **Fifth Schedule** below being stopped and vested by way of exchange in Rangitoto Dairies Limited by way of amalgamation with the land held in Computer Freehold Register SA 264/186 subject to Caveat 7845103.1 by L & KW Archer and Bailey Ingham Trustees Ltd, also subject to Mortgage 7875672.2.
 - f. Pursuant to Sec 119 of the Public Works Act 1981 the land described in the **Sixth Schedule** below being taken for severance and vested in BE & AJ Pitts-Brown and Lamb Trust Services Ltd by way of amalgamation with the land held in Computer Freehold Register 258746 subject to mortgage 6032611.4.

South Auckland Land District – Otorohanga District

First Schedule - Land to be Declared Road

Area	Description	Owners
185m ²	Part Lot 1 DPS 8973 shown as Section 1 on SO 401399	<i>RW & V Roberts and CM Loewenthal</i>
157m ²	Part Lot 2 DPS 8973 shown as Section 4 on SO 401399	<i>RW & V Roberts and CM Loewenthal</i>
831m ²	Part Lot 2 DPS 8973 shown as Section 10 on SO 401399	<i>RW & V Roberts and CM Loewenthal</i>

1115m ²	Part Lot 2 DPS 8973 shown as Section 15 on SO 401399	<i>RW & V Roberts and CM Loewenthal</i>
409m ²	Part Lot 3 DPS 363630 shown as Section 3 on SO 401399	<i>BE & AJ Pitts-Brown & Lamb Trust Services Ltd</i>
2264m ²	Part Lot 3 DPS 363630 shown as Section 7 on SO 401399	<i>BE & AJ Pitts-Brown & Lamb Trust Services Ltd</i>
1258m ²	Part Lot 1 DPS 363630 shown as Section 13 on SO 401399	<i>BE & AJ Pitts-Brown & Lamb Trust Services Ltd</i>

Second Schedule – Road to be Stopped and Amalgamated with Computer Freehold Register 258748

304m ²	Section 5 SO 401399	<i>BE & AJ Pitts-Brown & Lamb Trust Services Ltd</i>
1805m ²	Section 8 SO 401399	<i>BE & AJ Pitts-Brown & Lamb Trust Services Ltd</i>
227m ²	Section 11 SO 401399	<i>BE & AJ Pitts-Brown & Lamb Trust Services Ltd</i>

Third Schedule – Road to be Stopped and Amalgamated with Computer Freehold Register 258746

544m ²	Section 14 SO 401399	<i>BE & AJ Pitts-Brown & Lamb Trust Services Ltd</i>
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Fourth Schedule – Road to be Stopped and Amalgamated with Computer Freehold Register SB3B/485

405m ²	Section 2 on SO 401399	<i>RW & V Roberts and CM Loewenthal</i>
2242m ²	Section 6 on SO 401399	<i>RW & V Roberts and CM Loewenthal</i>
525m ²	Section 12 on SO 401399	<i>RW & V Roberts and CM Loewenthal</i>

Fifth Schedule – Road to be Stopped and Amalgamated with Computer Freehold Register SA 264/186

357m ²	Section 16 SO 401399	<i>Rangitoto Dairies Limited</i>
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Sixth Schedule – Road to be Stopped and Taken for Severance and Amalgamated with Computer Freehold Register 258746

336m ²	Section 9 on SO 401399	<i>RW & V Roberts and CM Loewenthal</i>
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2. The Mayor and Chief Executive of Otorohanga District Council be authorised to sign and seal any documentation necessary to legalise plan SO 410399.

Cr Blackler / Cr Ormsby

Item-125 MATTERS REFERRED FROM 5 AUGUST 2008

Discussion

SAFETY COORIDINATOR SCHEME

The Roothing Manager reported a Road Safety Programme has been approved and detailed the contents as follows -

- | | |
|-------------------------|----------|
| • Community Development | \$7,500 |
| • Fatigue focus | \$6,500 |
| • Kids in cars | \$5,500 |
| • Drivers Licences | \$4,500 |
| • Speed/Intersections | \$12,000 |
| • Calendar | \$20,000 |

Cr Blackler reported the proposed Calendar was over the budget of \$20,000 however, Members of the Committee had agreed funding could be derived from another activity. The Roothing Manager advised it was the intention to establish a more formal Committee and that the Calendar issue had not been finally approved. His Worship queried how the spending of funding on a Calendar could be justified. He was advised there was funding to spend and ideas were being presented. The Roothing Manager reported the Calendar would comprise a 'nice' picture with a road safety message tied into the National Safety Programme. His Worship questioned whether best use of the funding was being made and expressed the opinion it would be better spent in promoting a more long term message. Cr Blackler said she was always against the proposed calendar and asked if the programme would come back to the two Councils for approval. The Roothing Manager replied the other three Members of the Committee were in favour of the Calendar and that it would be desirable for this Council to provide an alternative project. His Worship suggested an invitation be extended to the Road Safety Coordinator to speak with Council and outline the rationale behind the proposed Calendar. It was agreed an invitation be extended to her to attend the next meeting of Council.

Cr Pilkington reported the Road Safety Coordinator would be in Kawhia this coming Thursday.

OTOROHANGA STOP BANKS

The Engineering Manager reported Council's Surveyor is on leave until 15 September 2008 however, he will undertake a survey on the level of the Otorohanga stop banks on his return. He reported he had had discussions with staff Members from Environment Waikato (EW) who were introducing a scheme investigating stop banks and possibly the upgrading of these. The Engineering Manager advised, once Council undertakes its survey, should any problem areas be identified, EW will be advised.

SUPA BINS - PROGRESS DRIVE

The Engineering Manager advised he had had a meeting with Supa Bins Local and Regional Managers regarding the suggestion they were regularly burning rubbish on their site in Progress Drive. He said the Regional Manager was quite taken back by this suggestion and said any such activity will be stopped forthwith.

RANGITAHİ STREET PROPERTY

The Environmental Services Manager reported the Rangitahi Street property in question has been discussed at Management level, the obvious option being for enforcement which would involve taking the Occupant to Court. He said however, discussion has been held with the Occupant's four sisters who are struggling to pay the rates on the property. He suggested that Council's efforts be directed into supporting the sisters rather than taking enforcement action.

KAWHIA LIBRARY SERVICE

The Finance & Administration Manager referred to the preparation of a report on the Kawhia Library Service and said it would be desirable for this to include the Kawhia building.

Item-126 HEARINGS COMMITTEE FOR OBJECTION TO CONDITIONS ON LAND USE CONSENT RM060035

Discussion

The Environmental Services Manager advised the Hearing Committee will be required to conduct a hearing for the objections to the conditions imposed on Landuse Consent RM060035 on Thursday 11 September 2008 at 10.00am. His Worship said he would encourage any Councillors not on the Committee to attend and observe the procedure. In reply to Cr Blackler, it was agreed the Environmental Services Manager organise a site visit.

Resolved

That

1. Pursuant to Section 7 of the Local Government Official Information and Meetings Act 1987 the item which is the subject of this report (Hearings Committee for the objection to conditions on land use consent RM 060035) be received and dealt with at a Hearing on 11 September 2008.
2. The Hearings Committee to conduct the Hearing will be His Worship the Mayor Dale Williams and Councillors Sue Blackler and Deborah Pilkington.

Cr Gower / Cr Ormsby

GENERAL

OLD GOLF ROAD

Cr Prescott referred to a 'dump' established on Old Golf Road and said discussions had been held with representatives from EW who confirmed that there were two cows in the drain. He said there is also considerable other rubbish on the site.

TUTUNUI STREET PROPERTY

Cr Prescott reported on a dispute which has arisen between property owners in Tutunui Street. He said one owner has threatened to cut off the other property Owner's sewer connection as this runs through his property. The Chief Executive said there was no easement over the property in favour of Council therefore this was a private issue. His Worship advised there is one connection available which serves both properties therefore technically this is not satisfactory. He suggested the affected property owners should contact a plumber for the installation of their own connection. The Environmental Services Manager advised should the sewer line be disconnected to the affected property, then this would become an unsanitary dwelling and accordingly Council would make them connect to the sewer main.

CIVIL DEFENCE - KAWHIA

Cr Pilkington reported a Civil Defence meeting had been held on 18 August 2008, the outcome of which highlighted the desire to establish an isolated Communities response team. She said a further meeting will be held on 5 September 2008.

SPRING FLING - KAWHIA

Cr Pilkington reported on an Art Festival to be held in Kawhia on 5/6 September 2008 entitled 'Spring Fling'.

KIOKIO RESIDENCES

Cr Blackler reported she had been approached by a Ratepayer regarding the relocated houses adjacent to the Kio Kio School. She said these were well past their 12 month Conditions period and apparently they were now up for sale. The Environmental Services Manager replied some renovation work has been carried out which has been permitted however, he would be reluctant to utilise the bond money to facilitate the completion of these works.

FORMER CROQUET AREA

Cr Blackler said the former Croquet area behind the St Mary's School had been brought to her attention. His Worship advised this is Maori land which was purchased approximately four years ago by a private individual. The Chief Executive reported St Mary's School had written to Council last year regarding the property being a fire hazard. His Worship suggested a letter be forwarded to the property owner informing him that the area needs to be tidied up.

KAWHIA BOAT/TRAILER PARK

Cr Adam queried what progress had been made in finalising matters relating to the Kawhia Boat and Trailer park. His Worship replied Council had been unable to get the parties concerned together for formal agreement. He said hopefully boat users over the forthcoming summer period will express their dissatisfaction regarding the situation. His Worship said Council was unwilling to spend ratepayer money without entering into a formal tenure of lease. The Finance & Administration Manager informed Members that Council was still paying the rates on the property.

HAURAKI DISTRICT COUNCIL

The Chief Executive reported the Mayor and Councillors of the Hauraki District Council were undertaking a 3/4 day tour of various Districts and would like to visit Otorohanga on 5 November 2008. He said two issues they have highlighted are Youth Development and Library activities. They would also like to meet with some of this Council's Members.

TE ARAROA TRACK

His Worship informed Members of a walk on the Te Araroa Track on Saturday 11 October 2008.

ZONE 2 MEETING

His Worship informed Members of the Zone 2 meeting to be held in Gisborne next week. On advice from Cr Adam that he would be unable to attend the meeting, Cr Pilkington said she would advise if she would be able to attend in his place. In the meantime, His Worship and Council's Chief Executive will be attending the meeting.

CAREERS EXPO

His Worship reported this year's Expo was a great success with 120 local children taking part. He said clusters of businesses were formed and that some of the students came to Council.

TRIENNIAL FORUM MEETING

His Worship checked whether Members had received minutes of a recent Triennial Forum meeting.

OTOROHANGA ZOOLOGICAL SOCIETY

His Worship referred to a report prepared by the Otorohanga Zoological Society advising that the Business Case summary of the Feasibility report was not accepted by them.

DESTINATION WAITOMO

His Worship reported on a meeting of Destination Waitomo held last night which he said was very well supported. He expressed some reservation at the local subscription rate of \$250 per annum and suggested some of the larger businesses could be paying a lot more. He said the current subscription rate did not provide a serious commitment by the Members.

TE KUITI GROUP - HEALTH ISSUES

His Worship referred to a group in Te Kuiti where the Operators have hired a 'Health Workforce Plan' as a pathway to encouraging Health Operators into the area.

MRS J ROBERTS

His Worship read a letter of appreciation received from Mrs J Roberts who was naturalised at the meeting of Council on 5 August 2008.

LUNCHEON/WORKSHOP SESSION

Council adjourned for a workshop and luncheon at 12 noon and resumed at 1.10pm.

MEETING CLOSED

The meeting concluded at 1.50pm.

MAYOR:

DATE:

