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DISTRICT COUNCIL
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Otorohanga District Council

MINUTES

16 February 2010

OTOROHANGA DISTRICT COUNCIL

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Minutes of an ordinary meeting of the Otorohanga District Council held in the Council Chambers, Maniapoto St, Otorohanga on Tuesday 16 February 2010 commencing at 9.32am.

MINUTES

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PRESENT

Mr DF Williams (Mayor), Crs SR Adam, S Blackler, WH Earwaker, AL Gower (attended 10.03am), AG Ormsby, DM Pilkington and RJ Prescott.

IN ATTENDANCE

Messrs DC Clibbery (Chief Executive), Roy Chadwick (Engineering Manager) and CA Tutty (Governance Supervisor).

OPENING PRAYER

Cr Blackler read the Opening Prayer.

APOLOGY

Resolved that the apology received from Cr AL Gower for lateness be sustained.

Cr Adam / Cr Earwaker

CONFIRMATION OF MINUTES - 26 JANUARY 2010

Resolved that the minutes of the meeting of the Otorohanga District Council held on 26 January 2010 as previously circulated, be approved as a true and correct record of that meeting.

Cr Pilkington / Cr Prescott

REPORTS

Item-296 KAWHIA COMMUNITY BOARD MINUTES - 29 JANUARY 2010

Discussion

Cr Pilkington referred to page 4 of the minutes, Item 100 Kawhia Water Supply issues and requested it be noted in the minutes that the Board came out of Committee to consider this matter in public.

Resolved

That the minutes of the meeting of the Kawhia Community Board held on 29 January 2010 be received and the recommendations contained therein adopted.

Cr Pilkington / Cr Blackler

Item-297 ROUTINE ENGINEERING REPORT

Discussion

The Engineering Manager attended the meeting and presented a report on general Engineering matters for November 2009 to January 2010. He reported that currently tender prices are very low and roading authorities have been encouraged to bring forward some additional projects.

In reply to Cr Pilkington regarding the painting of the Kawhia Museum building, the Engineering Manager advised that Periodic Detention workers from Waikeria Prison carried out most of the painting with Community Max workers finishing the project off. Cr Pilkington reported she had received comments to the effect that the work was to a poor standard. The Engineering Manager undertook to check out these comments.

In reply to Cr Adam regarding the cleaning of culverts, the Engineering Manager replied a report will be prepared on this matter for consideration at Council's March meeting.

Cr Pilkington referred to General Maintenance items and queried this in relation to pot holes. She asked whether pot holes are being dealt with prior to road grading being carried out or after the grading and if so, how long after. The Engineering Manager replied the Contractor is supposed to maintain pot holes in between gradings however, if there is a major repair this should be carried out prior to the grading taking place.

Cr Pilkington referred to the Minor Safety Project list and whether Members could receive a copy. The Engineering Manager replied that the Roading Manager was currently working through this however, when the list is completed Members will be given a copy.

Resolved

That the Engineering Manager's report on general Engineering matters for November 2009 to January 2010 be received.

Cr Adam / Cr Earwaker

Item-298 REWAREWA RECREATION RESERVE

Discussion

The Technical Services Manager attended the meeting and presented a report advising that the Rewarewa Reserve is a Recreation Reserve vested in the Otorohanga District Council with purposes and management requirements as set out in the Reserves Act 1977. He said the future of the reserve has to be considered following minimal use since the closure of the Rewarewa Recreation Society in 2001.

The Technical Services Manager reported that, at a recent local meeting the following unanimous views were expressed -

1. Planting with native bush species to be undertaken with the possible assistance of the Native Forest Restoration Trust.
2. An area of land around the school to remain unplanted to reduce the fire risk. This area to be big enough to provide access to the building and allow some parking and camp sites. The set back area will be grazed by sheep rather than mown.
3. The management plan for the reserve to be revised.

Cr Blackler reported there has been some maintenance carried out on the old school building such as a new roof. She said the local opinion was to retain the school building. There will be no cost incurred by Council.

Resolved

That

1. The land is retained as a Recreation Reserve and planted with native species over a substantial area with assistance for planting sought from the Native Forest Restoration Trust.
2. The school is separated from the bush by a small area of open space.
3. Public access is unrestricted over the whole of the reserve.
4. The Management Plan for the 1.214 ha Rewarewa Recreation Reserve is revised.

Cr Blackler / Cr Ormsby

Item-299 APPLICATION FOR TEMPORARY ROAD CLOSURE - NKC MOTORCYCLE CLUB

Discussion

The Engineering Manager presented the Engineering Support Officer's report on an application received from the Northern King Country Motorcycle Club for the road closure of Tolley Road, to enable the NKC Motorcycle Club to hold a gravel sprint event.

The Engineering Manager reported that consent had been received from all property owners on Tolley Road.

Resolved

That approval be granted for the following road closure:

Purpose:	North King Country Gravel Sprint
Dates:	Saturday, 6 and Sunday, 7 March 2010
Details of Closure:	**TOLLEY ROAD, NGAROMA** (No Exit) – Full Length
	Period of Proposed Closure: 8.00am to 6.00pm, both days

With the following conditions imposed:

1. Persons will be allowed through in the event of an emergency.
2. NKC Motorcycle Club is to pay an application fee of $400.00 towards administration of the road closure to Otorohanga District Council, payable no later than 10 working days prior to the road closure.
3. Public notice advertisements are to be published in the Waitomo News. NKC Motorcycle Club is to pay for all advertising costs in appropriate newspapers.
4. NKC Motorcycle Club is responsible for obtaining public liability insurance (and paying the cost thereof) to a minimum value of $2,000,000. This is required to indemnify Council against any damage to property or persons as a result of rally activities during the road closure period. Council requires that it is held covered under the terms of such policy and accordingly the policy is required to be in both parties' names on the form prescribed by Council.
5. A bond of $4,000 is required no later than 10 working days prior to the event. The bond is based on $2,000 per road per day and is applicable to unsealed roads only.
6. NKC Motorcycle Club is to consult with all residents of all properties on the road intended to be closed. Mail drops to residents are also to be carried out no later than ten full days before the proposed closure, and to be approved by Council staff prior to distribution.
7. NKC Motorcycle Club is solely responsible for signposting and policing of the roads to be closed, to ensure that only vehicles connected with the event have access to the road closure areas. This includes arranging the delivery, erection and staffing of all road closure barriers and the removal thereof after closures. All gates and entranceways are to be taped and tape is to be removed thereafter.
8. Signs advising of the road closures are to be erected at the start and end of the closed portions of roads and on each intersecting road two weeks prior to the road closure. All signs are to be removed immediately after the closure. A NKC Motorcycle Club representative is to meet with Council Engineering staff regarding the required signs format, size, location and quantity of signs for approval before they are manufactured and erected.

Cr Blackler / Cr Adam

Item-308 BROADBAND INITIATIVES FOR DISTRICT

Discussion

Rural Link representative Mr Murray Pearson attended the meeting and gave a presentation on the research group regarding delivering broadband internet access to rural communities. Mr Pearson reported, following a Government announcement, Rural Link was investigating ways to improve Broadband in NZ. He said $50m per year has been allocated to improving this service with the focus being on schools, medical centres and the like. Mr Pearson said that earlier this year a call was made for proposals to be presented. He said Rural Link was established in 2006 to commercialise the work of the University of Waikato's WAND network research group. He said the group continues to develop innovative solutions to support the roll-out and management of networking solutions. Mr Pearson advised that his Company has engaged with the Community and established a network of 30-40 houses in the Ngaroma area. His Worship referred to a requirement of around 10-15 customers, in a cluster, to allow them the opportunity to engage with Rural Link to obtain Broadband.

CR GOWER

Cr Gower attended the meeting at 10.03am.

In reply to Cr Blackler regarding 'user pays' Mr Pearson advised, at the present time no funding is available. Mr Gower reported that he had the Broadband service and that the system was very good however, he did have issues regarding the maintenance side.

Resolved

That the Rural Link presentation be received.

Cr Prescott / Cr Pilkington

Item-301 OTOROHANGA DISTRICT & COMMUNITY CHARITABLE TRUST - APPOINTMENT OF NEW TRUSTEES

Discussion

His Worship referred Members to a report prepared by the Chairman of the Otorohanga District & Community Charitable Trust advising that two vacancies exist on the Trust requiring a Council resolution to fill.

Resolved

That Messrs David Bailey and Roy Johnson be appointed as Trustees to the Otorohanga District & Community Charitable Trust.

Cr Earwaker / Cr Blackler

Item-304 2011 RUGBY WORLD CUP

Discussion

His Worship referred Members to a report prepared by the Chief Executive advising that a request for confirmation of financial support towards local hosting of Rugby World Cup games has been received from the Hamilton City Council. His Worship reported the total financial cost was estimated at around $400,000 with this Council's share of 3.5 percent being approximately $13,000. He said support is being sought from only within the five local regions. Cr Pilkington felt that Council should require confirmation that the World Cup Teams would actually be coming to the District. His Worship replied that he has been assured they will come to the five Districts. Cr Earwaker suggested that any funds should be sought from the Otorohanga District

Development Board. His Worship replied this has not been discussed by the Board however, it would not have been budgeted for. Cr Blackler referred to a previous Lions tour and queried whether any 'spin off' was derived from that. Cr Gower also felt that the Otorohanga District Development Board needs to seriously consider the approach. His Worship advised that the ability is there for the Board to pre-budget towards the project.

Resolved

That

1. The Chief Executive's report be received,
2. A favourable response be forwarded to the Hamilton City Council
3. Consideration be given internally to a 50/50 split between Council and the Otorohanga District Development Board towards the support costs.

Cr Earwaker / Cr Prescott

Item-300 DRAFT MANAGEMENT ACCOUNTS FOR THE PERIOD ENDED 31 DECEMBER 2009

Discussion

The Finance & Administration Manager and the District Accountant attended the meeting. The District Accountant circulated the Management Accounts to the 31 December 2010 in respect to the Land Transport Disbursement Account. He then presented the Draft Management Accounts. Cr Earwaker expressed the opinion that Members require fuller account details and to show any income. The Chief Executive informed Members that the Tihiroa Rural Water Supply account was not in a good situation due to issues such as water leakage and Contract improvement works.

The Chief Executive advised Members that the draft Accounts were not to the standard they should have been, in part due to the changes in NCS Financial systems.

Resolved

That the Draft Management Accounts for the year ended 31 December 2009 be received.

Cr Adam / Cr Pilkington

Item-305 STATEMENT OF PROPOSAL - KAWHIA WALKWAY CLOSURE

Discussion

The Chief Executive summarised his report advising it is proposed to follow the Special Consultative Procedure of the Local Government Act to consult with the Kawhia Community in respect of a potential closure of the existing walkway linking Jervois and Retemeyer Streets. The Chief Executive referred to the Report Discussion section, in particular the second sentence which he amended to read, "It is known that the area through which the track passes was used as a midden area by Maori…". In reply to Cr Pilkington as to how the Community will be consulted, the Chief Executive replied this will be via the two local newspapers and the Kawhia Messenger. Cr Pilkington suggested the proposal also be placed on the Public Notice Board outside the Kawhia Medical Centre.

Resolved

That

1. The report be received; and:

2. The following Statement of Proposal (including a Summary of Information) be approved for public consultation -

STATEMENT OF PROPOSAL AND SUMMARY OF INFORMATION:

Closure of Retemeyer / Jervois Street Walkway in Kawhia

In Kawhia a 70 metre long pedestrian track extends from the eastern end of Retemeyer Street to connect with Jervois Street next to the public toilets. It is known that the area through which the track passes was used as a midden area by Maori, and usage of this track has in recent times caused human remains to be exposed. This has resulted in a request from iwi representatives for the track to be closed.

The Kawhia Community Board has requested that broader community consultation on a potential closure of this track is undertaken prior to a decision being made.

If the track was to be closed it is likely that the existing steps and handrails would be removed, and fences erected to prevent access over this land.

Written submissions on this proposal are invited, and should be addressed to:

The Chief Executive
Otorohanga District Council
PO Box 11
OTOROHANGA 3940

Submissions must be received by Council by not later than 26 March 2010, 4.00pm.

Cr Gower / Cr Pilkington

Item-306 GENERAL POLICY RE NET LAND AREA GAINS TO PROPERTY OWNERS RESULTING FROM ROAD REALIGNMENT

Discussion

The Chief Executive presented a report advising that, further to the Council meeting of 26 January 2010, at which this matter was briefly discussed, staff have prepared a proposed general policy for dealing with the situation where a property owner receives a net land area gain as a result of changes to the road alignment and the subsequent road legalisation process.

Resolved

That

1. The Council hereby declares that the following general policy shall apply in relation to properties that receive a net land area gain as a result of changes to a road alignment and the subsequent road legalisation process.
2. The property owner shall be required to pay for the net land area gain in the following circumstances:
   a. When the estimated value of the net land area gain is more than $1,000 and a written Compensation Agreement (or other form of formal agreement) with the current owner was made and refers to the owner paying for the net land area gain.
   b. When the estimated value of the net land area gain is more than $1000 and the current owner was aware at the time of purchase of the property via a LIM, Compensation Certificate on the property title, or other documentation, that what the current owner was purchasing did not include the net land area gain that would, or has, resulted from the road realignment and legalisation process.
   c. When the estimated value of the net land area gain is more than $1000 and the current owner requested that the road be stopped and be added to the owners

property title (Note - other conditions related to legal and survey costs may apply in this circumstance).

d. Under all circumstances when the estimated value of the net land gain is more than $5000, other than when a prior formal agreement has been made between Council and current or former owners which specifically states that payment for the net land area gain will not be required.

(Note – that in this circumstance a valuation is to be produced by a Registered Land Valuer in relation to the value of the net land area gain).

3. The property owner shall not be required to pay for the net land area gains unless required to by the conditions set out in resolution 2 above.

Cr Earwaker / Cr Gower

Item-302 OTOROHANGA DISTRICT DEVELOPMENT BOARD REPORT AUGUST 2009 TO JANUARY 2010

Discussion

The Chairperson of the Otorohanga District Development Board, Carolyn Christian, attended the meeting and referred Members to her report for the period August 2009 to January 2010.

Cr Pilkington reported that Kawhia had benefited hugely from the input of the Development Board and said a good result had been obtained all round.

His Worship referred to the Board's Strategic Plan and said it has been looking at conducting research in an attempt to align with Council's Long Term LTCCP and identify impediments of economic growth in the District and Region. He said a Consultant has been interviewed and that the Board will meet tomorrow to consider the best options to do research that will help the Board and Council have a direction that will ensure they remain a growing and vibrant Community.

His Worship reported that the Board meets every third Wednesday from 9.00-12noon and encouraged Council Members to attend if they are able. Cr Pilkington extended her thanks to Mrs Christian for her leadership of the Board and her reports.

Mrs Christian said she had a personal concern that groups within the Community were not liaising with each other nor aware of the main groups. She suggested that everyone needs to get together and that on 18 March it was proposed to hold a barbeque to encourage this networking.

Resolved

That the report of the Otorohanga District Development Board for the period August 2009 to January 2010 be received.

Cr Pilkington / Cr Adam

Item-303 OTOROHANGA DISTRICT DEVELOPMENT BOARD - PROPOSED ALTERATION OF RULES

Discussion

His Worship referred to the Chairperson of the Otorohanga District Development Board's report advising that the Board proposes changes to its Constitution and Rules that require Council's ratification. He made reference to the proposed alterations and said this would allow Council the right to double its representation on the Board. Cr Pilkington expressed the opinion the proposed alterations were an attempt to formalise what is already happening. Cr Blackler felt that Council's representation remain at one to allow another representative from the Community.

Resolved

That

1. Rule 9(i) (Management Board and Officers) is amended by deleting the existing wording and replacing the following:

   "(i) The officers of the Society shall constitute a Management Board of not more than ***ten (10) persons*** who will be elected or appointed as follows:"

2. Rule 12(i) (General Meeting) be amended by deleting the existing wording and replacing the following:

   "(i) The Society shall hold its Annual General Meeting no later than 31 October each year.

Cr Earwaker / Cr Prescott

Item-307 APPOINTMENT OF HEARINGS COMMITTEE TO DECIDE RESOURCE CONSENT APPLICATION RM090069

Discussion

His Worship referred Members to the Environmental Services Manager's report advising confirmation of the date of Hearing and Members of a Hearings Committee to hear and decide a Resource Consent application by OTC Timber Company Ltd. His Worship informed Members that Mr Graham Wilshier of OTC Timber Company Ltd had expressed concern that the Mayor would be on the Hearings Committee to consider this application. His Worship reported he had also had discussions with the owner of Landmore regarding their possible submission to the Application. His Worship said Mr Wilshier had been a previous Councillor and that His Worship's Trust had built the building adjacent to the property in question. His Worship advised that the Application will be very 'evidence' based. Cr Blackler expressed the opinion she felt that in this case His Worship should step back from the Committee.

Resolved

That

1. The Hearing for Resource Consent RM090069 be held in the Council Chambers on Tuesday 9 March commencing at 1.30pm and,
2. The members of the Hearings Committee will be Deputy Mayor Cr Earwaker, Cr S Blacker and Otorohanga Ward Councillor, R Prescott.

Cr Gower / Cr Adam

Item-309 REQUEST TO PURCHASE PART OF HAPPY VALLEY ROAD

Discussion

Members were referred to the Engineering Manager's report regarding the sale of part of Happy Valley Road to Happy Valley Developments (Mr LL Gower) which has been re-activated. Members were informed that the proposal was reported to the Council meeting on 1 April 2008 and authority to proceed with the sales process was given.

Resolved

That

1. The Council hereby declares pursuant to Sec 345 of the Local Government Act 1974 that Sec 1 SO 415365 is stopped road.

2. The Council hereby declares pursuant to Sec 345(2) of the Local Government Act 1974 that Sec 1 SO 415365 be amalgamated with the land in title 356516 being Lot 1 DP 389174.
3. The Mayor and Chief Executive be authorised to sign all documents related to the sale of Sec 1 SO 415365 being part of Happy Valley Road to Happy Valley Developments Ltd.

Cr Earwaker / Cr Adam

GENERAL

KAWHIA KAI FESTIVAL

Cr Pilkington reported of a very successful Kawhia Kai Festival held recently.

WAIPAPA ROAD

Cr Gower referred to the recently installed white edge lines on Waipapa Road and queried whether these could be continued through.

ZONE 2 MEETING

His Worship informed Members that the next Zone 2 meeting will be held in the Western Bay of Plenty on 5 March 2010.

KIWIANA FESTIVAL

His Worship reminded Members of the Kiwiana Festival to be held on 6 March 2010 from 4.00 - 9.00pm.

CIVIL DEFENCE

His Worship referred to the recently circulated Civil Defence Emergency Management Plan and advised that Audit had presented results that the plan was not complete and for various parts to be added. He said this will result in extra funding being required.

RURAL SECTOR / MAYORAL FORUM

His Worship confirmed he will not be attending these meetings this week.

LINES COMPANY

The Chief Executive reported on to his attendance, along with Cr Earwaker, at a Lines Company presentation to stakeholders. He said it has been indicated that an increase on the line charges for remote rural areas of up to 20 percent will be implemented. He said the rationale behind this proposal is fairly sound and that this Council will be looking at a proposed increase of around three percent.

BUDGET ESTIMATES

The Chief Executive referred to the Budget Estimates and reported that Council is not in the position it would like to be therefore it is necessary to consider appropriate action. He referred to the Reserves account which is based on Reserves contributions and said Council cannot afford improvements in this area, it may be necessary to cut back to one project per year.

His Worship referred to a proposed rate increase and said it would be desirable for Council to end up with a figure '4' in front of it. He said there is no room for capital projects, and emphasis must be on effective delivery of essential services. He said it will be necessary for Council and staff to operate at maximum efficiency.

Cr Gower referred to Council's roading Contractors and advised there is a number of smaller Contractors looking for work who employ good people. His Worship said he was talking about the day to day activities of Council such as water, refuse, roading, etc. Cr Pilkington agreed that these services are what people want.

MEETING CLOSED

The meeting concluded at 11.47am.

MAYOR:

DATE: 9 March 2010