



Otorohanga District Council

MINUTES

15 November 2011

OTOROHANGA DISTRICT COUNCIL

15 November 2011

Minutes of an ordinary meeting of the Otorohanga District Council held in the Council Chambers, Maniapoto St, Otorohanga on Tuesday 15 November 2011 commencing at 10.04am.

MINUTES

Minutes are unconfirmed and subject to amendment at the next meeting of Council.

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PRESENT

Mr DF Williams (Mayor), Crs MM Baxter, S Blackler, RM Johnson, AG Ormsby, KM Phillips, 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), RF Proffit (Policy Manager) and Mrs A Burdon (Executive Assistant).

OPENING PRAYER

Cr Phillips read the Opening Prayer.

ITEMS TO BE CONSIDERED IN GENERAL BUSINESS

The Environmental Services Manager advised he would be informing Members, under public excluded, of an item that has just come to hand relating to a dog prosecution issue that would require a resolution.

Resolved that the items to be considered in General Business that may require a resolution be received.

Cr Prescott / Cr Johnson

CONFIRMATION OF MINUTES - 25 OCTOBER 2011

Resolved that the minutes of the meeting of the Otorohanga District Council held on 25 October 2011, as previously circulated, be approved as a true and correct record of that meeting.

Cr Johnson / Cr Baxter

MATTERS ARISING

WASTEWATER RESOURCE CONSENT

Cr Pilkington queried Item 165, and whether there had been any response from the Waikato Regional Council (WRC) to the possible need for lining for the sewerage ponds. The Engineering Manager advised that he had not received anything further from the WRC since the last meeting. He advised he was to meet with WRC representatives next Thursday and will raise the matter then and clarify their understanding. Cr Pilkington expressed the opinion this could have a significant impact on the Resource Consent. Cr Baxter queried whether raising the sides of the ponds would cause a change in structure, which could require changes to Consents

REWAREWA RESERVE MEETING

Cr Phillips queried whether a report would be given on the Rewa Rewa Reserve meeting of 30 October. The Chief Executive advised he would report on this in General Business.

REPORTS

Item-167 OTOROHANGA COMMUNITY BOARD MINUTES 13 OCTOBER 2011

MATTERS ARISING

MITRE10 PROPERTY

Cr Phillips said the Mitre10 'owners' were not new owners however, the tenants/franchise owners were. The Chief Executive said that this was correct and this terminology should be clarified. His Worship said there was a lot of background to this issue with Crs Prescott and Ormsby having dealt with it also, dating back to the development of the site where plan showed ample parking and turning however, what was agreed in the Resource Consent was not what ultimately was built on the property. He said rather than close the business, Council has chosen to work with the parties to bring about a resolution. His Worship said he believed that only one truck is unable to make the turn in the property, Cr Phillips queried the matter of the fence falling over. He was advised that the Community Facilities Officer has this matter in hand.

STOPBANKS

Cr Johnson queried, before any walking track was considered, whether the stopbanks need to be further looked at to establish their integrity. Cr Ormsby reported he had looked at the stopbanks over weekend and said bulls were fenced in on the actual stopbanks and were creating larger bull holes. He advised the Lease has a provision to have bulls on the land during mating but said courtesy would be to have them on the flat rather than the stopbanks. The Engineering Manager said he believed Council and the Waikato Regional Council both undertook inspections once a year. He undertook to advise Members when this last took place.

OTOROHANGA LAWNMOWING CONTRACT

Cr Pilkington queried if any non-compliance letters had been given to the Contractor. The Engineering Manager advised that he had met with the Contractor last week and where they had received their final warning. He said he pointed out to them where their non-compliance was and that if there was no improvement, their Contract would be terminated. In reply to His Worship's query regarding how long the Contractor had to comply, the Engineering Manager replied it was immediate. Cr Ormsby reported he had seen the Contractor mowing down the south end of town with the catcher held up with rope and stones were being thrown from the catcher which was a major health and safety issue. His Worship said he just wanted a good standard of mowing around the Community and why was this so difficult to achieve. Cr Prescott reported that he had passed Windsor Park recently when the Contractor was mowing with the catcher open and grass clippings were being thrown all over the footpath. The Chief Executive said that for the Contractor to do a good job, it is quite time consuming. He said Tenders are always very competitive and staff have wondered how a Contractor can undertake the job at the price they have tendered. He said he believed Contractors tender with good intentions but that Council possibly need to have a minimum level of cost specified for the Contract. His Worship queried whether Council should take the Mowing Contract back in-house. The Engineering Manager advised that staff were looking at the various options. The Community Facilities Officer, who had attended the meeting, advised that Taupo District Council had taken the Contract back in house and had achieved savings by doing this. She said if Council was interested, she could look into this further. His Worship expressed the opinion that Council had taken the Water Services back in-house which had worked well. He said the last two Mowing Contractors had been unsatisfactory and that ratepayers were now unhappy with the level of service being given and that Council just need to get this matter sorted.

Resolved

That the minutes of the meeting of the Otorohanga Community Board held on 13 October 2011 be received.

Cr Prescott / Cr Ormsby

Item-168 ANIMAL CONTROL OFFERS REPORT FOR JULY TO SEPTEMBER 2011

Discussion

The Environmental Services Manager gave a verbal report on behalf of the Animal Control Officer saying that the Officer had followed up on the 99 owners who had not re-registered their dogs. He said the Officer has worked at this and the list was now down to five owners. Infringement Notice were being posted to these five owners today. The Environmental Services Manager reported that the Officer had worked hard to achieve this outcome. His Worship expressed Council's thanks to the Animal Control Officer for his ongoing services

Resolved

That the Environmental Services Manager report on Dog and Animal Control for July to September 2011 be received.

Cr Pilkington / Cr Prescott

Item-169 ROUTINE ENGINEERING REPORT AUGUST TO OCTOBER 2011

Discussion

The Engineering Manager took Members through his report. In conclusion he advised that the new Otorohanga refuse bins had been installed and that the Kawhia bins would be installed tomorrow.

Cr Phillips queried whether the costs for the Rural Water Supplies were paid by users. The Engineering Manager advised they were paid by each Scheme.

In reply to Cr Phillips' query regarding the 'Last Night Surveys', the Engineering Manager replied that this is undertaken once a year. He advised many things are picked up on these inspections particularly broken road marker pegs. He said these are often broken by mowers, who should replace these at their cost but in reality Mowing Contractors argue that their machinery did not cause the damage. Cr Phillips reported that he had recently seen a mower on the roadside that was going around pegs because the mower was unable to be raised. In reply to Cr Johnson's query regarding spraying around pegs, the Engineering Manager replied that there is a fine line to what is acceptable with spraying around pegs. He said spraying is undertaken where needed but kept to a minimum. Cr Johnson said he believed a generous spray around the pegs would be more cost effective for Council.

Cr Pilkington advised that contractors had been working on road in the Kawhia area at what seemed inappropriate times, such as in bad weather, perhaps causing more damage to roads. The Engineering Manager said that sometimes contractors needed to work during wet weather to remedy a water table issue but otherwise that should not be happening. His Worship said that if a Contractor is in the area, for economy reasons, other jobs were undertaken when it is not necessarily the best weather to do so.

Cr Pilkington queried if the issue of water going onto Mrs Smith's property in Kawhia had been resolved. The Engineering Manager advised that kerb and channel had been installed to stop this issue however, he had not been back to check the work.

In reply to Cr Blackler's query regarding Walker Road, the Engineering Manager reported that a meeting is being organised with the various parties to discuss moving forward. He advised that the Prison Service had contributed land and services worth approximately \$100,000 to the road development.

His Worship advised that recently when Hon Share Arden visited Council he delivered a letter from the Minister of Health advising that a subsidy of \$114,000 had been given to upgrading the Otorohanga water supply. He said this was a very disappointing amount to what is a \$1M plus

project. His Worship said that the upgrade will only be able to take place when ratepayers can afford to do so which would not necessarily be within the Government's timeframe. He expressed the opinion that the Government wanted a high standard of drinking water for Communities however, they were not prepared to help subsidise this. The Engineering Manager advised that he was now working through what items the subsidy would cover before he could complete the paperwork. He advised there was a very tight timeframe for the subsidy to be finalised and the Contract signed. In reply to Cr Blackler's query whether the subsidy for a new reservoir was for future growth, the Engineering Manager said that currently Otorohanga has less than a day's storage in the reservoirs. An additional reservoir would provide a day and a half. Cr Pilkington expressed the opinion that it did not bode well for Kawhia's Application for a subsidy for its upgrade.

In reply to Cr Phillips' query regarding stormwater going into the sewer and where Council was in stopping this, the Engineering Manager advised that good progress had been made by Officers visiting property owners to make them aware of this and what Council's requirements were. He said however, some ratepayers said they could not afford to make the changes. The Engineering Manager advised that issues being caused by Council have also been worked on however, until the next heavy rains, it will not be known how successful these changes have been.

Resolved

That the routine Engineering Report for August to October 2011 be received

Cr Blackler / Cr Baxter

Item-170 SUPPORT IN PRINCIPLE - SILVER FERN RALLY - SATURDAY 17 NOVEMBER 2012

Discussion

The Engineering Manager advised that the organisers are seeking Council's approval in principle to use District roads in 2012 for a vintage car rally before they make a formal application. Cr Baxter expressed the opinion that older rear wheel cars did more damage to roads than modern vehicles. His Worship said the principle was that Council received a bond from organisers to cover contingencies such as damage to roads.

Resolved

That Council supports, in principle, the notification of Silver Fern Rally 2012 organisers to hold a vintage and classic rally on the unsealed roads they propose during the north island event being held in the Otorohanga District on Saturday, 17 November 2012.

Cr Pilkington / Cr Blackler

Item-171 STREAM LEGALISATION PART MANGAWHERO STREAM AND ROAD LEGALISATION PART MANGAWHERO ROAD SO 45302

Discussion

The Engineering Manager said this stream legalisation had been a complicated process for Mr Cotter complete. His Worship said Mr Cotter has again completed a very good job undertaking the legalisation and negotiating with property owners.

Resolved

That

1. The Otorohanga District Council hereby consents to the Minister of Land Information declaring:
 - a. Pursuant to Part II of the Public Works Act 1981 the land described in the **First Schedule** below be acquired for stream diversion.
 - b. Pursuant to Part II of the Public Works Act 1981 the land described in the **Second Schedule** below be acquired for stream diversion purposes
 - c. Pursuant to Sec 114 of the Public Works Act 1981 the land described in the **Third Schedule** below be declared road and vested in the Otorohanga District Council.
 - 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 in the adjoining properties by way of amalgamation with the titles listed.

South Auckland Land District - Otorohanga District

First Schedule - Land to be acquired for stream diversion

Area	Description	Title	Owners
581m ²	Parts Lot 3 DP21917	SA1420/90	DW Clarke
1661m ²	Parts Sec 4D Mangawhero Blk	SA490/1	Slane Dairy Holdings

Second Schedule – Land to be acquired for stream diversion

Area	Description	Title	Owners
6869m ²	Parts Lot 3 DP21917	SA1420/90	DW Clarke
2921m ²	Parts old bed Mangawhero Stream	SA1420/90	DW Clarke
15m ²	Part old bed Mangawhero Stream	SA1420/90	DW Clarke
7456m ²	Parts Sec 4D Mangawhero Blk	SA490/1	Slane Dairy Holdings
3242m ²	Parts old bed Mangawhero Stream	SA490/1	Slane Dairy Holdings
151m ²	Parts old bed Mangawhero Stream	SA1408/81	Slane Dairy Holdings

Third Schedule – Land to be declared road

Area	Description	Title	Owners
1800m ²	Parts Lot 3 DP21917	SA1420/90	DW Clarke
172m ²	Parts old bed Mangawhero Stream	SA1420/90	DW Clarke
123m ²	Part Sec 4D Mangawhero Blk	SA490/1	Slane Dairy Holdings
131m ²	Parts old bed Mangawhero Stream	SA490/1	Slane Dairy Holdings
1072m ²	Part Lot 4 DP21917	SA51B/699	CP & RA Muller

Fourth Schedule - Road to be stopped and amalgamated

Area	Description	Title	Owners
2731m ²	Green on SO 45302	SA1420/90	DW Clarke

794m ²	Green on SO 45302	SA1408/81	Slane Dairy Holdings
589m ²	Green on SO 45302	SA51B/699	CP & RA Muller
1424m ²	Green on SO 45302	SA65D/873	Muller Trust
106m ²	Green on SO 45302	SA65D/873	Muller Trust

2. The Mayor and Chief Executive of Otorohanga District Council be authorised to sign and seal any documentation necessary to legalise plan SO 45302.

Cr Johnson / Cr Phillips

Item-172 ODC SCHEDULE OF ORDINARY MEETING DATES - JANUARY TO DECEMBER 2012

Resolved

That the Otorohanga District Council Schedule of Meeting Dates for the period January to December 2011 be approved.

Cr Phillips / Cr Baxter

Item-173 ODC MATTERS REFERRED FROM 24 OCTOBER 2011

Discussion

MOTOR TRADE ASSOCIATION

The Chief Executive advised he had met with Peter Kerr-Bell, a Member of the local Motor Trade Association, who had given an assurance that local dealers could provide vehicles to Council at the same price as that of the 'All of Government' collective procurement contract, and that further information would be provided by local dealers in writing.

WASTEWATER TREATMENT

The Chief Executive reported that the Engineering Manager and himself had met with Project Manager Mr Cliff Boyt and it has now been agreed to limit the work to the minimum possible. The Engineering Manager reported that it is now believed possible to complete the work within the \$1.15M previously budgeted by shifting work around between contracts and not undertaking 'extra' work. The Chief Executive advised that the wetlands would be retained as part of the commitment to Iwi to retain these. His Worship expressed the opinion this was an excellent outcome for the hard work put in by staff.

GENERAL

WAIPA LIAISON SUBCOMMITTEE MEETING

Cr Johnson reported on his attendance at a recent meeting of the Waipa Liaison Sub-Committee. He advised that the WRC was to discontinue the Pest Management Advisory Committee. He advised the Liaison Committee will feed requests back to WRC and will manage all aspects of this committee except TB.

OTOROHANGA WEIR & STOPBANKS

Cr Johnson reported that WRC had commenced consultation with this Council over the weir and floodbanks. He advised that it had been pointed out that the original consent for the weir had

only had 7m of rock below the weir not the 20m currently being proposed. He advised that this worked perfectly well in the past and would therefore cost less than the currently proposed 20m.

Cr Johnson advised that nothing conclusive had been decided on the current state of the height of the Stopbanks, that this depended on a number of factors. His Worship said that in the past 10 years Otorohanga had had two or three floods where the actual flood level was higher than the 1958 flood but the flood level did not reach anywhere near the top of the stopbanks. Cr Johnson queried whether Council can then 'close the book' on this matter. His Worship expressed the opinion that maintaining the integrity of stopbanks is very important for the Community.

The Engineering Manager said that if the Stopbanks were being built now in 2011, they would be built quite differently with Flatter batters to meet the latest WRC standard design. However, if they were to be raised, they may also need to be widened. He said the main question now is does Council really need to do a lot of work or do they just need to maintain their integrity by topping up the lower points. The Engineering Manager advised he had requested the WRC to provide a report to him before Christmas to enable any required work to be included in the budget estimates for 2012/13. He said if the report was not received before Christmas, it would then have to wait a further 12 months to be included in the 2013/14 Estimates.

His Worship queried where Council needs to go in relation to this matter. The Chief Executive advised a Management Plan is to be developed to cover the event of a flood in the Community and that this may provide information that is useful to Councillors. He advised that a workshop is to be held with Councillors and staff to develop this Plan.

Cr Pilkington queried how the costs of any works on the Stopbanks would be covered. His Worship advised it would be rated Regionally and on the Community.

Cr Pilkington queried whether the weir development would allow for fish passage. The Engineering Manager advised pools would be created with a 'ladder' for fish to move upstream.

Cr Johnson expressed the opinion that the WRC discussed issues that ultimately Council had to pay for. The Chief Executive said that sometimes the WRC created grandiose plans that were so expensive to implement that in the end nothing was done. His Worship said that anything Council proposed had to be approved by the WRC. He said he would like a workshop to be held on the Stopbanks to discuss this matter further. That if there are potential weak spots in stopbanks, these need to be dealt with now because historically floods have occurred in February/March.

RIVER CO-MANAGEMENT

Cr Johnson queried how the co-management of the river was progressing. His Worship advised that Council is happy with the principle of co-management and the parties have been asked to provide suitable dates when talks can commence. He said the various parties realise that co-management will be a cost to them, so at this stage no-one is really pushing the issue further.

NATIONAL CYCLE WAY

Cr Phillips reported on his recent attendance at the opening of the National Cycleway at Whakamaru. He said it was a wonderful day with approximately 250 people attending. He advised that the track was great, with the group having done a magnificent job on the 14km from Mangakino to Whakamaru, which would be a wonderful asset to our Region. Cr Phillips said credit should be given to those who have driven the project. He said everyone he spoke to gave a really positive response.

WEST COAST ZONE LIAISON COMMITTEE

Cr Pilkington reported on her attendance at a West Coast Zone Liaison Committee meeting last week. She advised, as a new sub-committee, they were requested to put forward their 'aspirations' for the Zone. Cr Pilkington advised that an increase in numbers on the Committee

was approved and would be put into the LTP. She reported that the Pest Management Committee had been disbanded but this portfolio would be picked up by one Committee member. She advised that the Term of Reference for this Committee would be changed to accommodate the Pest Management Portfolio.

WAIWERA STREET, KAWHIA SUBDIVISION

Cr Pilkington raised the issue of the granting of the Subdivision Consent and stated that Council, as a 50 percent partner in any development, will need to be involved in any decision making.

The Chief Executive said that the Chair of the Kawhia Community Board had requested that a report on development options be presented at the next Board meeting. He stated that he believed that the Kawhia Community should lead discussion on this issue, but funding was also a matter for Council.

His Worship said that if the Kawhia Community Board wish the development to proceed, they need to have a business case.

REWAREWA RESERVE

Cr Pilkington queried the outcome of the recent meeting of the RewaRewa Reserve Working Group and said that Council made a resolution that the existing planting was not to be removed. She stated that this needed to be made quite clear to Working Group. The Chief Executive advised that the meeting was about establishing the process to put a Management Group in place, that it was one step at a time. He said the role of the Management Group would be discussed further but they would be given a 'free hand' except going back on past resolutions. The meeting had established that local residents would be invited to attend a meeting to form a Management Group. His Worship advised that it had been made very clear that Council will not be involved with the management of the Reserve unless a pest or weed issue arises, but then costs will fall back on local ratepayers.

RATES REBATE SCHEME

Cr Pilkington queried whether staff were visiting Kawhia again this year to process rate rebates. The Finance & Administration Manager advised that this would be taking place this week.

AROHENA BOOK LAUNCH

Cr Blackler reported on the success of the recent launch of a book on the history of Arohena. She said that the Committee had put in a lot of work, particularly Maria Blackwell. She said the book was a wonderful historical record of the District and had a lot of good photos.

RUGBY WORLD CUP

Cr Baxter reported on his recent attendance at a Rugby World Cup celebration held by Hamilton City Council to thank local Councils for their involvement. He said it was a very good way to finish the World Cup experience.

ZONE 2

His Worship reported on his attendance at the Zone 2 meeting in Tauranga last Friday. He advised that the Kiwifruit virus PSA was affecting around 700 orchards where vines were being removed. He said some orchards will replant but many would not. It was reported that 20,000 employees were being affected and facing a grim future. He said New Zealanders had been very sympathetic to the victims of other recent disasters in NZ and this, although not to the full extent of the other disasters, was a significant disaster for this region with stressed and vulnerable people. He said we need to be supportive of those facing disasters, but some disasters are more visible while others are more subversive. His Worship reported that the statistics they were given for the PSA virus disaster were very sobering.

SHORE FUTURES

His Worship reported on his attendance at the Shore Futures meeting where an update was given to Members. He advised a report was being put together for each Council to report on the status of what has been undertaken and work progressing in various areas.

DISTRICT PLAN REVIEW

His Worship reported that deliberations were going well with a lot of work going on behind the scenes. He said their completion deadline of Christmas had been ambitious. They are now planning to report to Council in February/March 2012.

CR BAXTER

His Worship congratulated Cr Baxter whose daughter Taegen was recently selected as Head Girl for St Peters.

LAPP SCHEME

The Chief Executive advised that he had spoken to a member of the LAPP Board who advised that other Councils were also looking at withdrawing for the same reasons. The Board member advised that they are now looking at re-adjusting charges. The Chief Executive advised that it would be best at this stage for Council not to withdraw immediately but to make a decision once further information has been received on the revised charges.

REPRESENTATIVE REVIEW WORKSHOP

The Chief Executive said he has been advised that the population information required will not be available until February 2012 and hence time frames of the review process must be adjusted accordingly.

MOTION TO EXCLUDE THE PUBLIC

"THAT the Otorohanga District Council, pursuant to Section 48, Local Government Official Information and Meetings Act 1987, resolves that the public be excluded from the following parts of the proceedings of this meeting.

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act or Section 6 or Section 7 or Section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public."

Cr Pilkington / Cr Blackler

Item-174 WITHDRAWAL OF CHARGES LAID PURSUANT TO SEC 58 DOG CONTROL ACT 1996

MEETING CLOSED

The meeting concluded at 11.47am

MAYOR:

DATE: 6 December 2011

