

# ORDINARY AGENDA

## COUNCIL

**DATE:** Wednesday, 11 November 2009

**TIME:** 9.15 am

**VENUE:** Council Chambers  
Matamata-Piako District Council  
35 Kenrick Street  
TE AROHA

## **MEMBERSHIP – Quorum (6)**

### **Members:**

Mayor G W H Vercoe QSM, ED, JP  
Cr J E Barnes  
Cr S D Gillard JP  
Cr C L Greenville JP  
Cr M L Gribble  
Cr J W Harris  
Cr P M Jager  
Cr T J M Johnston JP  
Cr R J McGrail  
Cr G R Stanley  
Cr M P Steffert  
Cr L M Tisch

*Information and recommendations are included in the reports to assist Council in the decision making process and may not constitute Council's decision until considered by Council.*

## TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
<b>1</b>	<b>MEETING OPENING</b> .....	<b>1</b>
<b>2</b>	<b>PRESENT</b> .....	<b>1</b>
<b>3</b>	<b>APOLOGIES</b> .....	<b>1</b>
<b>4</b>	<b>NOTIFICATION OF URGENT BUSINESS</b> .....	<b>1</b>
<b>5</b>	<b>CONFIRMATION OF MINUTES</b> .....	<b>1</b>
<b>6</b>	<b>OFFICER REPORTS</b> .....	<b>2</b>
<b>6.1</b>	<b>CHIEF EXECUTIVE</b> .....	<b>2</b>
	6.1.1 MAYORAL DIARY FOR OCTOBER 2009 .....	2
	6.1.2 COMMUNITY BOARD REPORTS FOR OCTOBER 2009 .....	3
	6.1.3 SCHEDULE OF MEETINGS 2010 .....	4
	6.1.4 TE MANAWHENUA FORUM MO MATAMATA-PIAKO .....	5
	6.1.5 PROPOSED COMMUNITY AND EVENTS CENTRE FOR TE AROHA .....	7
	6.1.6 APPROVED PLAN CHANGE 16 - REZONE AREAS OF RURAL AND KAITIAKI (CONSERVATION) ZONE .....	10
<b>6.2</b>	<b>ENVIRONMENTAL</b> .....	<b>14</b>
	6.2.1 DOCUMENTS EXECUTED UNDER COUNCIL SEAL - OCTOBER 2009 .....	14
	6.2.2 HEARING COMMISSION ANNUAL REPORT 2009 .....	15
	6.2.3 DOG CONTROL - ANNUAL REPORT 2008 and 2009 .....	18
<b>6.3</b>	<b>INFRASTRUCTURE</b> .....	<b>20</b>
	6.3.1 ADOPTION OF ACTIVE, PASSIVE AND GENERAL POLICIES RESERVE MANAGEMENT PLANS .....	20
	6.3.2 WAIORONGOMAI STONE CRUSHING PLANT .....	27
	6.3.3 SOLID WASTE MANAGEMENT REVIEW .....	31
<b>7</b>	<b>URGENT ADDITIONAL BUSINESS</b> .....	<b>33</b>
<b>8</b>	<b>EXCLUSION FROM THE PUBLIC</b> .....	<b>34</b>
	8.1.1 MANGAWHERO SUBDIVISION - PROGRESS REPORT .....	34
<b>9</b>	<b>CLOSURE</b> .....	<b>36</b>

**1 MEETING OPENING****2 PRESENT****MEMBERS PRESENT****OFFICERS PRESENT****IN ATTENDANCE****3 APOLOGIES****MEMBERS APOLOGIES****4 NOTIFICATION OF URGENT BUSINESS**

Pursuant to clause 3.7.5 and 3.7.6 of the Standing Orders NZS 9202:2003 and Section 46A (7) of the Local Government Official Information and Meetings Act 1987, the Chairman to enquire from members whether there are any additional items for consideration which qualify as extraordinary or urgent additional business.

**5 CONFIRMATION OF MINUTES**

Minutes, as circulated, of the Ordinary Meeting of the Matamata Piako District Council, held on 14 October 2009

[Minutes October 14 2009 Council.DOC](#)

**DRAFT RESOLUTION**

**That the Minutes of the Ordinary Meeting of Council held on 14 October 2009 be confirmed and signed as a true and correct record.**

**6 OFFICER REPORTS****6.1 CHIEF EXECUTIVE****6.1.1 MAYORAL DIARY FOR OCTOBER 2009**

**File No:** DEM021606  
**Attachments:** [MAYORAL DIARY for October 2009.doc](#)  
**Responsible Officer:** D Bellamy  
Environmental Services Manager  
**Author:** G W H Vercoe QSM, ED, JP  
Mayor

---

**EXECUTIVE SUMMARY**

A copy of the Mayoral Diary for the period 7 October 2009 to 4 November 2009 is attached.

**POLICY AND BYLAW ISSUES**

There are no other Policy or Bylaw issues in relation to this matter.

**OFFICER RECOMMENDATION**

**That the information in the Mayoral Diary for the period 7 October 2009 to 4 November 2009 be received.**

**6.1.2 COMMUNITY BOARD REPORTS FOR OCTOBER 2009**

**File No:** DEM021201  
**Responsible Officer:** D Bellamy  
Environmental Services Manager  
**Author:** J Payze  
Committee Secretary

---

**EXECUTIVE SUMMARY**

Representatives of the three community boards to be in attendance to advise Council of items of interest from their meetings.

**Morrinsville Community Board**

**Matamata Community Board**

**Te Aroha Community Board**

**POLICY AND BYLAW ISSUES**

There are no other Policy or Bylaw issues in relation to this matter.

**OFFICER RECOMMENDATION**

**That the Community Board Reports for October 2009 be received.**

**6.1.3 SCHEDULE OF MEETINGS 2010**

**File No:** DEM021601  
**Responsible Officer:** D Bellamy  
 Environmental Services Manager  
**Author:** J Payze  
 Committee Secretary

**EXECUTIVE SUMMARY**

Council are asked to give consideration to the meeting cycle which best suits their needs.

The schedule outlined below follows a similar schedule to that which was used in the previous term.

- Council meet every 2<sup>nd</sup> Wednesday of the month.
- Corporate and Operations Committee meet every 4<sup>th</sup> Wednesday of the month.
- The July COC date is the 3<sup>rd</sup> week due to LGNZ Conference.
- There is an extra meeting on November 1 for the Swearing in Ceremony.
- The December dates are for the 1<sup>st</sup> and 3<sup>rd</sup> Wednesday due to the Christmas break.

<b>MONTH</b>	<b>COUNCIL</b>	<b>CORPORATE &amp; OPERATIONS</b>
January 2010	No Meeting	No Meeting
February 2010	10 February	24 February
March 2010	10 March	24 March
April 2010	14 April	28 April
May 2010	12 May	26 May
June 2010	9 June	23 June
July 2010	14 July	21 July (3 <sup>rd</sup> week)
August 2010	11 August	25 August
September 2010	8 September	22 September
October 2010	No Meeting	No Meeting
November 2010	1 November (Swearing in Ceremony)	
November 2010	10 November	24 November
December 2010	1 December (1 <sup>st</sup> week)	15 December (3 <sup>rd</sup> week)

**POLICY AND BYLAW ISSUES**

There are no policy or bylaw issues.

**OFFICER RECOMMENDATION**

**That the Schedule of Meetings for 2010 be adopted.**

**6.1.4 TE MANAWHENUA FORUM MO MATAMATA-PIAKO**

**File No:** DEM0208T02  
**Attachments:** [HEADS OF AGREEMENT TMF.doc](#)  
**Responsible Officer:** D Bellamy  
Environmental Services Manager  
**Author:** S Barnes  
Democracy Services/Health & Safety Manager

---

**EXECUTIVE SUMMARY**

The Te Manawhenua Forum Mo Matamata-Piako is a formalised standing committee of Council and was constituted on 8 July 2004 (item number 9.6). As part of its constitution all proceedings and actions of the Forum shall be in accordance with the "Heads of Agreement" between Te Manawhenua Forum Mo Matamata-Piako and the Council.

Within the Heads of Agreement *"members shall be appointed for an initial term until October 2006 and thereafter triennial appointments will be made"*.

The Community Development Manager sent a letter to each member group in July 2009 asking them to advise their Principal and Alternate representatives. Council has been advised of some of the representatives for the next three years and needs to appoint these members to the Te Manawhenua Forum Mo Matamata-Piako.

- Ngati Rahiri-Tumutumu – no appointments made however Ms Jill Taylor (Secretary/Treasurer) will be their representative in the interim.
- Ngati Raukawa – Mr Waaka Gage and Mr Thomas Smith have been appointed. Still waiting on confirmation of who is the Principal and Alternate.
- Ngati Paoa – Mrs Glenys Wiggs is the Principal but no Alternate appointed as yet.
- Ngati Maru – Mr David Taipari (Principal) and Mr Waati Ngamane (Alternate)
- Ngati Haua – Mr Butch Tuhakaraina and Mrs Te Ao Marama Maaka have been appointed. Still waiting on confirmation of who is the Principal and Alternate.
- Ngati Tamatera – no response received.
- Ngati Whanaunga - Mr Michael Baker (Principal) and Mr Nathan Kennedy (Alternate).

Two members from Council are also required to be appointed.

A copy of the Heads of Agreement is attached.

**POLICY AND BYLAW ISSUES**

There are no policy or bylaw issues.

**OFFICER RECOMMENDATION**

**That:**

---

1. **the Te Manawhenua Forum Mo Matamata-Piako is a standing committee of Council. The membership of the committee shall be as follows:**

<b>Mayor G W H Vercoe</b>	<b>Council (Principal)</b>
<b>Cr R J McGrail</b>	<b>Council (Alternate)</b>
<b>Jill Taylor</b>	<b>Ngati Rahiri-Tumutumu (Principal)</b>
<b>Waaka Gage</b>	<b>Ngati Raukawa</b>
<b>Thomas Smith</b>	<b>Ngati Raukawa</b>
<b>Glenys Wiggs</b>	<b>Ngati Paoa (Principal)</b>
<b>David Taipari</b>	<b>Ngati Maru (Principal)</b>
<b>Waati Ngamane</b>	<b>Ngati Maru (Alternate)</b>
<b>Butch Tuhakaraina</b>	<b>Ngati Haua</b>
<b>Te Ao Marama Maaka</b>	<b>Ngati Haua</b>
<b>Michael Baker</b>	<b>Ngati Whanaunga (Principal)</b>
<b>Nathan Kennedy</b>	<b>Ngati Whanaunga (Alternate)</b>

2. **Te Manawhenua Forum Mo Matamata-Piako may at any time appoint a new Chairperson by resolution. The quorum required for any meeting of Te Manawhenua Forum Mo Matamata-Piako shall be in accordance with Standing Orders, and must include at least one member of Council.**
3. **notwithstanding clause 30(7) of the 7<sup>th</sup> Schedule of the Local Government Act 2002, Te Manawhenua Forum Mo Matamata-Piako shall be in accordance with the “Heads of Agreement” between Te Manawhenua Forum Mo Matamata-Piako and the Council and the nominated Committee members shall serve for a term of three years from 11 November 2009.**
4. **all proceedings and actions of Te Manawhenua Forum Mo Matamata-Piako shall be in accordance with the “Heads of Agreement’ between Te Manawhenua Forum Mo Matamata-Piako and the Council.**

**6.1.5 PROPOSED COMMUNITY AND EVENTS CENTRE FOR TE AROHA**

**File No:** CFA460801  
**Responsible Officer:** D McLeod  
Chief Executive Officer  
**Author:** P Rolfe  
Community Development Manager

---

**EXECUTIVE SUMMARY**

Council has indicated a commitment to undertake consultation with our community on the proposed Sport and Events Centre for Te Aroha.

This report outlines the consultation plan for the proposal and seeks Council approval of this.

A copy of the consultative document to be circulated to our communities will be tabled at the meeting.

**BACKGROUND****The Proposal**

Stanley Avenue Primary School proposes to develop a community sports and events centre on its site in Stanley Avenue, Te Aroha.

Funding of \$400,000 has been secured by the Ministry of Education and additional funding of up to \$300,000 has been committed by the school. Additional funding is sought from Council whereby it has been indicated that \$600,000 be allocated for this project out of Council's reserves fund.

**STATUTORY ISSUES**

Council is required to meet the principles of the Local Government Act 2002 which include:

- Conducting its business in an open and transparent manner.
- Give effect to desired outcomes in an efficient and effective manner.
- Have regard to community views.
- Take account of the diversity in the community, the interests of future as well as current communities.
- Undertake any commercial transactions in accordance with sound business practices.
- Take a sustainable development approach taking into account the social, economic, and cultural wellbeing of people and communities; the need to maintain and enhance the quality of the environment and the reasonable needs of future generations.

**POLICY AND BYLAW ISSUES**

The proposal relates to Councils Significance and Consultation Policies whereby these issues are mentioned below.

## **LONG TERM COUNCIL COMMUNITY PLAN**

### **COUNCIL ACTIVITIES**

#### **Community Development**

Community Development has a focus on economic, social, environmental and cultural well being and includes activities such as Democracy, District Plan, the Long Term Council Community Plan and generally increasing community input into Council decision making. Improving representation in Council's decision making and finding other ways to improve the process of democracy in our district is important.

- Democracy
  - To ensure that the community is well informed about Council plans, policies and strategies.

### **COMMUNITY OUTCOMES**

- Belonging to our Community
- Our Social Infrastructure

### **SIGNIFICANCE POLICY**

This proposal is determined that the issue is significant for the following reasons:

- It has the potential to impact Te Aroha either positively or negatively -for example if the development proceeds or not.
- It is likely to be of high interest for the Te Aroha community with moderate interest to the remainder of the District due to funding issues.
- The proposal would be a de facto strategic asset.
- Council must consider the on-going funding needs of such a proposal, which cannot be easily reversed once committed to.
- Additional funding may be required in the future if anticipated incomes are not achieved.

### **COMMUNICATION AND CONSULTATION ISSUES**

Some consultation has already been undertaken by the school with the Te Aroha community whereby over 700 positive responses have been received.

To meet the principles of the Local Government Act 2002 and Councils own Consultation Policy it is proposed that:

- 1 The following three options be promoted throughout the District seeking feedback and comments by community members.
  - i Continue the current status with the community continuing to use current facilities that are available.
  - ii Council develop a partnership with Stanley Avenue Primary School and build a new facility for use by the community.

- iii A new facility be built on Boyd Park in the future.
- 2 The above options will also outline the advantages and disadvantages along with costs.
- 3 The above will be promoted in a full size advertisement in the Piako Post and Matamata Chronicle seeking feedback on the 17<sup>th</sup> and 18<sup>th</sup> November with submissions closing on Monday 21<sup>st</sup> December 2009. This will also be promoted on Councils website seeking feedback along with copies being available at Council's offices and libraries.
- 4 Council will not hear submissions and will make its decision at its first meeting in February 2010.

### **FINANCIAL IMPLICATIONS**

External costs to work through this process are in the vicinity of \$2500 whereby an allocation of \$5000 has been provided for through reserves. This includes expenses for costing one of the options. All other costs are in kind through existing resources.

### **OFFICER RECOMMENDATION**

**That Council adopts the consultation plan as outlined in the report and consultative document for the Proposed Events and Sports Centre at Te Aroha.**

**6.1.6 APPROVED PLAN CHANGE 16 - REZONE AREAS OF RURAL AND KAITIAKI (CONSERVATION) ZONE**

**File No:** RMR200616B  
**Responsible Officer:** D McLeod  
Chief Executive Officer  
**Author:** M Payne  
Policy Planner

---

**EXECUTIVE SUMMARY**

On 12 November 2008 Council resolved its decision on Proposed Plan Change 16 which was then appealed to the Environment Court by Environmental Futures Inc. The appeal was based on the extent to which the zone departed from the proposed and recommended option.

The appeal was resolved via mediation resulting in a Consent Order being issued by the Environment Court stating;

“[5] the appeal is allowed to the extent that planning map 9 is amended as shown on the attachment marked “A”.  
“[6] The appeal is otherwise dismissed.”

The Consent Order was presented to Council on 14 October 2009. Council can now make the changes part of the Operative District Plan.

Attached are the relevant documents to be signed and sealed.

**BACKGROUND**

Plan Change 16 sought to amend the zoning of two parcels of land owned by Azreel Farms Ltd (LA and MK Dearlove), east of Manawaru and off Te Aroha Gordon Road. It was proposed to correct Planning Map 9 to show an amended location of the Rural Zone, Kaitiaki (Conservation) Zone and subsequently the Fire Hazard Buffer, to protect vegetation identified as part of the Kaimai – Mamaku Range Significant Natural Feature from inappropriate development and to remove unnecessary restrictions inhibiting the development and use of pastoral land.

**STATUTORY ISSUES**

Resource Management Act 1991

Plan Change 16 has worked through the consultation process of the provisions of the Resource Management Act 1991 including an assessment of alternatives, benefits and costs (Section 32 Analysis). The proposed plan change was then adopted by Council and publicly advertised inviting submissions. Seventy one submissions with four further submissions were received. The pre-hearing process could not resolve all the issues raised therefore a formal hearing was required.

The hearing was held 27 August 2008 and adjourned to allow a site visit on 10 September 2008. The hearing was re-commenced 12 November 2008 and a

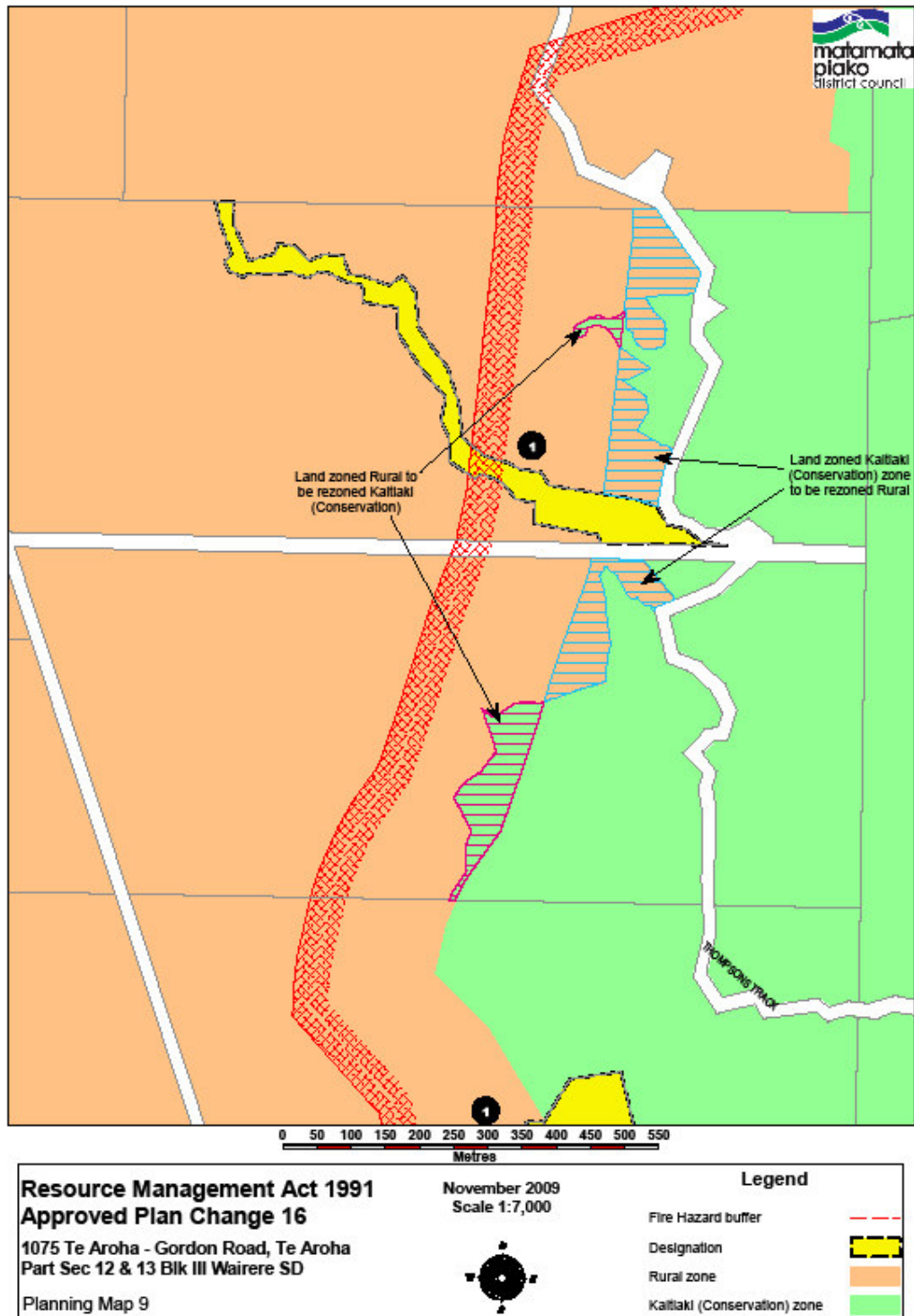
decision was made by council. Council's decision was appealed to the Environment Court within the appeal period by Environmental Futures Inc.

The appeal was resolved via mediation with the Environment Court issuing a Consent Order Dated 21 September 2009 which, was received by Council on 14 October 2009.

The procedure to meet our statutory responsibilities once Council agrees to adopt the plan change is to publicly advertise the adoption at least five working days before the change is to become operative and then advise all holders of the plan.

#### **OFFICER RECOMMENDATION**

**That pursuant to Clause 20 of Schedule 1 of the Resource Management Act 1991 Plan Change 16 be Sealed with the seal of Council.**



**Plan Change 16 to the Operative District Plan**

**of the**

**Matamata-Piako District Council**

**Pursuant to Clause 17 of the First Schedule of the Resource  
Management Act 1991**

Plan Change 16 to the Operative District Plan was approved by  
resolution of the Matamata-Piako District Council at its meeting on 11  
November 2009

Plan Change 16 will become operative on 25 November 2009

G W H Vercoe  
Mayor

D J McLeod  
Chief Executive

\_\_\_\_\_  
11 November 2009

\_\_\_\_\_  
11 November 2009

**6.2 ENVIRONMENTAL****6.2.1 DOCUMENTS EXECUTED UNDER COUNCIL SEAL - OCTOBER 2009**

**File No:** REG140801  
**Attachments:** [Executed Docs 2009.doc](#)  
**Responsible Officer:** D Bellamy  
Environmental Services Manager  
**Author:** M Hawthorne  
Legal Advisor

---

**EXECUTIVE SUMMARY**

The schedule of documents executed under Council Seal is attached.

**POLICY AND BYLAW ISSUES**

There are no other Policy or Bylaw issues in relation to this matter.

**OFFICER RECOMMENDATION**

**That the schedule of documents executed under Council Seal be approved.**

**6.2.2 HEARING COMMISSION ANNUAL REPORT 2009**

**File No:** DEM0208R01  
**Responsible Officer:** D Bellamy  
 Environmental Services Manager  
**Author:** D Bellamy  
 Environmental Services Manager

**EXECUTIVE SUMMARY**

The Hearing Commissioners meet on 28 October to review their participation in the hearings process during the 2008/09 year. A summary of the matters discussed and the requirement for further delegations under the Resource Management (Simplifying and Streamlining) Amendment Act 2009 is set out below.

**ISSUES****Hearings**

Statistics – The number of applications considered for the period 1 October 2008 to 30 September 2009 is set out in the table below. Of the applications received 6.4% were notified and only 3% proceeded to a formal hearing.

	Applications	Approved	Declined	Appealed	Cancelled	Still to be held
Council Commissioners	9	5	0	0	3	1
Independent Commissioners	1	1	0	0	0	0
Approval by Staff Delegation	212	212	0	0	0	0
Council	1	1	0	0	0	0

Independent Commissioners – An Independent Commissioner was appointed to hear Council's application for the District Dog Pound at Waihou.

Chair Appointments – three Commissioners are accredited with chair training and all three have had an opportunity to chair a hearing.

Staff Delegated Authority – The Environmental Services Manager, CEO and Infrastructure Manager are delegated the authority to grant consents where the recommendation is to approve the application. If the recommendation is to decline the application then it will be heard by the Commissioners. The relatively low number of hearings indicates the delegations to staff are adequate and allow efficient processing of consents.

**Hearing Decisions**

Discussions with staff indicate that the decisions of the Commission are understood by both the applicant and submitters and that the conditions imposed are appropriate and enforceable.

### **Monitoring**

The appointment of a fulltime monitoring officer has enable greater emphasis to be put on monitoring conditions attached to resource consents. The monitoring is generally related to land use consents as all subdivision consent conditions must be meet before the 224 certificate can be issued to allow titles to be uplifted.

Conditions requiring a response within a set time frame are being diarized ahead and all other conditions reviewed in a formal programme. A programme of reviewing older consents is also in place to pick up any outstanding issues.

### **RMA Amendments**

Delegations - Changes to the RMA through the (Simplifying and Streamlining) Amendment Act 2009 will require further delegations to be made. This will be the subject of a separate report to Council.

Refund Policy – The Amendment Act requires Council to have a policy regarding refund of consent fees where the statutory timeframes are not met. This policy can not be less that the national guidelines. Further work will be required on Council's refund policy once the national guidelines are known.

### **POLICY AND BYLAW ISSUES**

There are no policy issues.

### **LONG TERM COUNCIL COMMUNITY PLAN**

#### **COUNCIL ACTIVITIES**

##### ***Environmental Care***

*Environmental Care represents Council's role and commitment in protecting the natural resources of the district and Council's responsibility to arbitrate between the different needs and interests of community members. It also contributes to the safety and healthiness of the community. This activity is responsible for Resource Consents, Building Consents.*

- *Regulatory Planning*
  - *To process applications for land-use and subdivision consent, changes to consent conditions, and designations in terms of the Resource Management Act 1991 and other relevant legislation*
  - *To monitor compliance of activities consented, with consent conditions*
  - *To take enforcement action in instances of non-compliance*

#### **SIGNIFICANCE POLICY**

This issue is not considered significant in terms of Council's Significance Policy.

**FINANCIAL IMPLICATIONS**

No financial resource impact.

**OPTIONS**

That the report be received.

**OFFICER RECOMMENDATION**

**That the report be received.**

**6.2.3 DOG CONTROL - ANNUAL REPORT 2008 AND 2009**

**File No:** RMR300801  
**Attachments:** [Dog Annual Rpt 08-09.doc](#)  
**Responsible Officer:** D Bellamy  
Environmental Services Manager  
**Author:** D Bellamy  
Environmental Services Manager

---

**EXECUTIVE SUMMARY**

The Dog Control Act requires a territorial authority to report annually on its dog control operation.

The attached report includes all the information required under section 10A (2) for the 2008/09 financial year.

The Annual Report is recommended to be adopted and publicly notified as required by the Act.

**BACKGROUND**

Section 10A of the Dog Control Act requires a territorial authority to report annually on the administration of:

- (a) Its dog control policy adopted under section 10; and
- (b) Its dog control practices.

The Act sets out the information that must be included in the report and further requires the authority to give public notice of where the report can be obtained. A copy of the report will also be placed on Council's web site.

A copy of the report must also be sent to the secretary of Local Government within one month of it being adopted by Council.

**STATUTORY ISSUES**

This report is required by section 10A of the Dog Control Act 1996.

**POLICY AND BYLAW ISSUES**

There are no bylaw issues.

**LONG TERM COUNCIL COMMUNITY PLAN****COUNCIL ACTIVITIES*****Environmental Care***

*Environmental Care represents Council's role and commitment in protecting the natural resources of the district and Council's responsibility to arbitrate between the different needs and interests of community members. It also contributes to the safety*

*and healthiness of the community. This activity is responsible for Resource Consents, Building Consents.*

- *Animal Control*
  - *To ensure that all dogs within the District are registered*
  - *To ensure that a 24 hours, seven days a week system is in place to respond to all animal control complaints within the district*
  - *To ensure dogs and stock found wandering are adequately impounded and cared for*
  - *To undertake educational programmes with dog owners and other interested parties*

#### **COMMUNITY OUTCOMES**

- Community Safety and Support: Looking after People

#### **SIGNIFICANCE POLICY**

This issue is not considered significant in terms of Council's Significance Policy.

#### **COMMUNICATION AND CONSULTATION ISSUES**

The Act requires public notice to be given of where the report can be obtained.

#### **FINANCIAL IMPLICATIONS**

No financial resource impact.

#### **OPTIONS**

1. That the report be adopted and publicly notified.
2. That the report be further considered/amended before being adopted and publicly notified.

#### **OFFICER RECOMMENDATION**

**That the annual dog control report for 2008/09 be adopted and publicly notified.**

## 6.3 INFRASTRUCTURE

### 6.3.1 ADOPTION OF ACTIVE, PASSIVE AND GENERAL POLICIES RESERVE MANAGEMENT PLANS

**File No:** PRE520414  
**Responsible Officer:** G Ridley  
 Infrastructure Manager  
**Author:** R Marshall  
 Community Facilities Planning Officer

#### EXECUTIVE SUMMARY

A Council Hearing was held on Wednesday 23 September 2009 for the Active, Passive and General Policies Reserve Management Plans. At the hearing Council resolved to make a number of changes to the Management Plans. All changes are identified in this report, and the documents have been updated in accordance.

This report seeks formal Council adoption of the Active, Passive and General Policies Reserve Management Plans. Once adopted, the final step of producing the documents will be to submit them to the Department of Conservation for the Minister to approve.

#### BACKGROUND

Initially a list of Active and Passive Reserves were identified by Council staff, along with topics to be covered in the general policies document. A Council Sub Committee was appointed to have input into the process. The Councillors appointed were Garry Stanley, Shirley Gillard and Tim Johnston.

**Early 2008:** The Council Sub Committee met with staff to finalise the list of reserves to be included.

**Early 2008:** The Te Manawhenua Forum was informed that this process was being undertaken.

**Mid 2008:** The initial period of public consultation was undertaken. The community were asked to provide input which would be used to help shape the draft documents. This process involved public advertisements, contacting property owners that neighboured reserves, contacting user groups and contacting other potentially affected parties. The following submissions were received:

Reserve Management Plan	Submissions
Active	18
Passive	28
General Policies	8
<b>Total</b>	<b>54</b>

Note: A small number of people made submissions on more than one of the documents.

**Mid – Late 2008:** The Draft Reserve Management Plans were written by a consultant with large input from Council Staff, incorporating public comments where practical.

**Late 2008 – Early 2009:** The Draft Documents were reviewed by Council Staff and the Council Sub Committee. Improvements were identified and the documents were updated.

**March – April 2009:** Draft Documents were presented to Council. Resolution was received to seek public submissions in accordance with the Reserves Act 1977.

**June – July 2009:** Public Consultation Period. The following submissions were received:

<b>Reserve Management Plan</b>	<b>Submissions</b>
Active	20
Passive	18
General Policies	5
Other	5
<b>Total</b>	<b>54</b>

Note: A small number of people made submissions on more than one of the documents.

**September 2009:** Hearing held on 23 September. Management Plans were then updated in accordance with hearing committee's decisions.

**November 2009:** Formal adoption of Management Plans sought by Council.

**The following changes have been made to the documents as a result of hearing decisions on 23 September 2009:**

**General Policies Reserve Management Plans**

Page 24 - Policy statement added to Policy 2.12 Heritage Conservation:

*'Archaeological assessments shall be undertaken prior to major infrastructure capital works occurring on reserves likely to have historic / heritage values.'*

Page 25 – Policy statement expanded for Policy 2.13 Liquor Licences:

*'the hours of supply do not commence before 10.00 am and extend past 11.00 pm unless Council has approved extended hours in writing'*

Page 34 – Policy statement edited for Policy 2.16.3 Easements:

*These policies (and relevant ones in the utility operator sections) will apply to Council's Roading Departments and ~~Transit~~ the New Zealand Transport Agency seeking easements for stormwater discharges.*

Page 36 – Policy Statement edited for Policy 2.17.1 Seats:

New seats, and replacement of existing seats, shall be ~~of the same design as is currently being used by Matamata Piako District Council.~~ of a design and construction type suitable for its location and usage. A guideline on seating types is to be produced and implemented to achieve a consistent style, longevity and ease in replacing parts if required.

Page 49 – Policy statement added to Policy 2.24 Tracks:

*Council will encourage working with the Department of Conservation to co-ordinate track standards where tracks adjoin.*

Page 52 – Policy statement expanded for Policy 2.25 Trees and Tree Management:  
*Tree planting on reserves will take into account the effects trees will have on underground and overhead services and whether compliance with the current Electricity (Hazards from Trees) Regulations can be achieved*

Page 60 – Policy Statement edited for Policy 2.26.3 Commercial Use of Reserves:  
*A market rent will ~~be~~ may charged for all grazing agreements. Council may charge a rental other than a market rental for approved recreational or management purposes.*

Page 66 – Policy statement edited for Policy 2.27.3 Removal of Vegetation:  
*Where vegetation is to be trimmed or cleared in conjunction with overhead power lines, Transpower's service specification "~~Management of Trees near Transmission lines~~" "Tree Control near Transmission Assets and Accessways" standard must be used by the Company's contractors.*

### **Passive Reserves Management Plans**

Page 14 – Management intent statement edited for Centennial Drive Reserve:  
*That a long-term tree management plan be ~~developed and~~ implemented for this reserve, and be reviewed as appropriate*

Page 14 - Management intent statement edited for Centennial Drive Reserve:  
*That ~~barbeque and~~ picnic facilities be installed on the site.*

Page 20 – Management intent statement edited for Pohlen Park:  
*That Lot 45 ~~46~~ DP 15621 and Lots 100 & 101 DP 13191 be investigated as to current status and reclassified ~~classified~~ as Recreation Reserve under the Reserves Act 1977 if required*

Page 34 – Legal Information corrected for Jaycee Reserve:  
*Legal Description: Lot 7 DPS 86435*

Page 81 – Management intent statement added to Anderson Park:  
*That an investigation may be undertaken into relocating the playground to the Morrinsville Recreation Ground, and implemented if appropriate.*

Page 114 – Management intent statement expanded for Pakeke Park:  
*That development and maintenance of the park be undertaken by Matamata-Piako District Council in partnership with the Pakeke Lions Club or another community based service club*

Page 134 – Management intent statement added to Farmer Street Reserve:  
*That suitable fencing be placed around the reserve to prevent access by unauthorised vehicles*

Page 160 – Management intent statement edited for Seddon Street Reserve:  
*~~That an investigation be undertaken into a link being created to the township through the railway site, and implemented if appropriate~~*

*That Seddon Street Reserve be a starting point for a pedestrian walkway through the railway corridor and sold ex-Council land. A walkway is subject to agreement by other land owners, both ONTRACK and private.*

Page 165 – Primary Status & Ownership details corrected for Te Aroha Bush Reserve:

*Sections 5 – 10 Blk XXXIV Town of Te Aroha vested to Council under Section 26a Reserves Act 1977*

### **Active Reserves Management Plans**

Page 19 – Management intent statement added to Pohlen Park:

*That a playground be constructed on Pohlen Park*

Page 24 – Management intent statement added to Swap Park:

*That Swap Park be considered as a venue for soccer and / or other sporting activities, including the development of associated facilities*

Page 24 – Management intent statement added to Swap Park:

*That ancillary facilities are shared where ever possible, or added only if necessary*

Page 28 – Club details expanded for Waharoa Domain:

*The Waharoa Athletic Club use the site during the summer months. They meet on Wednesday nights from the beginning of October through until the end of March. The club has a clubroom on the site. Regional athletic meets have been staged on the reserve in the past where two records were created for the woman's 1 mile race, and senior woman's shot put.*

Page 39 – Management intent statement added to Morrinsville Recreation Ground:

*That an investigation may be undertaken into relocating the Anderson Park playground to the Morrinsville Recreation Ground, and implemented if appropriate*

Page 39 – Management intent statement added to Morrinsville Recreation Ground:

*That the Coghill Gates be relocated to a more prominent location*

Page 43 – Tahuna Domain Committee details expanded:

*The sports users of Tahuna Domain currently pay a rental to the Committee at a rate which fairly reflects the income of the various sports.*

Page 44 - Management intent statement deleted from Tahuna Domain:

~~*That signage be placed at the entrances to the reserve in accordance with Council's current signage strategy*~~

Page 44 – Management intent statement edited for Tahuna Domain:

*That the public toilets be upgraded maintained*

Page 44 – Management intent statement added to Tahuna Domain:

*That a formal arrangement is made between the Golf Club and the Rugby Club regarding usage of the lower southern area of the reserve. This will involve leasing the land to the Golf Club whilst allowing the Rugby Club certain grazing rights for their sheep.*

Page 49 – Management intent statement deleted from Wiseley Reserve:

~~That a cycling velodrome be allowed to be built on the reserve. Planning approval may need to be obtained prior to this activity being established~~

Page 49 – Management intent statement deleted from Wiseley Reserve:

~~That a non-competition BMX track be built in an area not utilised by the velodrome~~

Page 55 – Management intent statement expanded for Boyd Park:

*That signage be placed at the entrances to the reserve in accordance with Council's current signage strategy, including an orientation sign adjacent to the Spur Street Carpark, showing the features and layout of the sportsfield and wetland area of Boyd Park*

Page 55 – Management intent statement added to Boyd Park:

*That clubrooms be constructed for the reserve user groups if there is sufficient demand. The preferred location is to the east of the netball courts on Spur Street*

Page 55 – Management intent statement added to Boyd Park:

*That the Te Aroha Small Bore Rifle Club be permitted to build an extension to the showground building, subject to planning approval*

Page 55 – Management intent statement deleted from Boyd Park:

~~That a temporary non-competition BMX track be constructed in the vicinity of the area between the wetlands and the netball courts, should there be sufficient demand. This is dependent on any issues regarding its placement on a retired dump site being mitigated~~

Page 59 – Club details corrected for Herries Memorial Park:

*The go-kart club uses the lower southern part of the park from 1 October November to 31 May each year.*

Page 60 – Management intent statement added to Herries Memorial Park:

*That ancillary facilities are shared where ever possible, or added only if necessary*

Page 71 – Schedule E – Reserve with Campsites has been updated:

~~*The following reserves are recognised as appropriate sites. No active reserves are recognised as being suitable for informal camping:*~~

- Boyd Park (Spur Street car parking site)
- Morrinsville Recreation Ground
- Pohlen Park

~~*Firth Tower, Waharoa Aerodrome, Te Aroha Domain and the gravel car park behind the Te Aroha Council Office also contain suitable sites, but fall outside the scope of this document. Some of these sites have separate Reserve Management Plans.*~~

## **STATUTORY ISSUES**

Reserve Management Plans are required to meet the legislative requirements of the Reserves Act 1977.

## **POLICY AND BYLAW ISSUES**

There are no policy or bylaw issues.

## LONG TERM COUNCIL COMMUNITY PLAN

### COUNCIL ACTIVITIES

#### ***Community Development***

*Community Development has a focus on economic, social, environmental and cultural well being and includes activities such as Democracy, District Plan, the Long Term Council Community Plan and generally increasing community input into Council decision making. Improving representation in Council's decision making and finding other ways to improve the process of democracy in our district is important.*

- *Strategies and Plans*
  - *The development of strategies and plans which contribute to achieving community outcomes*

#### ***Community Facilities***

*Community Facilities are Council activities focused on recreational and cultural opportunities in the district. Previously, much of the work we have done in this area has been around the provision of services and assets, such as the libraries, swimming pools, parks and reserves and other public amenities. In the future, Council will be looking to see how it can enhance the provision of these services to the community through the forming of partnerships with other regional and national organisations focused on social and cultural wellbeing.*

- *Parks and Reserves*
  - *Provide the linkage between Council's strategic goals for parks and reserves and the current levels of service of service*
  - *Identify opportunities for improvement and implications of those improvements*

### FOUR WELL-BEINGS

Reserve Management Plans contribute to well-beings by planning for future needs as well as accommodating current demands. They involve long term thinking as opposed to ad hock developments.

### COMMUNITY OUTCOMES

- Belonging to our Community
- Healthy Air, Water, Land: Healthy People
- Planning and Development

### SIGNIFICANCE POLICY

This issue is not considered significant in terms of Council's Significance Policy.

### FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

**OFFICER RECOMMENDATION**

**That Council adopt the Active, Passive and General Policies Reserve Management Plans.**

### 6.3.2 WAIORONGOMAI STONE CRUSHING PLANT

**File No:** 05314/302.00  
**Attachments:** [Survey Plan](#)  
[Waiorongomai Condition Report](#)  
**Responsible Officer:** **G Ridley**  
**Infrastructure Manager**  
**Author:** **R Marshall**  
**Community Facilities Planning Officer**

---

#### EXECUTIVE SUMMARY

The Waiorongomai Stone Crushing Plant at the end of Waiorongomai Road has been identified as a Health and Safety risk. Council staff members have been working with the Department of Conservation to investigate solutions to safety concerns. Five options are discussed in this report.

#### BACKGROUND

This issue was initially raised at a Corporate and Operations meeting in July 2009. Resolution was received that *“the Waiorongomai Stone Crushing Report be deferred to allow for a site visit and Mr Fabish, Community Facilities Manager, to provide more information.”*

On a Council bus trip, Councillors were taken to the site and met with staff from the Department of Conservation. The Department of Conservation have expressed a strong desire for the structure to be retained due to its heritage and tourism values (elaborated below). Matamata-Piako District Council and the Department of Conservation are in the early stages of forming a Memorandum of Understanding to strengthen and formalise the relationship between the two organisations.

The plant is a recorded archaeological site (T13/79) and whilst less significant than the Waiorongomai goldfield relics, the crusher and quarry are an integral part of the valley's history. The remains add historic interest at the car park which is a major entry point to the Kaimai Mamaku Forest Park and associated Kaimai Heritage Trail which is currently under development. The plant also stands as physical evidence of early initiatives undertaken by local government to support development in the region; the crusher and quarry was part of a huge outlay by the Piako County Council in the 1920s to improve county roads to handle 'modern' and increasingly fast cars and trucks.

In 2008 concerns were raised by MPDC and Department of Conservation staff about the condition of the Stone Crusher. At this time a survey was undertaken at the site. The survey revealed that almost all of the old stone crushing plant is located on land owned by Council (Waiorongomai Road Reserve), with a very small portion located on Department of Conservation land (see attached survey plan).

Around the same time staff fenced off the structure and erected signage informing the public not to enter the vicinity. This initiative was undertaken as a temporary solution to the Health and Safety concerns.

The Department of Conservation was asked if they had any interest in retaining the Crusher as a feature. They were also asked if they had an interest in taking over management of the structure.

The Department of Conservation replied that due to the local heritage value and interest this structure adds to the car park at a major entry point to the Kaimai Mamaku Forest Park and associated Kaimai Heritage Trail, the Department would like to work with Council to develop a solution to stabilise and retain at least part of the structure.

Frame Group Limited, the Department of Conservation's contracting engineers, was commissioned to carry out an engineering inspection. This was to determine the structural integrity of the plant and to supply an indicative scope and costing of remedial work required to secure the structure (see attached Engineering Report). Kaimai Valley Services have also examined the site and have provided quotes for various solutions.

### **POLICY AND BYLAW ISSUES**

There are no policy or bylaw issues.

### **LONG TERM COUNCIL COMMUNITY PLAN**

#### **COUNCIL ACTIVITIES**

##### ***Community Facilities***

*Community Facilities are Council activities focused on recreational and cultural opportunities in the district. Previously, much of the work we have done in this area has been around the provision of services and assets, such as the libraries, swimming pools, parks and reserves and other public amenities. In the future, Council will be looking to see how it can enhance the provision of these services to the community through the forming of partnerships with other regional and national organisations focused on social and cultural wellbeing.*

- *Parks and Reserves*
  - *Identify opportunities for improvement and implications of those improvements*

#### **FOUR WELL-BEINGS**

The Stone Crushing Plant is a recorded archaeological site with historical significance. It provides an attraction at the entry point to a local tramping site. Ensuring the plant is maintained in a safe condition and available for public view encourages visitors to the site and surrounding area, contributing to social, economic and cultural well-beings.

#### **COMMUNITY OUTCOMES**

- Belonging to our Community
- Economic Development: Prosperity

- Heritage: Our past

**SIGNIFICANCE POLICY**

This issue is not considered significant in terms of Council's Significance Policy.

**FINANCIAL IMPLICATIONS**

Financial costs associated with each option are detailed below. The funds to implement the chosen option would need to be obtained from the Special Funds/Reserves Account.

**OPTIONS****OPTION ONE – DO NOTHING (STATUS QUO)**

In 2008 staff fenced off the structure and erected signage informing the public not to enter the vicinity. This initiative was undertaken as a temporary solution to the Health and Safety concerns. However the existing barrier and signage does continue to provide a clear message that members of the public should keep a distance. This option has the highest health and safety risk as it would not be difficult to access the structure if people chose to ignore the safety warnings.

Cost: No Cost

**OPTION TWO – REMOVE ENTIRE STRUCTURE**

This option is to totally dismantle and remove material from the site. This would solve all health and safety concerns. However there are still risks associated with this option. It would have negative consequences by resulting in the loss of a heritage and tourism feature. In addition there is potential it could upset local residents, and it is the option the Department of Conservation would be most keen to avoid.

Cost: Kaimai Valley Services have provided a quote for the above of \$12,674 plus GST

**OPTION THREE – RETAIN STRUCTURE AS IS AND ADD SECURITY FENCING AND SIGNAGE**

This is similar to Option One but would reduce safety concerns as unauthorised access would become much more difficult. Security fencing would consist of:

- Clearing of vegetation to allow for the fence installation
- The supply and installation of a 2.0 meter high hockey stick post using 40mm mid wall galvanized pipe.
- Supply and installation of Diamond mesh netting
- Supply and installation of Barb wire at top of fence

Cost: Kaimai Valley Services have provided a quote for the above of \$12,478 plus GST

**OPTION FOUR – RETAIN HOPPERS, REMOVE THE LEFT HAND SIDE STRUCTURE (OLD TOWER), ADD SECURITY FENCING AND SIGNAGE**

This option involves removing the old tower which is the most deteriorated section of the structure with the greatest health and safety risk.

Cost: \$20,858 + GST (approx)

- Kaimai Valley Services have provided a quote for the above of \$9,380 plus GST to remove the left hand side of the structure.
- To add security fencing would be slightly cheaper than the price quoted in Option 3 because less fencing material would be required. Kaimai Valley Services have estimated this to cost \$11,478 plus GST.

**OPTION FIVE - REMOVE SELECTED DETERIORATED MEMBERS, SECURE THE STRUCTURE AND PASS OWNERSHIP OVER TO THE DEPARTMENT OF CONSERVATION**

The preferred option of the Department of Conservation is that deteriorated sections are removed and the structure is secured.

In addition, the Department of Conservation responded to MPDC staff enquiries as to whether they are interested in taking over the management and maintenance of the structure. The following response was provided:

*“The Department is amenable in principle to taking on management of the crushing plant through a transfer of ownership but would expect that Council would cover the costs of doing so. Such a transfer would require a parcel of the road reserve to be surveyed off, that section of the public road closed, and added to the Kaimai Mamaku Forest Park. Survey costs have been estimated at \$6,000.”*

Cost: \$25,000 + GST (approx)

- Remove selected deteriorated members and secure the structure; Frame Group have estimated this would cost approximately \$19,000 (excluding GST).
- Transfer ownership to Department of Conservation: \$6,000 (approx).

**OFFICER RECOMMENDATION**

**That a decision is made regarding future management of the Waiorongomai Stone Crushing Plant.**

### 6.3.3 SOLID WASTE MANAGEMENT REVIEW

**File No:** SWM520401  
**Responsible Officer:** G Ridley  
Infrastructure Manager  
**Author:** D Locke  
Waste Management Officer

---

#### EXECUTIVE SUMMARY

This report is to keep council updated of the developments working party formed to review the draft waste strategy and its action plans in the Waste Minimisation and Management portfolio.

#### BACKGROUND

An earlier report informed council of progress of the working party and outlined the consultation program that was about to be implemented.

#### Current Situation

This report is a summary of the current findings of the consultations with key stakeholders carried out by three ward councillors and members of the Waste Minimisation working party.

Consultation with key stakeholders: the feedback has been positive and as a result the following options are being assessed by the working party as the amount of information is considerable. Listed below are some key issues under consideration:

Operate refuse and recycling kerbside collections in future through a mix of council controlled and contract services:

- Retain bag and crate system but consider additional crate for encouraging recycling.
- Change from supplying bag to purchase from a supermarket as this allows the user to purchase the exact number of bags they require and prevents MPDC absorbing the cost of distribution. MPDC would still control the price of a bag. This aligns with the service offered by neighbouring councils.
- Investigate ways to encourage contractors to achieve higher recycle rate.

Encourage improved recycling efficiency of material in several ways by targeting rural population that currently receive no service:

- Target rural households, rural school collections.
- Unmanned rural collection depots.

Encourage recycling in public spaces by:

- Introducing public place recycling bins.
- Incorporate policy for Event management plans for recycling.
- Unmanned urban recycling depots.

Improve recovery of recycling at transfer station as current set up for handling refuse destined for landfill by:

- Improved infrastructure at transfer station by conducting a feasibility study of the options that could be considered as the investment required is substantial. The objective being to find the most efficient operating system for MPDC.
- Extending times and access for delivering recycling.
- Improved sorting of waste.
- Handling contractors waste for sorting.

Information about the recycling issues needs to be publicised regularly to keep information flow.

Council are working with Local Industry and other Local Authorities to obtain funds for feasibility study for organic waste processing facility which could also handle bio waste.

A draft waste minimisation action plan will be developed following greater deliberation by the working party and the plan included in 2010 Annual plan.

### **POLICY ISSUES**

We are currently working with neighbouring councils to the north HDC and TCDC in forming a Memorandum of Understanding to investigate joint waste services contract. This would incorporate one contractor servicing all three areas which would result in cost savings and greater efficiency and bargaining power through economies of scale.

### **OFFICER RECOMMENDATION**

**That the report be received and council accept the preliminary findings of the WMWP to form the basis of a Consultants brief to prepare a Waste Management Action Plan for the 2010 Annual Plan Council approval to enter into Memorandum of Understanding with neighbouring councils.**

**7 URGENT ADDITIONAL BUSINESS**

## **8 EXCLUSION FROM THE PUBLIC**

### **8.1.1 MANGAWHERO SUBDIVISION - PROGRESS REPORT**

**File No:** RCS 1565  
**Responsible Officer:** D McLeod  
Chief Executive Officer  
**Author:** M Hawthorne  
Legal Advisor

---

#### **EXECUTIVE SUMMARY**

A local authority may by resolution exclude the public from the whole or any part of the proceedings of any meeting only on one or more of the grounds specified in Section 48 of the Local Government Official Information and Meetings Act 1987.

That the public be excluded from the following part of the proceedings of this meeting:

- Mangawhero Subdivision - Progress Report

#### **OFFICER RECOMMENDATION**

That the public be excluded from the following part of the proceedings of this meeting:

- Mangawhero Subdivision - Progress Report

The general subject of the matter to be considered while the public is excluded, the reason for passing this resolution in relation to the matter, and the specific grounds under Section 48 (1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Reasons for passing this resolution in relation to each matter:

- Good reason to withhold exists under Section 7

Ground(s) under Section 48 (1) for the passing of this resolution

- Section 48 (1)(a)

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 which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows:

- 7(2) (g) Maintain legal professional privilege.

- **7(2)(i) Enable the local authority to carry out, without prejudice or disadvantage, negotiations.**
- **7(2)(h) Enable the local authority to carry out, without prejudice or disadvantage, commercial activities.**

**9 CLOSURE**