



Otorohanga District Council

AGENDA

4 June 2013

Members of the Otorohanga District Council

Mr DF Williams (Mayor)
Mr MM Baxter
Mrs S Blackler (Deputy Mayor)
Mr RM Johnson
Mr A Ormsby
Mr KM Phillips
Mrs DM Pilkington
Mr R Prescott

Meeting Secretary: Mr CA Tutty (Governance Supervisor)

OTOROHANGA DISTRICT COUNCIL

4 June 2013

Notice is hereby given that an ordinary meeting of the Otorohanga District Council will be held in the Council Chambers, Maniapoto St, Otorohanga on Tuesday 4 June 2013 commencing at 10.00am.

28 May 2013

DC Clibbery
CHIEF EXECUTIVE

AGENDA

ORDER OF BUSINESS:

ITEM	PRECIS	PAGE
PRESENT		1
IN ATTENDANCE		1
APOLOGIES		1
OPENING PRAYER		1
ITEMS TO BE CONSIDERED IN GENERAL BUSINESS		1
CONFIRMATION OF MINUTES – 14 MAY 2013		1
REPORTS		1
Item 353	OTOROHANGA COMMUNITY BOARD MINUTES 9 MAY 2013	1
Item 354	PROPOSED RESERVE USE	2
Item 355	JOINT MANAGEMENT COMMITTEE MINUTES 10 MAY 2013	6
Item 356	CIVIL DEFENCE – SHARED SERVICE AGREEMENT AND LOCAL CONTROLLERS APPOINTMENT	10
Item 357	SPORT NZ ASSESSMENT COMMITTEE MINUTES 14 MAY 2013	13
Item 358	ROAD LEGALISATION PART TE TAHI ROAD SO 458562	15
Item 359	ROAD LEGALISATION PART MANGATI ROAD SO 45659	21
Item 360	ANNUAL PLAN SUBMISSIONS 2013	26
Item 361	ODC MATTERS REFERRED FROM 14 MAY 2013	28
GENERAL		29
MOTION TO EXCLUDE THE PUBLIC		29
Item 362	SALE OF 24 TURONGO STREET CONFIDENTIAL	1

PRESENT

OPENING PRAYER

IN ATTENDANCE

APOLOGIES

ITEMS TO BE CONSIDERED IN GENERAL BUSINESS

CONFIRMATION OF MINUTES – 14 MAY 2013

REPORTS

Item 353 OTOROHANGA COMMUNITY BOARD MINUTES 9 MAY 2013

**To: His Worship the Mayor and Councillors
 Otorohanga District Council**

From: Governance Supervisor

Date: 4 June 2013

Executive Summary

Minutes of the meeting of the Otorohanga Community Board held on 9 May 2013 as circulated.

Staff Recommendation

It is recommended that:

The minutes of the meetings of the Otorohanga Community Board held on 9 May 2013 be received.

CA Tutty
GOVERNANCE SUPERVISOR

Item 354 **PROPOSED RESERVE USE**

To: **Mayor and Councillors**
Otorohanga District Council

From: **Chief Executive**

Date: **4 June 2013**

Relevant Community Outcomes

- Ensure services and facilities meet the needs of the Community
 - Promote the local economy and opportunities for sustainable economic development
 - Manage the natural and physical environment in a sustainable manner
 - Foster an involved and engaged Community
-

Executive Summary

A proposal to use areas of reserves in Otorohanga for new purposes is presented.

Staff Recommendation

It is recommended that:

Council gives approval in principle for:

1. The leasing of that part of the Otorohanga Domain previously occupied by the Croquet Club for a commercially operated recreational activities including a mini-golf course, a batting cage and associated facilities; and
2. The use of part of the Bob Horsfall Reserve as a designated area in which games of paintball can be played.

With both of these activities being as described in this report, and subject to the necessary public consultation and approvals being obtained from the Department of Conservation.

Report Discussion

A local party has previously expressed interest in leasing the area off Domain Drive that was formerly used by the Croquet Club, for the purpose of commercially operating recreational facilities including a mini-golf course, a batting cage and possibly a small associated café.

Because this area is part of a Recreation Reserve, it is necessary to obtain the permission of the Minister of Conservation for any such lease.

An application has therefore been made to the Department of Conservation (DoC) for this permission, and DoC has responded by requesting that consultation with the community is undertaken in respect of the proposed activity.

Another potential activity in the same general area that has been previously discussed with the Otorohanga Community Board is the establishment of a relatively small designated area within the Bob Horsfall reserve where the public may play games of paintball.

In particular there is a steep sided gully towards the south side of the bush covered area that is little used, well away from the main pedestrian track through the reserve, remote from residential properties and generally considered suitable for such a purpose.

The proposed lease area and paintball area are shown in the plan below, the former being the cross-hatched area and the latter being dotted.



Trial games of paintball have previously been played here without any problems, and the Community Board has indicated its comfort with the area being used for such purposes.

There continues to be a general belief that the Bob Horsfall and Rotary Park areas could be much better utilised for recreational purposes than they currently are, and that the two proposed activities, together with uses such as mountain biking, might help address this.

It is however believed that it would be appropriate to undertake public consultation before the use of this area for paintball is formally permitted, and any of the (minor) associated works are carried out. It is therefore suggested that DoC's requirement for consultation on the croquet area lease provides an opportunity to combine this with consultation on the paintball area.

Proposed Lease Area

The proposed lease area is approximately 3200 m², and includes both the grounds and the small building formerly used by the Otorohanga Croquet Club.

The potential lessee has original and well developed plans for the site, and it is envisaged that the proposed activities on this area will be complementary to the Kiwi House in terms of tourism, and will also be beneficial for the local community. It seems unlikely that there would be any objection to such a use of this site.

A comprehensive lease document has been prepared. An initial lease term of 5 years is proposed, with rental consistent with that charged for the nearby site of the 'Camp Kiwi' holiday park.

Proposed Paintball Area

Further details of the proposed paintball area are as follows:

Location

The area proposed to be used for paintball is shown in the plan. It is an approximately 50 metre by 100 metre area within a gully in native bush.

A path runs through the centre of this gully. This path is however not the main walking path through the reserve, and the paintball area is well separated from areas where other people are likely to be present.

Being in a gully the potential for sound or paintball shots to carry for a substantial distance beyond this area is greatly reduced.

The risk of paintball shots leaving the area is expected to be further reduced by the installation of wire and shade cloth barriers at key points. Gates will be created where the path through the gully intersects the fence.

Management of Activity

Council would not be actively engaged in encouraging or managing the playing of paintball in this area. It would instead simply be making available a suitable area where individuals or groups could undertake this activity at their own risk.

Noise

Operation of paintball guns is relatively quiet; they are powered by compressed gas and make a 'phut' sound when fired, rather than the percussive crack of a conventional firearm.

A test has shown that the sound is barely noticeable from any location outside the reserve under normal conditions. There would be expected to be the normal sounds of talking or shouting that typically accompany recreational activities, but again, this is unlikely to be very noticeable from any point on private property.

Effects on Vegetation and Wildlife

Paintballs are organically based, decompose quickly and evidence of their use typically disappears after a couple of weeks.

The proposed area does not have fragile vegetation, particularly near ground levels where paintballs are fired. There was little or no noticeable damage to vegetation from the trial game that was previously conducted.

The only significant wildlife expected to be in the area is birds. Paintball guns are inaccurate and as such it is very unlikely that a person could shoot a bird with a paintball gun, even if they tried to do so.

Access

The area used for paintball would remain available for free public access.

Whilst a paintball game is in progress the path through the area would however be closed in the interests of pedestrian safety. This does however not create a major impediment to general pedestrian access in the reserve since there is another path, almost parallel to that running through the proposed paintball area, that could easily be used as an alternative route at such times. The disruption caused by the conduct of paintball game is therefore expected to be quite minor.

Signs would be placed on the path through the gully indicating that this route is closed when paintball is being played, and that an alternative route should be used.

Viewing / Mustering Area

In addition to the area actively used for playing paintball, an additional small area outside of this, but adjacent to it, will be used for organising players prior to games, and from which other persons may spectate. Use of such an area would however not be expected to have any significant effect on other users of the reserve, or adjacent properties.

Form of Consultation

It is considered unlikely that either of these activities will draw significant objections from the public, and for that reason it is believed that Council could safely approve them without consultation.

As such the consultation that is required by DoC is considered to be for DoC's purposes alone, and therefore does not have to take the form that would be normally adopted by Council through the Special Consultative Procedure of the Local Government Act.

The requirements of DoC are that the proposal is advertised in the local press and that a period of at least one month is provided for objections or submissions to be received. To achieve this it is proposed that an advertisement as below is placed in the Waitomo News of 6 June 2013:

Proposed Use of Reserves

In accordance with a requirement of the Department of Conservation, submissions are invited from affected parties on two matters relating to the management of public reserves in Otorohanga:

- a. The potential leasing of the area off Domain Drive that formerly used by the Otorohanga Croquet Club, for the private commercial operation of recreational activities including a min-golf course, batting cage and associated facilities.*
- b. The potential development of a designated public area for playing 'paintball' in the Bob Horsfall Reserve in Otorohanga.*

The area proposed to be used for paintball is a small bush-covered gully (approximately 100metres by 50 metres) in the centre of the reserve, which is surrounded by Domain Drive, Mountain View Road and Trapski Drive. This area is approximately 150 metres away from residential properties, and this combined with the relatively 'hidden' location and limited environmental impact of the activity suggests to Council that from the perspective of residents the playing of paintball in this area may be almost unnoticeable.

Requests for further information on these proposals, and/or written submissions should be directed to Anne Burdon at Otorohanga District Council, PO Box 11, Otorohanga.

Submissions close on 8 July 2013

Dave Clibbery
CHIEF EXECUTIVE

Item 355 JOINT MANAGEMENT COMMITTEE MINUTES 10 MAY 2013

**To: His Worship the Mayor & Councillors
 Otorohanga District Council**

From: Environmental Services Manager

Date: 4 June 2013

Relevant Community Outcomes

- Promote the local economy and opportunities for sustainable economic development
 - Manage the natural and physical environment in a sustainable manner
 - Foster an involved and engaged Community
-

Executive Summary

Minutes are attached of the inaugural meeting of the Raukawa Charitable Trust and Otorohanga District Council Joint Management Committee held 10 May 2013.

Staff Recommendation

It is recommended that:

The minutes of the Joint Management Committee held on 10 May 2013 be received.

AR Loe

ENVIRONMENTAL SERVICES MANAGER

Attachments

- a. Minutes of the Joint Management Committee 10 May 2013

**Minutes of the Inaugural Meeting of the
Ruakawa Charitable Trust and Otorohanga District Council
Joint Management Committee**

Date: 10 May 2013

Commencing: 1.05pm

Venue: Otorohanga District Council Boardroom.

Meeting Commenced with a Mihi (welcome) to the guests from Ruakawa by Sol and Ella Nelson. Karakia in response from Phil Wihongi. Mayor Dale Williams extended his greetings.

A round of introductions by all present followed. Kataraina presented and spoke about the Ruakawa taonga being their ceremonial mere which travels with members of tribe to meetings and events.

Present for Ruakawa: Kataraina Hodge, Jennifer Hughes, Grant Kettle, Phil Wihongi.

For Otorohanga District Council: Dale Williams, Sue Blackler, Max Baxter, Dave Clibbery, Andrew Loe.

Apologies received from; Gaylene Roberts, Deb Davies.

Kataraina/Max carried.

Proposed JMA

Phil presented a power point presentation on the background to the proposed JMA which included a map of the Raukawa Rohe and area of interest. Phil explained the extent of this area across the central North Island.

Emphasis on the three marae in Otorohanga District and the areas defined in the river legislations. In particular Ruakawa interest in area B and in area C.

Agreement is a legislative requirement that has to be completed.

It is hoped that the agreement will form the basis of a long term relationship between Raukawa and Council. Staff have set a target completion date of October 2013. There is a desire to finish and sign the agreement before the triennium. Plan to have a formal signing in September date to be confirmed.

It is agreed that the content of the agreement will follow the requirements of the legislation. No additional features at this stage. Any proposal for S54 matters can be addressed in future as relationship builds.

Staff workshops underway and to continue on a regular basis until draft completed.

Mayor Dale stated that Council has no trepidation with process. Council has gained a lot of learning from six years of district plan development and hearings. He stated that the process of developing the River Management Agreements has dispelled a lot of concerned and assisted Councils and Iwi to develop long term relationships.

Mayor highlighted some employment incentives all off which stem from strong relationships in communities.

Confirmation and discussion of desire, to continue annual meeting post signing with both parties in agreement.

Establishment, of Joint Committee.

Following discussion on membership and role of the committee the meeting approved the following recommendations.

Recommendations

1. That the report "Establishment of the Joint Committee under the Ngati Tuwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010" be received.
-Kataraina/Jennifer carried
2. That the Joint Management Committee resolves to constitute itself as a Joint Management Committee pursuant to section 50 of the Ngati Tuwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010.
-Jennifer/Sue carried

3. That the Joint Management Committee confirms the following memberships from both the Raukawa Charitable Trust (the Trust) and Otorohanga District Council (the Council):

Raukawa Charitable Trust

Deputy Chair Kataraina Hodge
Trustee Jennifer Hughes
Trustee Gaylene Roberts
Trustee Deb Davies

Otorohanga District Council

Mayor Dale Williams
Deputy Mayor Sue Blackler
Councillor Max Baxter
Councillor Roy Johnston

-Kataraina/Max carried

4. That the Joint Management Committee recommends the appointment of the Joint Management Committee Co-Chairpersons Kataraina Hodge (appointed by the Trust) and Max Baxter (appointed by the Council) for adoption by the Trust and the Council.
Dale/Jennifer carried.
5. That the Joint Management Committee adopts the attached Terms of Reference (Appendix Two), including Standing Orders (Appendix Three).
Dale/Jennifer carried.
6. That the Joint Management Committee endorse the Joint Management Agreement programme as outlined by staff:
 - Officers be mandated to work jointly with other Council's to collaborate on a baseline Joint Management Agreement
 - Parties to aim to formally resolve individually agreed Joint Management Agreements by September 2013 and agree to joint signing ceremony with other Teritorial Authorities
 - Joint Management Committee members to endorse proposed Joint Management Agreement prior to formal endorsementSue/Jennifer carried.

Kataraina happy with progress. Relationship to be fostered and continuity important. Three Raukawa marae in Otorohanga District. Goal to foster relationship between maraes and councils. Looking forwards new learnings and commitment to future partnership.

Kataraina extended an invite to next Ruakawa workshop in Karapiro. Mayor Dale had to regetfully decline due to LGNZ meeting being held in Otorohanga.

Dale thanked the Trust for driving the process to implement and complete the JMA .

Meeting closed at 2.30pm with a Karakia

Item 356 CIVIL DEFENCE – SHARED SERVICE AGREEMENT AND LOCAL CONTROLLERS APPOINTMENT

To: **His Worship the Mayor & Councillors
Otorohanga District Council**

From: **Environmental Services Manager**

Date: **4 June 2013**

Relevant Community Outcomes

- The Otorohanga District is a safe place to live
- Ensure services and facilities meet the needs of the Community
- Manage the natural and physical environment in a sustainable manner
- Foster an involved and engaged Community

Executive Summary

The Waikato Valley Emergency Operating Area (WVEOA) Civil Defence arrangement will cease to exist on 1 July 2013. Council has been considering a new collaborative Civil Defence Shared Service Agreement with Waipa District and Waitomo District. The purpose of this report is to finalise the Shared Service Agreement (SSA) so that it can be effective on 1 July 2013.

The estimated cost to the Otorohanga District of this new SSA will be in the order of \$40,000 which is approximately \$11,000 more than the current budget. Waipa District Council will provide the administering role for the SSA including the provision of a base office for a new Civil Defence staff position that represents all the Councils in the SSA and the associated payroll services, management and vehicle.

Confirmation of the Otorohanga District Civil Defence Local Controller Andrew Loe and the alternate Local Controllers, Wayne Allan and Johan Cullis from Waipa District and Waitomo District, is also required under the new SSA.

Staff Recommendation

It is recommended that:

1. The report be received
2. The new Civil Defence emergency management arrangement through a Shared Service Agreement (SSA) with Otorohanga District, Waitomo District and Waipa District effective 1 July 2013 be approved.
3. In accordance with the Civil Defence Emergency Management Act 2002 and in accordance with the Shared Service Agreement the Civil Defence Local Controller is Andrew Loe and the alternate Civil Defence Local Controllers are Wayne Allen and Johan Cullis.

Report Discussion

In 2002 Hamilton City, Waikato, Waitomo, Otorohanga and Waipa District Councils came together in a shared service arrangement (the WVEOA) for the delivery of Civil Defence Emergency Management (CDEM) across the combined area. Dedicated staff were employed to facilitate the delivery of the shared service arrangement and governance oversight was provided by a Joint Committee comprising an elected member representative from each of the partner Councils.

The WVEOA was established at a time when the Waikato CDEM Group was not as active as it is

today. Following the adoption of the Waikato CDEM Group Plan in late 2011 the Group Emergency Management Office (GEMO) has been fully resourced to implement the Plan. In addition the GEMO has recently moved to new premises which are located in Victoria Street Hamilton. It is anticipated that in the future, all emergency management services such as Police, Fire and Group Emergency Management for Civil Defence will be collectively located in a new building in Hamilton. Currently, the GEMO now provides regional leadership, coordination and project delivery for emergency management activities.

A review of each of the WVEOA Council's emergency management capability has highlighted considerable variability in terms of each Council's ability to respond to and recover from a Civil Defence emergency. In light of the need for some of the Council's to focus greater attention and resourcing on building individual capacity and capability, it was acknowledged that the WVEOA was no longer considered the most appropriate model for the Council's involved. It has been agreed that the WVEOA will be disestablished with effect on 30 June 2013.

Waipa, Otorohanga and Waitomo District Councils (the Councils) acknowledge that there is scope to work collaboratively in CDEM to deliver efficiencies to the Councils and the communities they serve. These Councils wish to join together to provide the delivery of specified CDEM activities and services for the benefit of their respective communities.

The provision of CDEM is a statutory requirement for local government and is consistent with the new purpose of the Local Government Act 2002. In particular, CDEM activities meets the current and future needs of communities by providing a local Civil Defence response and capability service.

The Councils have agreed that Waipa District Council is the appropriate organization to administer the delivery of CDEM activities and services on the terms and conditions set out in the SSA.

To ensure the service is cost effective a collaborative approach with Waipa District and Waitomo District is recommended. By pooling and maximising the resources of the three Councils it is anticipated that the new service will deliver the following outcomes;

- building CDEM capacity and capability within each Council;
- raising community awareness about local hazards and the need to be prepared for a Civil Defence emergency;
- working with key stakeholders and communities to build local community resilience and support business continuity planning and;
- the development and implementation of local CDEM plans within each Council.

The alternatives to this collaborative approach for a Civil Defence shared service arrangement is to either align more with the GEMO or undertake the functions and responsibilities independently of the other local territorial authorities. These alternative approaches are not recommended as there is significant synergy of issues which Otorohanga District shares with our neighbouring Councils, most notably being the close proximity of our urban centres and our location along the Waipa river catchment. There is significant potential for the sharing of resources, both in terms of staff and equipment.

The alternative option of an increased reliance on the GEMO would still require a dedicated Civil Defence staff member within each Council to undertake the necessary functions and responsibilities that a territorial authority is responsible for under the Civil Defence Emergency Management Act 2002.

Budget Implications

The current direct budget expenditure for Civil Defence is \$28,000 per annum. Payments to the WVEOA will cease on 30 June 2013. Contributions to the GEMO for Civil Defence have also ceased as it is rated separately by the Waikato Regional Council. In respect to Waipa District and Waitomo District their WVEOA contributions are \$68,000 and \$15,000 per annum.

The proposed expenditure for the implementation of the SSA for the 2013/14 year is to be allocated under a cost share arrangement as follows:

- Waipa District 40%
- Otorohanga District 30%
- Waitomo District 30%

The initial budget to implement the SSA is expected to be \$150,000. The Otorohanga District contribution will be \$40,000. Waipa District will provide the administering role for the SSA and provide a base office for a new Civil Defence staff position that represents all the Councils in the SSA and the associated payroll services, management and vehicle.

The CDEM Act 2002 provides the legislative authority and defines the mandatory functions and duties imposed on local authorities in relation to Civil Defence emergency management. Council provides a budgetary allocation to implement their emergency management responsibilities under the Act through the Annual Plan process. The Civil Defence activity is funded through District wide ratepayer contributions as there is no subsidy or ability to recover costs.

Local Civil Defence Controller and Alternate Controllers

With the imminent dissolution of the WVEOA the position of Civil Defence Local Controller for Otorohanga District and alternate Local Controllers have to be reconfirmed. Currently, Otorohanga District has an appointed Local Controller and the alternate Local Controllers are drawn from the WVEOA. The new appointments need to be in place when the WVEOA ceases to exist on 30 June 2013.

Currently, the Civil Defence Local Controller for Waipa District Council is Andrew Loe Environmental Services Manager. The first annual review of Local Controllers was completed by the Group Controller, Lee Hazelwood in April 2013.

The Civil Defence Local Controllers for Waipa District and Waitomo District are Wayne Allen and Johan Cullis respectively. Both of these persons are WVEOA Local Controllers and should be re-appointed as alternate Local Controllers for Otorohanga District under the new SSA arrangement.

AR Loe
ENVIRONMENTAL SERVICES MANAGER

Item 357 SPORT NZ ASSESSMENT COMMITTEE MINUTES 14 MAY 2013

**To: His Worship the Mayor & Councillors
 Otorohanga District Council**

From: Governance Supervisor

Date: 4 June 2013

Relevant Community Outcomes

- The Otorohanga District is a safe place to live
 - Ensure services and facilities meet the needs of the Community
 - Foster an involved and engaged Community
 - Recognise the importance of the Districts rural character
-

Executive Summary

Minutes of the meeting of the Sport NZ Assessment Committee meeting held on 14 May 2013.

Staff Recommendation

It is recommended that:

Minutes of the meeting of the Sport NZ Assessment Committee meeting held on 14 May 2013 be received.

CA Tutty
GOVERNANCE SUPERVISOR

Attachments

- a. Sport NZ Assessment Committee Minutes 14 May 2013

SPORT NZ ASSESSMENT COMMITTEE

14 May 2013

Minutes of a meeting of the Sport NZ Assessment Committee held at the Otorohanga District Council office, Governance Supervisor's office, Maniapoto St, Otorohanga on Tuesday 14 May 2013 commencing at 2.30pm.

PRESENT: His Worship the Mayor Mr Dale Williams and Cr D Pilkington.

IN ATTENDANCE: Mr C Tutty (Governance Supervisor)

APOLOGIES: Apologies were received from Ms R Matthews and Kawhia Community Board Member Mr L Sherman.

The Governance Supervisor presented a summary of the five applications received seeking a total \$4022. He informed Members that Council has a balance of \$5175 to allocate for the remainder of the 2012/13 year. An amount of \$475 being 5 percent of the total allocation has been deducted to go towards the cost of advertising.

Following discussion on the individual applications received, it was agreed that the recommendations as detailed below be adopted -

1.	Otorohanga Football Club	\$500
2.	Kio Kio School (Junior football)	\$1000
3.	Otorohanga College (Girls Hockey)	\$1000
4.	Otorohanga College (Boys Hockey)	\$1000
5.	Otorohanga College Girls Touch	\$250
	TOTAL	\$3750

Cr Pilkington / His Worship the Mayor

Following deduction of this allocation there remains a balance of \$1425 for further allocation.

Discussion was held on ways to encourage more applications and it was agreed that when applications are called for again, an application form be emailed to Cr Pilkington and Ms Matthews to enable them to forward a copy of the application form on to Clubs that usually apply for assistance or to those that Members are aware should apply.

The meeting closed at 2.45pm.

Item 358 ROAD LEGALISATION PART TE TAHI ROAD SO 458562

**To: His Worship the Mayor and Councillors
Otorohanga District Council**

From: Engineering Manager

Date: 4 June 2013

Relevant Community Outcomes

- Manage the natural and physical environment in a sustainable manner
-

Executive Summary

Council has documents requiring consent to legalising part of Te Tahī Road, being a length of 600m from RP1900. This being part of the recent improvements to Te Tahī Road.

Property owners involved are:

BD & PM Wise
GP & ER Brierly
JED Ltd (MJ Dickson)
LC & AC Verstappen

The consent relates to land to be acquired for road and road to be stopped and vested in adjoining properties.

Staff Recommendation

It is recommended 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 being declared road and vested in the Otorohanga District Council.
 - b. Pursuant to Sec 116 and 117 of the Public Works Act 1981 the land described in the **Second Schedule** below being stopped and vested in the adjoining properties by way of amalgamation with the titles listed and being subject to existing mortgages recorded on the titles.

South Auckland Land District – Otorohanga District

First Schedule - Land to be Declared Road			
<i>Area</i>	<i>Description</i>	<i>Title</i>	<i>Owners</i>
211m ²	Section 2 SO 458562	CFR 242380	GP & ER Brierly
149m ²	Section 5 SO 458562	CFR 511575	BD & PM Wise
329m ²	Section 7 SO 458562	CFR 511575	BD & PM Wise
198m ²	Section 9 SO 458562	CFR 73594	JED Limited
29m ²	Section 14 SO 458562	CFR 73594	JED Limited
370m ²	Section 12 SO 458562	CFR SA28A/880	LC & AC Verstappen
Second Schedule – Road to be Stopped and Vested by Amalgamation in Adjoining			

<i>Properties</i>			
143m ²	Section 1 SO 458562	CFR 511573	BD & PM Wise
172m ²	Section 3 SO 458562	CFR 511574	BD & PM Wise
134m ²	Section 8 SO 458562	CFR 511575	BD & PM Wise
120m ²	Section 4 SO 458562	CFR 242380	GP & ER Brierly
481m ²	Section 6 SO 458562	CFR 242380	GP & ER Brierly
335m ²	Section 11 SO 458562	CFR 73594	JED Limited
292m ²	Section 13 SO 458562	CFR 73594	JED Limited
185m ²	Section 10 SO 458562	CFR SA28A/880	LC & AC Verstappen

2. The Mayor and Chief Executive of Otorohanga District Council be authorised to sign and seal any documentation necessary to legalise plan SO 451501.

Report Discussion

These legal actions are to put in place adjustments made to Te Tahī Road as a result of the recent upgrade and realignment of part of Te Tahī Road.

Consultation was undertaken with the current owners before the physical works commenced and recent agreements in principle have been obtained from all of the owners confirming that Council has undertaken all the required and agreed actions to their satisfaction.

The details are as follows:

BD & PM Wise

Considerable consultation and correspondence was involved in this agreement as the Wise property was in the process of a major subdivision of the property producing eight (8) new small rural residential allotments along Te Tahī Road. Agreement was reached regards how the Council works impacted on the subdivision with land to be taken for road and road to be stopped and amalgamated with the new subdivision lots created. Physical works were undertaken but there is no money to be paid to Wises.

GP & ER Brierly

This property only had minor impact with one area to be acquired and two areas of road to be stopped and transferred to the Brierlys. The agreement is for a land exchange with no monies payable.

JED Limited (MJ Dickson)

This agreement was and is a complicated issue with the JED Ltd property being impacted by the work on Te Tahī Road and Mangati Road plus also an approved consent to subdivide a "rural residential" allotment off the land on part of the Te Tahī Road frontage.

A detailed Compensation Agreement was negotiated and signed on 1 January 2012 before the Te Tahī and Mangati road works were started. Recent consultation related to how the above agreement would be partially actioned for the parts that relate to Te Tahī Road have been undertaken and agreement has been reached. Council has completed all the conditions of the agreement related to Te Tahī Road and no monies are payable related to the land exchanges on Te Tahī Road. When the Mangati Road legalisation is surveyed and actioned there will be some monies payable to JED Limited for the major land loss that has impacted the property on Mangati Road.

LC & AC Verstappen

Consultation with the owners was undertaken prior to road works beginning. The consultations related to the original proposed road works which were to impact along the full length of the property. No Compensation Agreement was signed as it was decided to reduce the length of the road works and only a smaller portion of the property was affected by the recent upgrade.

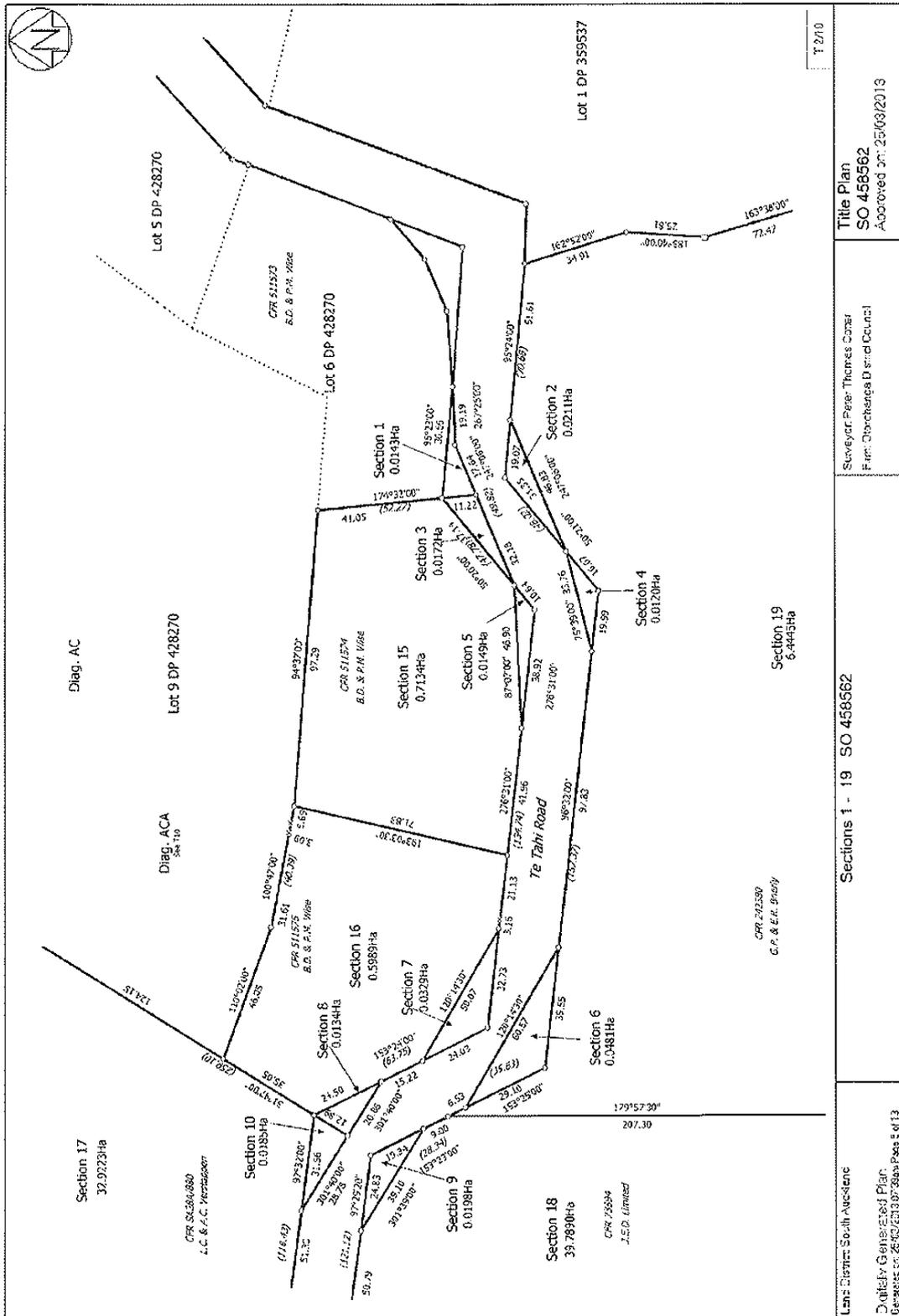
Recent consultations have been held with the owners and an Agreement in Principle has been reached with the Council paying the owners \$400.00 (plus GST if any) for their land loss plus the supply of six (6) ornamental trees to replace trees that were removed as a result of the road works.

As is standard practice, Council is meeting all survey and legal costs associated with the road legalisation along this section of Te Tahi Road.

Dave Clibbery
ENGINEERING MANAGER

Attachments

- a. SO 458562



<p>Lot 5 DP 428270</p> <p>Lot 6 DP 428270</p> <p>Lot 9 DP 428270</p> <p>Lot 1 DP 359537</p>	<p>Section 1 0.0143Ha</p> <p>Section 2 0.0211Ha</p> <p>Section 3 0.0172Ha</p> <p>Section 4 0.0120Ha</p> <p>Section 5 0.0149Ha</p> <p>Section 6 0.0481Ha</p> <p>Section 7 0.0329Ha</p> <p>Section 8 0.0134Ha</p> <p>Section 9 0.0198Ha</p> <p>Section 10 0.0188Ha</p> <p>Section 15 0.7134Ha</p> <p>Section 16 0.5989Ha</p> <p>Section 17 32.9723Ha</p>	<p>Diag. AC</p> <p>Diag. ACA S.M. 110</p>	<p>Section 19 6.4445Ha</p>	<p>Section 18 39.7890Ha</p>	<p>Section 1 - 19 SO 458562</p>	<p>Land District South Auckland</p> <p>Digitally Generated Plan</p> <p>Generated on: 25/03/2013 09:58:58 AM Page 5 of 13</p>	<p>Surveyor: Peter Thomas Corner</p> <p>Firm: Chartered Surveyors Ltd</p> <p>Approved on: 25/03/2013</p>	<p>Title Plan SO 458562 Approved on: 25/03/2013</p>	<p>1:210</p>
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Item 359 ROAD LEGALISATION PART MANGATI ROAD SO 456592

**To: His Worship the Mayor and Councillors
Otorohanga District Council**

From: Engineering Manager

Date: 4 June 2013

Relevant Community Outcomes

- Manage the natural and physical environment in a sustainable manner
-

Executive Summary

Council has documents requiring consent to legalising of part of Mangati Road for the first 600 metres from SH39.

Property owners involved are RC & IM Ormsby, ET & KE Vallender and RW & DB Sisley.

The consent relates to land to be acquired for road and road to be stopped.

Staff Recommendation

It is recommended 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 being declared road and 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 in the adjoining properties by way of amalgamation with the titles listed and being subject to existing mortgages recorded on the titles.

South Auckland Land District – Otorohanga District

First Schedule - Land to be Declared Road			
<i>Area</i>	<i>Description</i>	<i>Title</i>	<i>Owners</i>
414m ²	Section 1 SO 456592	SA25B/1195	RC & KM Ormsby
1108m ²	Section 4 SO 456592	SA69A/90	ET & KE Vallender
192m ²	Section 7 SO 456592	CFR 407868	RW & DB Sisley
Second Schedule – Road to be Stopped and Vested by Amalgamation in Adjoining Properties			
551m ²	Section 3 SO 456592	SA25B/1195	RC & KM Ormsby
281m ²	Section 2 SO 456592	SA69A/90	ET & KE Vallender
954m ²	Section 5 SO 456592	SA47C/284	ET & KE Vallender
333m ²	Section 6 SO 456592	CFR 407869	RW & DB Sisley

2. The Mayor and Chief Executive of Otorohanga District Council be authorised to sign and seal any documentation necessary to legalise plan SO 456592.

Report Discussion

These legal actions are to put in place adjustments made to Mangati Road as a result of the recent realignment and upgrading of Mangati Road. This section is for the first 600 metres, and another survey and legal actions are required for the next 700 metres, which were part of the recent roading improvements. Consultation has been undertaken with the three property owners involved and agreements have been reached with each as follows.

RC & KM Ormsby

The agreement relates only to the small area of land bounded by SH39, Mangati Road and the Ngakoahia Stream. The property was impacted from the corner with SH39 and an area of 414m² was required for roading improvements. The road fence needed relocation and this was undertaken as part of the physical works. An area of 551m² of old legal road was available to be stopped and transferred to the owners. The agreement reached does not involve any payment of monies for the land required for road or the old road to transfer to the owners.

ET & KE Vallender

These are new people to the area having recently purchased from Mr AR (Tony) McKinnon.

Prior to works commencing consultation was undertaken with the then owner Mr McKinnon. Consultation has now been had with the new owners, Mr & Mrs Vallender. Agreement has been reached for a land exchange and no payment of monies is involved. An area of 1108m² is to be acquired from the Vallenders for road and two areas of road no longer required are to be stopped and transferred to them. The area to be transferred is 1235m². The Council undertook the erection of the new fence along the road frontage where the earthworks required the fence to be moved.

RW & DB Sisley

The Sisleys own two properties, one of which will lose 192m² for road and the other which will gain 333m² of old legal road to be stopped.

A compensation agreement was negotiated with the Sisleys prior to works commencing.

The Council has constructed a new roadside fence where the works required the fence to be moved. A sight bench for safe exit from their property was constructed and some large pine trees were felled and stake for burning.

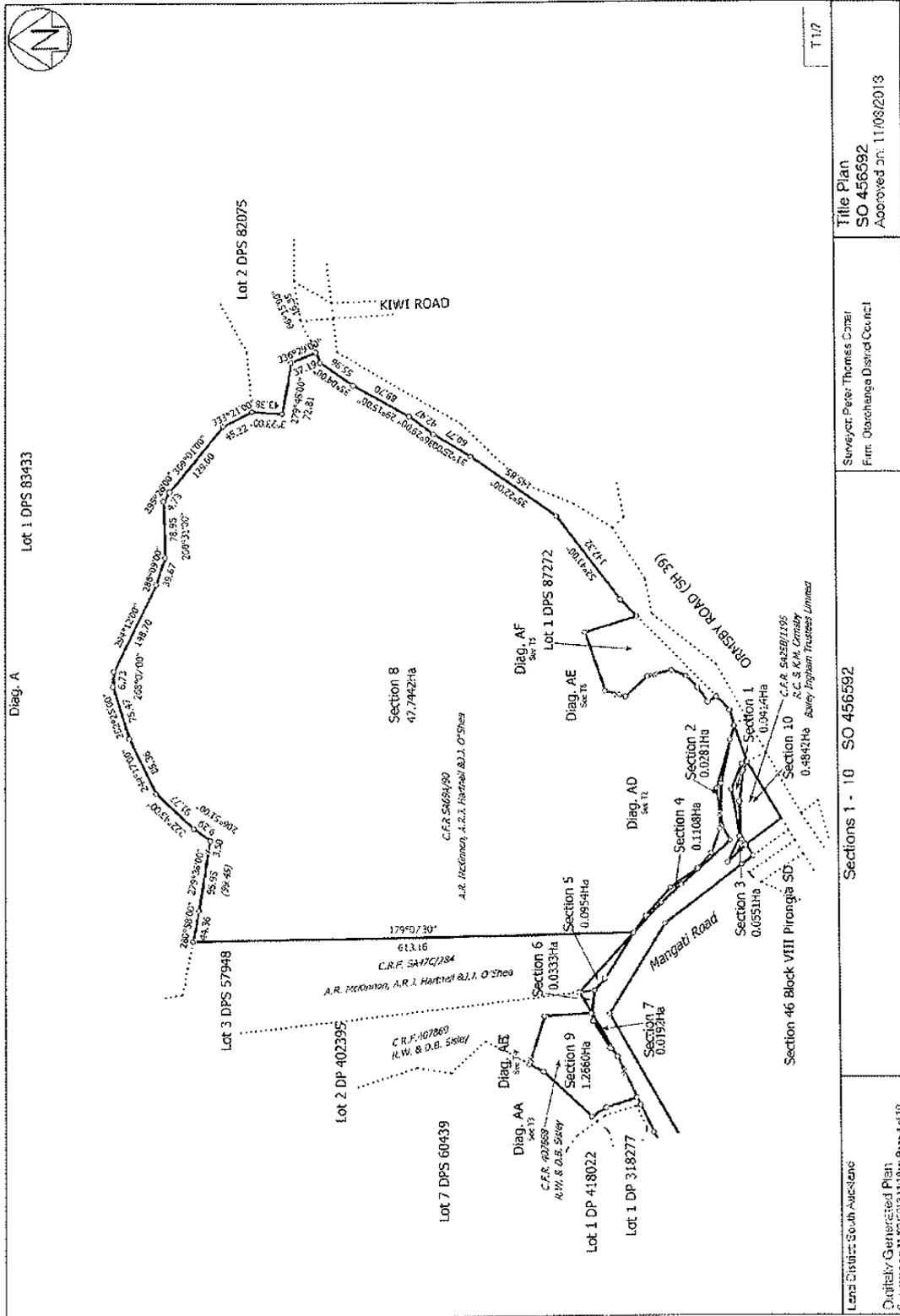
All works were undertaken as required and no monies are required to be paid for the land to be acquired for road or the stopped road to vest in the owners.

As is standard practice, Council is meeting all survey and legal costs associated with the road legalisation at this location.

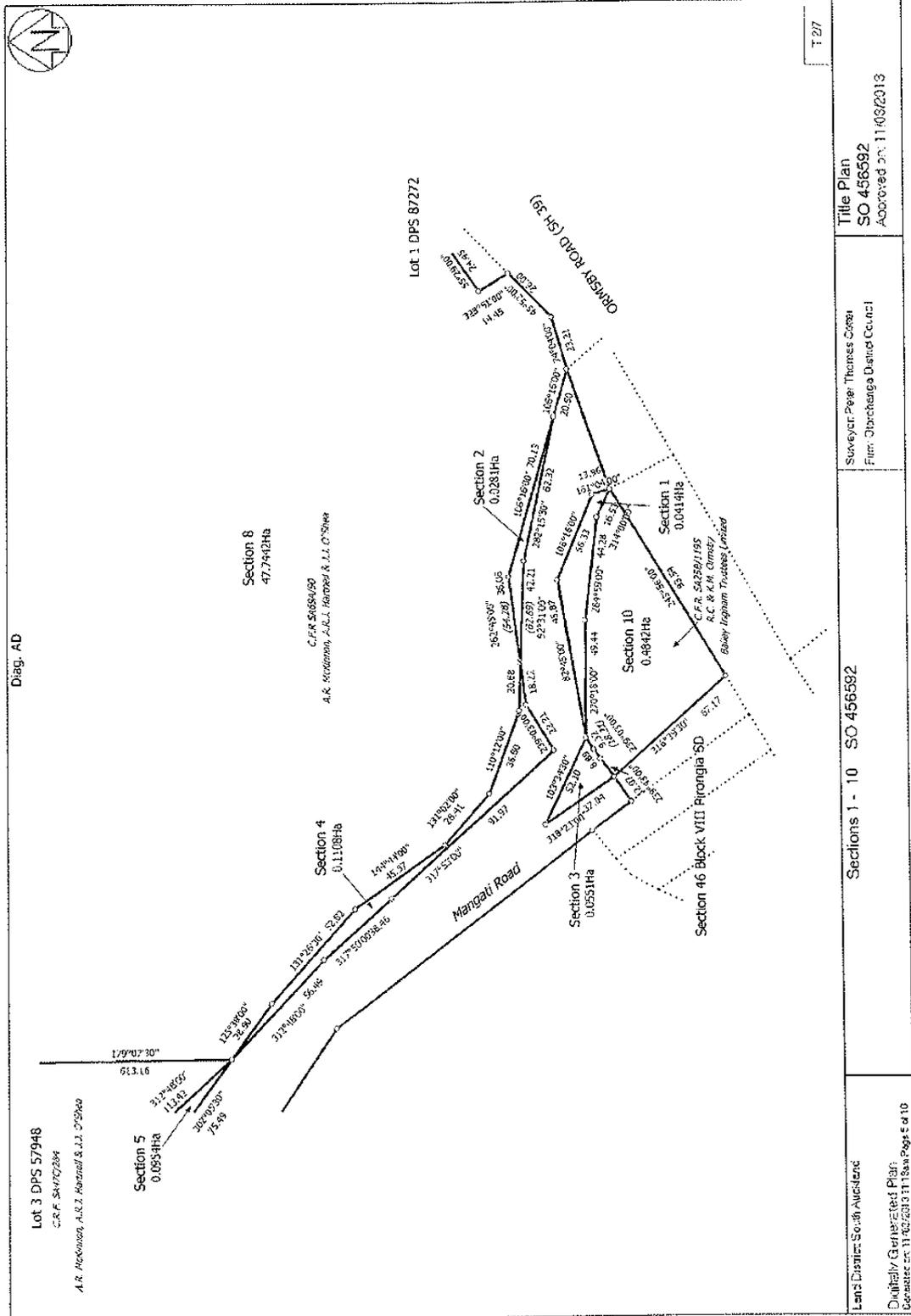
Dave Clibbery
ENGINEERING MANAGER

Attachments

- b. SO 456592



<p>Lot 1 DPS 83433</p> <p>Diag. A</p>	<p>Lot 2 DPS 82075</p> <p>KIWI ROAD</p>	<p>Lot 3 DPS 57948</p> <p>Lot 2 DP 402395</p> <p>Lot 7 DPS 60439</p> <p>Lot 1 DP 418022</p> <p>Lot 1 DP 318277</p>	<p>Lot 1 DPS 87272</p> <p>Diag. AF</p> <p>Diag. AE</p> <p>Diag. AD</p> <p>Diag. AB</p> <p>Diag. AA</p>	<p>Section 8 47.7442Ha</p> <p>Section 6 0.0333Ha</p> <p>Section 9 1.2866Ha</p> <p>Section 10 0.4842Ha</p> <p>Section 1 0.0914Ha</p> <p>Section 2 0.0281Ha</p> <p>Section 3 0.0951Ha</p> <p>Section 4 0.1108Ha</p> <p>Section 5 0.0954Ha</p> <p>Section 10 0.4842Ha</p>	<p>Section 46 Block VIII Pirongia SD</p> <p>Mangatū Road</p> <p>Omsley Road (66 HS)</p>
<p>Diagrams: C.F.R. 54054/90, A.R. Mackintosh, A.D.Z. Hartnell & J.J. O'Shea; C.F.R. 54054/90, A.R. Mackintosh, A.D.Z. Hartnell & J.J. O'Shea; C.R.P. 547C/284, A.R. Mackintosh, A.R. J. Hartnell & J.J. O'Shea; C.R.P. 40786/9, H.W. & D.B. Skelley; C.F.R. 40786/9, H.W. & D.B. Skelley; C.F.R. 54258/196, R.C. & K.M. Dinsley, Ashley, Pipihani Trustees Limited</p>					
<p>Diag. A</p>			<p>Diag. AA, AB, AD, AE, AF</p>		



<p>Sections 1 - 10 SO 456592</p>	<p>Stoveyct: Peter Thomas-Cone Firm: Obrecht & Partners</p>	<p>Title Plan SO 456592 Approved On: 11/03/2013</p>
<p>Lens District South Auckland</p>	<p>Digitally Generated Plan Generated on 11/03/2013 11:18am Page 5 of 10</p>	

Item 360 ANNUAL PLAN SUBMISSIONS 2013

**To: His Worship the Mayor and Councillors
 Otorohanga District Council**

From: Finance & Administration Manager

Date: 4 June 2013

Relevant Community Outcomes

- Ensure services and facilities meet the needs of the Community
 - Manage the natural and physical environment in a sustainable manner
 - Foster an involved and engaged Community
 - Protect the special character of our harbours and their catchments
-

Executive Summary

Council is to consider submissions to the ODC Annual Plan. The list of submitters follows -

SUBMITTERS TO BE HEARD:

Time	Organisation	Presenter
11.15am	Ms HM Smith	
11.30am	Federated Farmers	Gary Voogt / Hilary Walker
11.45am	ODC Staff Submission	Graham Bunn
12.15pm	Sport Waikato	Matthew Cooper & Mike McGuire

SUBMISSIONS NOT BEING HEARD:

Waikato Regional Council

Physicians & Scientists for Global Responsibility

C & D Gilbert

Enviroschools Foundation

Population Health

Local Authority Shared Services (LASS)

Tihiroa Rural Water Supply Committee

Staff Recommendation

It is recommended that:

1. The submissions be received, and

2. Subject to amendments resulting from the submissions, Council adopt the final Annual Plan.

Report Discussion

The Draft Annual Plan was approved by Council at their meeting held 2 April 2013.

The Draft Annual Plan has been subject to the Special Consultative process and made available to all ratepayers.

Staff views on the matters raised in the submissions will be advised as the matters are considered by Council.

Submissions close at 12 noon on Monday 27 May 2013. Members are asked to bring their copies of the Draft Annual Plan to the meeting.

GD Bunn
FINANCE AND ADMINISTRATION MANAGER

Item 361 ODC MATTERS REFERRED FROM 14 MAY 2013

**To: His Worship the Mayor & Councillors
 Otorohanga District Council**

From: Governance Supervisor

Date: 14 May 2013

Executive Summary

1. CR PILKINGTON

14 May 2013

- i. To ascertain whether Kawhia locals would think it is a good idea to have Aotearoa Peoples Network wireless gateway available through the Kawhia Library.

2. FINANCE & ADMINISTRATION MANAGER

14 May 2013

- i. To provide information to the Ranginui Rural Water Supply Committee Members regarding the process to wind the scheme up.

CA Tutty
GOVERNANCE SUPERVISOR

GENERAL

Item 362 SALE OF 24 TURONGO STREET CONFIDENTIAL

Reason for Confidentiality

	Grounds	Reason
	Section 48(1) of the Local Government Official Information and Meetings Act 1987, which permits the meeting to be closed to the public for business relating to the following grounds: -	Subject to sections 6, 8 and 17 of the Local Government Official Information Act 1987, the withholding of the information is necessary to:
SALE OF 24 TURONGO STREET CONFIDENTIAL	48(1a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.	7(2b) Protect information where the making available of the information- (i) Would disclose a trade secret; or (ii) Would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.

MOTION TO EXCLUDE THE PUBLIC