



Otorohanga District Council

# MINUTES

31 March 2009

## OTOROHANGA DISTRICT COUNCIL

31 March 2009

Minutes of an ordinary meeting of the Otorohanga District Council held in the Council Chambers, Maniapoto St, Otorohanga on Tuesday 31 March 2009 commenced at 10.07am.

### MINUTES

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## PRESENT

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

## IN ATTENDANCE

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

## OPENING PRAYER

Cr Gower read the Opening Prayer.

## CONFIRMATION OF MINUTES - 10 MARCH 2009

**Resolved** that the minutes of the meeting of the Otorohanga District Council held on 10 March 2009 as previously circulated, be approved as a true and correct record of that meeting.

**Cr Earwaker / Cr Adam**

## OTOROHANGA COMMUNITY BOARD

**Resolved** that the minutes of the meeting of the Otorohanga Community Board held on 12 February 2009 be received and the recommendations contained therein adopted.

**Cr Prescott / Cr Ormsby**

## REPORTS

### Item-192      **ROAD LEGALISATION PART HAPPY VALLEY ROAD SO 398256 and SO 416188**

#### **Resolved**

That

1. The Otorohanga District Council hereby consents 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 road vested in the Otorohanga District Council.
  - b. Pursuant to Sec 116 and 117 of the Public Works Act 1981 the road described in the **Second Schedule** below being stopped and vested by way of exchange in Brian Keith Milne and Hilary Vera Milne by way of amalgamation with the land in Computer Freehold Register SA1202/13 subject to mortgage H755450.2 to The Rural Banking and Finance Corporation of New Zealand.
  - 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 Bruce Murray Ahlers and Janet Ann Ahlers by way of amalgamation with the land in Computer Freehold Register SA704/178 subject to mortgage 5394566.4 to The National Bank of New Zealand Limited.

## **South Auckland Land District - Otorohanga District**

### **First Schedule - Land to be Declared Road**

Area	Description	Owners
67m <sup>2</sup>	Part Sec 9 Pukemapou Settlement Marked Section 4 on SO 398256 Being part Computer Freehold Register SA1202/13	BK & HV Milne
1268m <sup>2</sup>	Part Sec 9 Pukemapou Settlement Marked Section 4 on SO 416188 Being part Computer Freehold Register SA1202/13	BK & HV Milne
638m <sup>2</sup>	Part Section 8 Pukepapou Settlement Marked Section 1 on SO 416188 Being part Computer Freehold Register SA 704/178	BM & JA Ahlers

### **Second Schedule - Road to be stopped and amalgamated with Computer Freehold Register SA 1202/13**

Area	Description	Owners
860m <sup>2</sup>	Adjoining or passing through Part Section 9 Pukemapou Settlement Marked Section 2 on SO 416188	BK & HV Milne

### **Third Schedule - Road to be stopped and amalgamated with Computer Freehold Register SA 704/178**

Area	Description	Owners
1416m <sup>2</sup>	Adjoining or passing through Part Section 8 Pukemapou Settlement Marked Section 3 on SO 416188	BM & JA Ahlers

2. The Mayor and Chief Executive of Otorohanga District Council be authorised to sign and seal any documentation necessary to legalise plans SO 398256 and SO 416188.

## **Cr Earwaker / Cr Adam**

### **Item-193 ROAD LEGALISATION PART NEWMAN ROAD SO 390433**

#### **Resolved**

That

1. The Otorohanga District Council hereby consents 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 road vested in the Otorohanga District Council.
  - b. Pursuant to Sec 116 and 117 of the Public Works Act 1981 the road described in the **Second Schedule** below being stopped and vested by way of exchange in Peter Livingstone Sinclair, Jennifer Ann Sinclair and Bailey Ingham Trustees Limited by way of amalgamation with the land in Computer Freehold Register SA48C/991
  - 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 Ivan Henry

Smith and Theresa Mary Smith by way of amalgamation with the land in Computer Freehold Register SA704/148.

**South Auckland Land District - Otorohanga District**

**First Schedule - Land to be Declared Road**

Area	Description	Owners
2926m <sup>2</sup>	Parts Lot 4 DP 33840 shown as Sections 1, 2, 3, 4 and 6 on SO 390433 being part Computer Freehold Register SA47C/264	AJ Baker
520m <sup>2</sup>	Part Lot 9 DP 25508 shown as Sections 7 on SO 390433 being part Computer Freehold Register SA48C/991	PL & JA Sinclair Bailey Ingham Trustees
160m <sup>2</sup>	Parts Lot 1 DP 398670 shown as Sections 9 and 10 on SO 390433 being part Computer Freehold Register 393509	SR Fraser AL Millar
374m <sup>2</sup>	Part Lot 7 DP 25508 shown as Section 11 on SO 390433 being part Computer Freehold Register SA709/148	IH & TM Smith

**Second Schedule - Road to be stopped and amalgamated with Computer Freehold Register SA48C/991**

Area	Description	Owners
1978m <sup>2</sup>	Adjoining Part Lot 9 DP 25508 marked as Section 5 on SO 390433	PL & JA Sinclair Bailey Ingham Trustees

**Third Schedule - Road to be stopped and amalgamated with Computer Freehold Register SA709/148**

Area	Description	Owners
2011m <sup>2</sup>	Adjoining Part Lot 7 DP 25508 marked as Section 8 on SO 390433	IH & TM Smith

2. The Mayor and Chief Executive of Otorohanga District Council be authorised to sign and seal any documentation necessary to legalise plan SO 390433.

**Cr Gower / Cr Earwaker**

**Item-194 ODC MEMBERS REMUNERATION FOR 2009/10**

**Discussion**

The Chief Executive summarised a report requesting Council to consider the level of remuneration to apply from 1 July 2009.

The Chief Executive advised the three factors affecting the annual remuneration pool are - decreasing population in the District, value of the District's assets and expenditure of the District. He said to have the pool increase would require an increase in the population of the District.

Cr Gower expressed the opinion he was pleased to hear there was relatively no increase in Councillor's salaries due to the current economic climate however, he expressed concern that

the salaries paid to Community Board Members was far too close to that paid to Councillors. He said the Boards' make recommendations to Council whereat the responsibility rests.

### **Resolved**

That the following rates of remuneration be paid to Councillors, effective from 1 July 2009:

Deputy Mayor	\$26,086
Councillors	\$11,915

### **Cr Pilkington / Cr Gower**

## **Item-191          ADOPTION OF KEEPING OF STOCK BYLAW**

### **Discussion**

The Environmental Services Manager presented a report on the proposed Keeping of Stock, Poultry and Bees Bylaw which was approved for public notification and consultation. He said five submissions on the proposed Bylaw have been received from the public.

The Environmental Services Manager reported that the matters raised in the submissions about Bee Keeping can be managed by the proposed Bylaw. He said that representatives of the Otorohanga Kiwi House had discussed the management and storage of roosters and chickens in order that they do not create a nuisance.

Ms Michell Sanders, on behalf of the Te Kuiti North King Country SPCA, attended the meeting and presented her submission. Ms Sanders said her Association would like to see the proposed Bylaw ban any animal considered as 'rural' within the Kawhia and Otorohanga Communities as these are usually tethered which does not allow the animal to be free to exhibit its natural behaviours. She said the animal is restricted and unable to do other activities than what a chain allows. The Environmental Services Manager advised that the proposed Bylaw allows Enforcement Officers opportunity to use discretion. The Chief Executive said the purpose of the proposed Bylaw is focused on 'nuisance'. The Environmental Services Manager advised that a 'nuisance activity' is one on a property that is affecting other properties. His Worship said Council's role is of a regulatory nature whereas the SPCA's is one of welfare. Ms Sanders referred to the nuisance created by cats to which the Environmental Services Manager replied these would not be included in the proposed Bylaw.

Mrs N Jensen, President of the Otorohanga Zoological Society Inc, attended the meeting and asked Members whether they had any questions on the Society's submission. His Worship advised that the proposed Bylaw was flexible enough to cover the Society's needs. Mrs Jensen referred to the definition of the word 'nuisance' and said the Society did not wish for it to impact on their business.

Mrs Fiona O'Brien, of Beeline Apiaries, attended the meeting and spoke to their submission. Mrs O'Brien referred to the definition of 'bees' being classified in a 'nuisance' category. She said bees were very important to the food chain and go about their day freely giving pollination to gardens, vegetable gardens, fruit tree and flowers. Mrs O'Brien reported in most instances bees go about their day without anyone noticing that they are there. She said there is a need to keep the urban Bee Keepers in the Community. The Environmental Services Manager replied that if bees were not being kept in a responsible manner and an issue develops, a Bee Keeper will be approached to provide advice. His Worship informed Members that bees are defensive not aggressive. Cr Pilkington referred to the request that Council investigate bee related issues only after two complaints are received. She queried how effective this policy had been. Mrs O'Brien replied it had worked quite well and that by receiving two complaints highlights the fact that there is a problem. The Environmental Services Manager advised as this Council is a small Authority, any matter would be investigated upon receipt of one complaint.

## **Resolved**

That

1. The Environmental Services Manager's report be received, and
2. Council adopt the proposed Keeping of Stock, Poultry and Bees Bylaw and that this take effect immediately.

## **Cr Earwaker / Cr Adam**

### **Item-189 ENVIRONMENT WAIKATO DRAFT LTCCP 2009-19 ROAD SHOW**

#### **Discussion**

Representatives of Environment Waikato (EW), Biosecurity and Natural Heritage Group Manager, John Simmons and Deputy Chair John Fisher and Cr Andra Neeley attended the meeting to present EW's Draft LTCCP.

Mr Simmons advised EW's Group activities comprised of Community partnerships, Environmental Management, Regional Development and Safe and Resilient Communities. The priorities under these activities are Financial Sustainability, Co-management, Flood Protection, Drainage Schemes, Bus Services and continuing investment into the science that underpins EW's decisions.

Mr Simmons reported, under the current economic climate demands have been placed on EW and accordingly this draft LTCCP identifies some substantial cuts across their programmes. He said the rates revenue shows as being up four percent across existing Ratepayers.

Mr Simmons then outlined reduced works and services under the following activities - air quality, clean streams, natural heritage (rate re-organised), pest management and waste. Cr Pilkington questioned why EW contributes to the Mangatautari Reserve Project. Mr Simmons replied that the contribution would go towards maintaining and monitoring the surrounding fence line with a commitment made three years. Mr Simmons then referred to an issue which had not been included in the budget. He said a question had been raised to Ratepayers whether EW collects \$600,000 in the 2009/10 year on behalf of the Animal Health Board for Regional vector control work. Mr Simmons then outlined the timetable in respect to the adoption of the LTCCP, this being - LTCCP available 20 March 2009, submissions close 20 April 2009, public hearing 11-15 May 2009, LTCCP adopted and rates set 25 June 2009. Cr Pilkington expressed the opinion it was irresponsible of EW to cut back spending in the rural areas in order to achieve an overall four percent rate increase.

His Worship expressed thanks to the Representatives and said Council is very grateful to have two elected Members and a staff Member attend its meeting. He acknowledged the work EW is doing which is similar to that of Council in regards to rating. He said it was disappointing to hear that some activities have ceased or been reduced. His Worship however, extended congratulations to EW's Council for reducing their rates increase to only four percent and confirmed that this Council will be making a submission.

His Worship asked Members what items they wish to include in Council's submission on EW's draft LTCCP. The first issue was that relating to Biodiversity which has been cut back however, it was Members wish to ensure that the gains previously achieved are maintained.

It was also suggested that in order to maintain the dollars at a suitable rate to the benefits received, the passenger activity be taken out of the budget to allow EW to retain a four percent increase in their rating level.

Cr Pilkington reported the District could not afford a reoccurrence of TB. His Worship referred to EW's flood protection programme and reported there were areas in the Otorohanga Stop Banks which require building up by approximately one metre. The Chief Executive advised Members it

was necessary for Council to see the proper report from EW on the best way to carry this out. Cr Gower also referred to the sustainability and management of metal resources. Cr Pilkington questioned EW's priorities and referred to the maintenance programme for the Mangatautari Reserve which would take away benefits from the rest of the District.

His Worship referred to Animal Health Care and questioned why EW would wish to take on the collection of another Organisations' revenue. Cr Pilkington expressed concern that the Animal Health Board did not put any funding into this District with the known fact that TB is on the increase. She suggested the Animal Health Board collect their own rates but ensure they do contribute to this District. Cr Blackler advised that the Animal Health Care rate should be placed over both rural and urban areas. Cr Pilkington referred to the Clean Stream Activity in particular, to the west of the District and questioned whether existing agreements will be honoured.

### **Resolved**

That the report and draft LTCCP 2009-19 from Environment Waikato be received.

### **Cr Earwaker / Cr Pilkington**

## **Item-190            BUILDING CONTROL OFFICERS REPORT FOR 1 DECEMBER 2008 TO 28 FEBRUARY 2009**

### **Discussion**

The Environmental Services Manager summarised the District Building Control Officer's report for the quarter from 1 December 2008 to 28 February 2009. He reported good progress was being made with signing off old consents and informed Members that Council has a 10 year liability for any Building Consents from the time they are signed off. He referred to the budgeted income figures for next year and reported that Management has been conservative in this forecast. His Worship expressed the gratitude and appreciation of Council to the Building team for the work they have undertaken in particular to the Building Consent Accreditation programme. Cr Pilkington queried whether the next stage of the Accreditation process will be as arduous for staff. The Environmental Services Manager replied the audit will be robust but he expressed the opinion that it would not be arduous. In reply to Cr Earwaker, the Environmental Services Manager advised it was felt that the income in the 2009/10 year would match with that of the 2007/08 year. He will however, closely monitor the situation.

The Environmental Services Manager reported that the hours of the Consultant Planners have been reduced with two Consultants working one day each per week.

### **Resolved**

That the Building Control Officer's quarterly report to 28 February 2009 be received.

### **Cr Pilkington / Cr Prescott**

## **Item-195            REVIEW OF REGIONAL POLICY STATEMENT DISCUSSION DOCUMENT**

### **Discussion**

Mr Blair Dickie, Programme Manager within Environment Waikato's Policy and Strategy Group, attended the meeting and made a presentation on the Discussion Document and identified opportunities for ongoing involvement in the project. Mr Dickie advised Council's comments on the Regional Policy Statement Discussion Document was required by 17 April 2009. Cr Blackler queried who had suggested that this review be undertaken. Mr Dickie replied every Region must

have a Regional Policy Statement which is reviewed every 10 years. He reported the new Council has been so involved with their LTCCP that time has not been available to them to have workshops on the Regional Policy Statement. He said the sole purpose of this discussion document is to facilitate discussion and obtain feedback from key stakeholders, such as District Councils, in order to provide advice to his Councillors.

### **Resolved**

That Environment Waikato's Regional Policy Statement Discussion Document be received.

### **Cr Blackler / Cr Ormsby**

### **LUNCHEON ADJOURNMENT**

Council adjourned for luncheon at 12.37pm and following a workshop, resumed at 3.13pm.

Cr Gower left the meeting following the luncheon adjournment.

### **GENERAL**

#### **TRUCK WASH FACILITY**

Cr Prescott reported the Truck Wash Facility was looking good with tidying up and landscaping of the site being carried out.

#### **COMMUNITY LAWN MOWING**

Cr Prescott reported he had received another two complaints regarding the Otorohanga Community Lawn Mowing.

#### **RANGITAHU STREET PROPERTY**

Cr Ormsby referred to the property in Rangitahi Street, Otorohanga whereat rubbish was still accumulating including an old car, dirt and a shed. The Environmental Services Manager took note of the situation.

#### **MCDONALDS FOOD CHAIN SITE**

The Environmental Services Manager reported on progress being made with regard to the McDonald's food chain site and advised that a new storm water drain had been laid. He said the Company had obtained a Geo-tech report on the site and that a pile driven building platform has been installed. He said, in conjunction with this work, upgrade of the adjacent sewer main has been carried out.

#### **WAIKATO REGIONAL LAND TRANSPORT STRATEGY**

His Worship referred Members to a copy of the 2007/08 Annual Report on the Waikato Regional Land Transport Strategy. He said the annual report is a statutory requirement under Section 182 of the Land Transport Act 1998 and outlined progress on the implementation of the Waikato Regional Land Transport Strategy.

#### **MAYORAL GRADUATION CEREMONY**

His Worship informed Members the Mayoral Graduation Ceremony will take place at the Otorohanga Club on Tuesday 7 April 2009 at 7.00pm. He advised that Wintec had offered \$1700 towards the cost of holding the Ceremony.

#### **DISTRICT EMPLOYMENT**

His Worship reported on discussions he had had with one or two of the Districts larger Employers and expressed the opinion that everyone was 'holding their own' without necessitating layoffs.

He referred in particular to McDonald's Lime who had made a donation of \$8000 to Council. He said the continuation of this support is very encouraging.

His Worship referred to the recent Waikato Job Summit and said there will be jobs and programmes available that will have a benefit to this District.

### **RUGBY WORLD CUP 2011**

His Worship reported the following games will be held at the Waikato Stadium in Hamilton -

Friday 16 September 2009 NZ v Asia

Sunday 18 September 2009 - Wales v Oceania

Sunday 2 October 2009 - Wales v Fiji

### **MEETING AND GOVENANCE WORKSHOP**

The Customer Services Team Leader queried which Members will be able to attend the Workshop to be held Wednesday 15 April commencing at 1.30pm. Crs Prescott, Ormsby and Blackler advised they would be able to attend, Cr Earwaker was unsure and Cr Adam said he was unable to attend.

### **MEETING CLOSED**

The meeting concluded at 3.50pm.

**MAYOR:**

**DATE:**

