

ORDINARY AGENDA

COUNCIL

DATE: Wednesday, 13 May 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
1	MEETING OPENING	1
2	PRESENT	1
3	APOLOGIES	1
4	NOTIFICATION OF URGENT BUSINESS	1
5	CONFIRMATION OF MINUTES	1
6	OFFICER REPORTS	2
6.1	MAYORAL DIARY FOR APRIL 2009	2
6.2	COMMUNITY BOARD REPORTS FOR APRIL 2009	3
6.3	DOCUMENTS EXECUTED UNDER COUNCIL SEAL - APRIL 2009	4
6.4	TE AROHA AND DISTRICT MUSEUM SOCIETY INC.	5
6.5	ANIMAL CONTROL FEES 2009-10	6
6.6	THREE QUARTER FINANCIAL PROJECTIONS	11
6.7	PROPOSED CONCEPT OF A CYCLEWAY	14
6.8	DISPOSAL OF WAHAROA BOWLING CLUB ROOMS AND THE OLD TE AROHA DOMAIN TICKET OFFICE	15
6.9	WASTE MINIMISATION STRATEGY	20
6.10	WASTE MINIMISATION - DRAFT SUBMISSION	24
6.11	MORRINSVILLE TOILET UPGRADE	26
7	URGENT ADDITIONAL BUSINESS	32
8	EXCLUSION FROM THE PUBLIC	33
8.1	MANGAWHERO ROAD SUBDIVISION UPDATE	33
8.2	RELEASE OF PUBLIC EXCLUDED ITEMS FOR THE PUBLIC FOR THE PERIOD FEBRUARY 2008 TO FEBRUARY 2009	34
9	CLOSURE	36

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 8 April 2009

[Minutes April 08 2009 Council.DOC](#)

DRAFT RESOLUTION

That the Minutes of the Ordinary Meeting of Council held on 8 April 2009 be confirmed and signed as true and correct.

6 OFFICER REPORTS

6.1 MAYORAL DIARY FOR APRIL 2009

File No: DEM021606
Attachments: [Mayoral Diary April 2009.doc](#)
Responsible Officer: D McLeod
Chief Executive Officer
Author: G W H Vercoe
Mayor

EXECUTIVE SUMMARY

A copy of the Mayoral Diary for the period 1 April 2009 to 5 May 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 1 April 2009 to 5 May 2009 be received.

6.2 COMMUNITY BOARD REPORTS FOR APRIL 2009

File No: DEM021201
Responsible Officer: D McLeod
Chief Executive Officer
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 April 2009 be received.

6.3 DOCUMENTS EXECUTED UNDER COUNCIL SEAL - APRIL 2009

File No: REG140801
Attachments: [Schedule of Documents Executed Under Council Seal - April 2009](#)
Responsible Officer: D Bellamy
Environmental Services Manager
Author: M Hawthorne
Legal Advisor

EXECUTIVE SUMMAR

The Schedule of Documents Executed under Council seal for April 2009 is attached.

STATUTORY ISSUES

There are no statutory issues.

POLICY AND BYLAW ISSUES

There are no policy issues.

SIGNIFICANCE POLICY

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

FINANCIAL IMPLICATIONS

No financial resource impact.

OFFICER RECOMMENDATION

That the Schedule of Documents executed under Council Seal be received.

6.4 TE AROHA AND DISTRICT MUSEUM SOCIETY INC.

File No: 05311/345.00
Responsible Officer: D McLeod
Chief Executive Officer
Author: J Payze
Committee Secretary

EXECUTIVE SUMMARY

9.45 am

Mrs Janice Nightingale is to make a presentation to the Matamata-Piako District Council of the Certificate of Appreciation, in recognition of valuable contribution in 2008.

POLICY AND BYLAW ISSUES

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

OFFICER RECOMMENDATION

That the Te Aroha and District Museum Society Inc. be thanked for the Certificate of Appreciation.

6.5 ANIMAL CONTROL FEES 2009-10

File No: RMR300804
Responsible Officer: D Bellamy
Environmental Services Manager
Author: D Bellamy
Environmental Services Manager

EXECUTIVE SUMMARY

The Matamata-Piako District Council Dog Control Policy requires the dog registration fees to be set each year. It also requires that the fees reflect the actual cost associated with the control of dogs within the district and be set in accordance with Council's financial policy.

The fees for the 2009/10 registration year now need to be set to allow advertising and programme modifications to be completed prior to registration notices being issued.

This report recommends that Council set the registration fee to reflect their dog control operation costs at the same fees as last year.

BACKGROUND

The rebate system that this Council uses was recommended to Council a number of years ago by a working group set up by Council. The group included dog owners, Federated Farmers representatives, Councillors and Staff.

Rebates and bonuses are used to reward responsible dog owners and those that have little or no contact with an Animal Control Officer. These are not available to owners whose dogs have been the subject of complaints, or whose dogs have been impounded.

The 2008/09 fee was made up of a base registration fee of \$101.50 which was then subject to rebates and bonuses for the following categories;

\$15.00 if the dog owner has obtained a responsible owner license. (ROL)

\$30.00 if the dog has been de-sexed, classified as a working dog, or the owner is registered with the NZKC for breeding dogs.

\$35.00 if the owner has not had any justified complaints about his/her dog or his/her dog has not been impounded during the previous registration year and all registration fees in the current registration year are paid by the due date.

This resulted in a registration fee of \$21.50 for those owners that could claim all the rebates.

Section 3.8.1 of the Dog Control Policy requires the fees to be determined in relation to the estimated budget for the dog control operation, excluding other animal control issues, and with regard to Council's financial strategy.

The operating costs for animal control, exclusive of GST, are set out in the 2009/10 Draft Annual Plan which is still subject to public consultation. The cost, inclusive of overheads and depreciation is \$232,521. (Includes \$7,000 depreciation for the proposed new pound to be constructed in the 2009/10 year). Approximately 8% of this budget would be required for the control of other animals, such as stock, and various bylaw inspections leaving approximately \$214,000 as the budget requirement for the dog control operation.

Council's current financial strategy requires 80% or \$171,200 of the operating costs to be funded by user charges. Projected income for the 2008/09 financial year from impounding and infringement fees is expected to return \$11,500, leaving \$159,700 to be collected by registration.

The 2008/09 Annual Plan gives a budgeted income from registration fees of \$150,000. The year to date income indicates an expected return of approximately \$166,000 in the 2008/09 financial year. The increase over budget of \$16,000 is mainly due to a rise in the number of registered dogs.

The registration fee has been set at \$101.50 for the last three years.

It is not proposed to change the dog and stock impounding and callout fees. The current fees are set out in the proposed resolution.

STATUTORY ISSUES

Section 37 of the Dog Control Act 1996 gives Council the power to set dog control fees. This section was not amended by the Dog Control Amendment Act 2003 or the Local Government Act 2002, and remains in force.

The requirements under this section are:

- A resolution of Council setting the fees;
- Council having regard to the relative costs of the registration and control of dogs;
- The new fees must be notified in the newspapers during June 2009.

POLICY AND BYLAW ISSUES

The Dog Control Amendment Act 2003 requires all Councils to review their policy having regard to minimising danger, distress and nuisance to the community generally and to make any changes necessary to its bylaw. The policy was reviewed and the bylaw amended in 2005.

Section 3.9 of the Matamata-Piako District Council Dog Control Policy, states

3.9.1 Dog registration fees will be set annually to reflect the actual costs associated with the control of dogs and in accordance with Council's financial strategy.

3.9.2 *Fines and infringement fees for dog control offences will be credited to the dog control account.*

3.9.3 *A Voluntary Owner License Scheme has been implemented which entitles owners who qualify to lower dog control fees, thus rewarding and encouraging responsible dog ownership.*

3.9.4 *An application for reduced dog control fees can be made by any owner where the following can be demonstrated that the owner has:*

- *not been the subject of justified complaints and has not been prosecuted for dog control offences within the previous two years;*
- *not had dogs impounded within the previous two years; and*
- *not kept an unregistered dog within the previous two years.*

3.9.5 *Dog control fees paid by owners of dangerous dogs are to be paid at a rate 50% above the normal rate.*

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*

SIGNIFICANCE POLICY

Section 76 of the Local Government Act 2002 provides that every decision of Council must be made in accordance with the decision-making and consultation provisions of that Act. However, section 79 provides that the extent to which consultation is undertaken can be determined by Council in proportion to the significance of the decision.

A decision to retain the dog registration fees at existing levels or with a small increase/decrease would not be considered to be significant in terms of Council's policy. While the decision may affect a number of residents (over 2700 dog owners) it will not result in a change in the way the activity is carried out or in existing service levels.

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

OPTIONS

- 1 To set the registration fees at the same level as the 2008/09 registration year (\$101.50 subject to rebates): - With the fees set at this level, it is likely that income will continue to be approximately \$165,000, or 82.5% of operating costs. The actual income will depend on the number of dogs registered subject to the rebate entitlement.
- 2 To decrease the registration fee to align the fee with councils funding policy requiring \$159,700. This would reduce the registration fee by approximately \$1.30.

OFFICER RECOMMENDATION

That:

1. The dog registration fee for the 2009/10 registration year be \$101.50.
2. A rebate of \$15.00 per dog be given for holding a responsible owner licence.
3. A rebate of \$30.00 be given for:
 - A de-sexed dog, or
 - A working dog as defined in the Dog Control Act, or
 - A dog registered as a breeding dog.
 And that this rebate only be claimed for one of these categories.
4. A bonus of \$35.00 per dog be given where:
 - There are no complaints or infringements registered in the 2008/09 registration year against any dog held by the owner; and
 - No dog held by the owner was impounded in the 2008/09 registration year.
5. A penalty fee of 50% of the fee that would have been payable had the dog been registered on the first day of the registration year be charged for payments received after 31 July 2009.
6. The dog impounding fees be:

• Impounding	\$45.00
• 2 nd Impounding	\$67.50
• 3 rd and subsequent impounding in the same registration year	\$101.25
• Daily sustenance	\$12.50

7. The stock call out fees be -

- | | |
|---|----------|
| • During office hours | \$112.50 |
| • After hours (per call out inclusive of mileage) | \$168.75 |
| • Impounding fee (per head) plus all costs | \$45.00 |
| • Daily sustenance (per head) | \$5.00 |

8. All the above fees are inclusive of Goods and Services Tax.

6.6 THREE QUARTER FINANCIAL PROJECTIONS

File No: SUP160403
Attachments: [Operational Financial Forecast 31March 2009](#)
Responsible Officer: M Te Wiata
Community and Support Services Manager
Author: M Te Wiata
Community and Support Services Manager

EXECUTIVE SUMMARY

The Executive team met with Managers in April to review financial performance for the financial year.

We project that the financial result will be better than the budget by approximately \$90,000. This excludes any provision for:

- The surplus from the Mangawhero industrial subdivision;
- The extraordinary costs for the 2008 Te Aroha Storm event;
- The PNZ investment dividend.

The major budget variances we have identified are:

- Depreciation expense will exceed the budget by \$950,000 as our major assets were revalued and have increased in value;
- Interest expense will be below budget as we will not complete the full programme of capital works. As a consequence we will not require the amount of borrowing that we budgeted.
- Operations are projected to be \$298,000 below budget.

A separate report will be submitted to Council on the Te Aroha Storm event. Council can then decide whether it is appropriate to meet these costs from a special fund.

BACKGROUND

Management prepares financial forecasts for the financial year after the 6 month and three quarter periods.

The forecasts allow Council to consider whether action is required to address any projected budget variance.

It is not unusual for variances to occur within activities that are offset when consolidating the overall financial result.

We budgeted for a \$550,000 deficit this financial year as we are phasing in the full level of utility rates.

ISSUES

Depreciation

Infrastructural assets, land and buildings were revalued as at 1 July 2008 in preparation for the Community Plan.

The value of the assets has risen which has the effect of increasing the annual depreciation by \$953,000 above budget.

Interest Expense

We will not fully complete our capital works programme.

As a consequence we will not need to raise loans to the extent that we budgeted.

Our interest expenses will be \$745,000 less than we estimated for the year.

Operations

Activity managers report that most activities are projected to be within budget.

We have identified a number of variances and these are attached.

The net projection is that operations will be \$298, 000 below budget.

Extraordinary items

There are a number of extraordinary items that will impact on Council's bottom-line that have not been included in the projection:

- Council is aware that the Mangawhero industrial subdivision generated a surplus. This was not budgeted.
- The costs of the 2008 Te Aroha Storm event were significant. A separate report on the issue will be prepared. Council has previously considered funding this type of event from special funds. Council can consider this issue in the context of the financial forecasts.
- We budget to receive \$ 488,000 in dividends from the PNZ investment for roading. We cannot accurately predict the impact that the world-wide economic recession will have on the dividends we will receive.

We expect that the net total of these three items will impact positively on Council's bottom-line.

Building maintenance versus renewals

As an ongoing development of our asset management processes staff are reviewing the categorization of building maintenance items.

It is probable that some large maintenance items should be renewals and funded from depreciation reserves.

We will report separately on this issue when the review is complete.

POLICY AND BYLAW ISSUES

There are no issues

SIGNIFICANCE POLICY

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

OFFICER RECOMMENDATION

That the information be received.

6.7 PROPOSED CONCEPT OF A CYCLEWAY

File No: RSB522420
Responsible Officer: D McLeod
Chief Executive Officer
Author: J Payze
Committee Secretary

EXECUTIVE SUMMARY

A number of enquiries have been received about the Matamata-Piako District Council's involvement and views on the proposed concept of a cycleway from Auckland to the Bay of Plenty via Thames/Paeroa.

POLICY AND BYLAW ISSUES

There are no issues.

OFFICER RECOMMENDATION

That the information on the proposed concept of a cycleway from Auckland to the Bay of Plenty via Thames-Paeroa be received.

6.8 DISPOSAL OF WAHAROA BOWLING CLUB ROOMS AND THE OLD TE AROHA DOMAIN TICKET OFFICE

File No: 05315/071.00 & 05311/488.00
Responsible Officer: G Ridley
Infrastructure Manager
Author: S Fabish
Community Facilities Manager

EXECUTIVE SUMMARY

The Waharoa Bowling Club rooms and the old Te Aroha Domain Ticket office are no longer required for Council purposes. Registrations of interest were called for and several registrations were received. At the meeting held on 11 February 2009 Council resolved the following:

That:

- 1. Council's preference is the Waharoa Bowling Club remains on site for community use.*
- 2. Mr S Fabish negotiate with interested groups and report back to Council with recommendations.*

Discussions were held with the interested groups, resulting in confirmed proposals from two groups interested in the use of the Waharoa Bowling Club Building.

BACKGROUND**Waharoa Bowling Club Building**

The club room building is located on Waharoa Reserve land. The Bowling Club ceased to function in the middle of last year and their preference was for the building to be used for some other community purpose. When the club vacated the premises the ownership of the building reverted to Council. The land remains Reserve land.

A valuation of the building was sought and the valuer stated that the replacement cost of such a building based on modern building standards would be in the range of \$260,000 to \$300,000. He also stated that the Bowling Club is in average condition and as indicated in the Warwick Johnston report there had been some internal structural changes. This had overall reduced the strength of the building structure and as a removal project the building has a nil value. The estimated cost to relocate the building would be between \$60,000 and \$62,500 exclusive of GST.

Te Aroha Domain Spa Ticket Office

The Ticket Office is located in the Te Aroha Domain opposite the new spa office complex. This building was originally used as a ticket office before the new ticket office was completed and has recently been used as extra office space.

It is a small building therefore a valuation has not been requested.

Its removal is the preferred option because Council wants to use the space to further beautify the area.

ISSUES**Waharoa Bowling Club Building**

Some members of the local community have expressed a desire for the building to remain on site and for it to be used by the local community; however the Bowling Club members were concerned that the building would not be properly cared for.

Council staff received proposals from several community groups in Waharoa for the building to remain on site and to be used by the local community.

A proposal was also received by the Matamata Fishing Club for the building to be uplifted and relocated to Pohlen Park to be used as their club rooms.

Waharoa Community Groups

The Council's Community Facilities Manager and Property Officer arranged a meeting with the three Waharoa Community Groups to ask them to consider submitting a combined proposal indicating that the three groups form a formal management structure and operate and maintain the buildings and grounds in such a way as to accommodate all three groups' needs.

Council staff have since received their formal proposal to operate as one group and this proposal is attached to this report.

Matamata Fishing Club

The Council's Community Facilities Manager and Property Officer arranged a meeting with the Matamata Fishing Club to discuss their proposal and look at alternative options to the moving of the Waharoa Bowling Club building to Pholen Park for their use as a club room.

They were also asked to submit a formal proposal to Council regarding their proposed use of the building. Council staff have since received this proposal. A copy is attached to this report.

Te Aroha Domain Spa Ticket Office

At the time of called "expressions" of interest", only one was received. This proposal was for the removal of the building and total restoration of the site, with a nil payment to Council for the building.

STATUTORY ISSUES

There are no statutory issues.

POLICY AND BYLAW ISSUES

There are no issues.

LONG TERM COUNCIL COMMUNITY PLAN**COUNCIL ACTIVITIES*****Council 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.

- *Housing and Other Property*
- *Identify opportunities for improvement and subsequent implications of those improvements*

Community Outcomes

- Planning and Development

SIGNIFICANCE POLICY

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

COMMUNICATION AND CONSULTATION ISSUES

Council staff communicated with the members of the Waharoa Bowling Club Windup Committee and a valuer and house Removal Company was consulted for the estimated value and charges.

Staff have also communicated with the three Waharoa community groups and the Matamata Fishing Club.

FINANCIAL IMPLICATIONS

Waharoa Bowling Club Building

Both proposals received indicate that there would be a nil cost to Council.

Te Aroha Domain Spa Ticket Office

The one proposal received indicates that there would be a nil cost to Council.

OPTIONS

Waharoa Bowling Club Building

Option One

This proposal incorporates the collaboration of three local community groups; namely, Raungaiti Sports Body Incorporated, Te Whakaminenga Youth Group/Committee and Te Puna Ora Christian Fellowship to lease the vacant Waharoa Bowling Clubroom and associated grounds.

Proposed Management Structure

The proposed management structure will operate autonomous to each of the three applicants groups. Each of the applicant groups will nominate a representative to the management structure and who will be responsible for administering the building and grounds on behalf of all community stakeholders and also Matamata-Piako District Council. Development of a charter document will guide how the building and grounds will be used to accommodate all three applicant groups and any future groups.

Proposed Maintenance Plan

It will be the collective responsibility of all three applicants groups to ensure that the building and grounds are kept clean, tidy and safe. This will be done through development of an annual property maintenance plan where each group will be allocated a number hours per year to complete weekly maintenance work.

Lease Agreement

It is understood that if successful that a lease agreement will be negotiated with Matamata-Piako District Council, including costs, insurance details and rates. It is hoped that the lease agreement will be 'Perpetual' in nature.

If successful, the Management Committee Structure will become the tenant/ leasee and will be directly responsible to Matamata-Piako District Council for maintaining all lease agreement clauses, including monitoring of rental payments, maintenance schedules and usage.

For the purpose of this proposal an interim Management Committee has been elected and elected members are as follows;

Chairperson: Cheyanne KauKau
31 Mowbray Rd
Waharoa
07 888 8521

Treasurer: Natalie Wilson
12 Casey Street
Waharoa
07 888 4084

Secretary: Ringi Gillett
49 Ward Street
Waharoa
07 888 8862

A full copy of their proposal is included as an attachment to this report

Option Two

This option is to consider a proposal from the Matamata Fishing Club for the building to be uplifted and relocated to a Pohlen Park to be used as their club rooms.

Council staff have indentified a suitable location within Pohlen Park where this building could be relocated to and still allows all existing users of the Park operate as they currently do.

A full copy of their proposal is included as an attachment to this report.

OFFICER RECOMMENDATION

That:

- 1. Council accept the proposal from the Waharoa Community Groups.**

2. **the Community Facility Manager negotiates a suitable lease agreement for the operation and maintenance of the Bowling Club land and buildings.**
3. **Council accept the proposal to remove the Te Aroha Domain Spa Ticket Office building and reinstate the site.**

6.9 WASTE MINIMISATION STRATEGY

File No: SWM520400
Responsible Officer: G Ridley
Infrastructure Manager
Author: J Ross
Waste & Water Manager

EXECUTIVE SUMMARY

The following report describes how Council can best position itself to respond to new statutory requirements affecting waste management and the introduction of new financial charges relating to landfill disposal that will have effect from 1 July 2009.

A copy of the Draft Waste Minimisation Strategy 2009 for the Matamata-Piako District Council is attached separately.

BACKGROUND

The *Local Government Act 2002* signalled the introduction of a new approach and responsibilities in relation to waste management. The focus has switched from processes designed to “manage” waste streams towards processes that now “minimise” such waste. This approach was subsequently reflected in the *National Waste Strategy: Towards zero waste and a sustainable New Zealand* and more recently in the *2008 Waste Minimisation Act*. Legislation now requires Council to prepare and adopt a waste minimisation strategy and to demonstrate action towards its implementation. With such a strategy in place, Council is eligible to apply for funding towards waste minimisation initiatives. Without a strategy, Council and the community face the additional cost of a new landfill levy that will apply to every tonne of waste going to landfill.

A draft Strategy has been prepared that will set Council on the path towards compliance with the new legislation. This requires approval and adoption by Council and the subsequent development of an Action Plan that will demonstrate practical waste minimisation measures that could be eligible for funding support.

ISSUES

Council responded positively to the *2002 National Waste Strategy* and developed a Strategy and Action Plan in 2005. The statutory environment has moved on since that time and Council now finds itself short of meeting the requirements of the *2008 Waste Minimisation Act*. This could have significant cost implications for Council and the community. From 1 July 2009 a new levy is to be introduced that will charge Council \$10 for every tonne of waste going to landfill. The charge is to be collected by government to provide a fund for waste minimisation initiatives. After administrative costs are deducted, 50% of the recovered amount will be available to local authorities on the basis of their population if they have a compliant waste minimisation strategy and action plan. It is estimated that at this stage Matamata-Piako District Council could receive about \$105,000 from the fund providing it is spent on implementation of a complying action plan. The remaining 50% is to be made available to local authorities and other organisations on a competitive basis.

Based upon current volumes of waste going to landfill, the new levy could cost Council and the community an additional \$95,000 per annum. This cost can be expected to increase over time as further initiatives come into play in respect of the management of greenhouse gases from landfill as part of the Emissions Trading Scheme.

Review of Council's *2005 Waste Management Plan* against the requirements of the 2008 Act indicates that the Plan would fall short of fulfilling the expectations of the Act. Moreover, review of performance of the 2005 Plan indicates that it has had only a very modest effect on diverting waste streams from landfill.

In this regard a draft *Waste Minimisation Strategy* has been prepared by Consultants, (One World) that provides a clear context for the development of a more effective Action Plan. The draft Strategy is written to respond directly to the challenges posed by the new Act and, if translated into meaningful actions, should position Council well in terms of its eligibility for funding for ongoing waste minimisation initiatives.

The draft Strategy is recommended for Council approval as a basis for developing actions that will meet community needs and expectations.

The most significant challenge for Council is the development of an *Action Plan* that will demonstrate meaningful progress towards waste minimisation. The audit processes introduced by the 2008 Act will require clear evidence that Action Plans are being effective in diverting waste away from landfill. Underperforming plans will weaken Council's ability to attract funding and result in increased costs for the community.

The 2008 Act describes a 5 point, sequential approach to waste minimisation:-

- Reduce
- Reuse
- Recycle
- Recover
- Residual to disposal

These are described as the "5 R's" and are now standard terminology for those involved in waste management. The focus of any waste minimisation strategy is on the first three points and the target is the waste producer whether it is a household, an office, school or factory. There is therefore a need, and an expectation, that any waste minimisation Action Plan will focus on these areas as this is where there is the greatest potential for diverting waste away from landfill. Education and awareness raising will be a significant issue to address but, as well as being an action in its own right, community feedback to such initiatives will also help to identify the community's demand or level of support for other practical waste minimisation measures.

It is therefore proposed that a Working Party is established comprising representatives of major sections of the community such as householders, farming, industry and education to assist the development of an Action Plan through a public consultation process for adoption by 1 July 2010.

To ensure that the eventual Action Plan will be effective in minimising waste and securing financial support from the landfill levy it will be important that it recognises the high expectations placed upon it by the 2008 Act and the Audit processes and does not simply reflect the lowest common denominator. In that regard it will be important for the Working Party to include an element of leadership and support from Council to ensure that it will deliver positive and measurable waste reduction measures. Council is not alone in needing to address the matter; all local authorities face exactly the same challenge and there is now a considerable body of expertise that Council can draw on to develop the Plan. In that regard staff support to the Working party will be expected to bring an element of practical experience and expertise to the process as well as administrative assistance.

POLICY AND BYLAW ISSUES

Adoption of the *Waste Minimisation Strategy* signals the commencement of a new approach to waste management. As a consequence, it is possible that the development of an *Action Plan* might identify the need for change to Council policies and bylaws. This will become clear by 1 July 2010 although there are no immediate impacts on existing policies or bylaws.

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.

- *District Plan*
 - *Natural Environment and Heritage*

FOUR WELL-BEINGS

The proposal will enhance the environmental and economic wellbeing of the district.

COMMUNITY OUTCOMES

- Healthy Air, Water, Land: Healthy People
- Economic Development: Prosperity

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. Council should be aware that landfill disposal will attract an additional levy of \$10 per tonne

from 1 July 2009. Based upon current disposal rates this would amount to around \$95,000 per annum. The preparation of an effective, compliant *Action Plan* will reduce this charge by diverting waste but will also enable Council to apply for funding of further waste minimisation initiatives, thus potentially reducing costs further.

OFFICER RECOMMENDATION

That:

- 1. the report entitled Waste Minimisation Strategy be received.**
- 2. Council adopt the Waste Minimisation Strategy as the basis for developing an Action Plan.**
- 3. a working party be established comprising community representatives from residential, business, education and other significant sectors to develop an Action Plan capable of meeting the requirements of the Waste Minimisation Strategy.**
- 4. the Action Plan be developed through public consultation and be recommended to Council for adoption by 1 July 2010.**

6.10 WASTE MINIMISATION - DRAFT SUBMISSION

File No: SWM520400
Attachments: [Waste Minimisation in New Zealand Discussion Document.DOC](#)
Responsible Officer: G Ridley
Infrastructure Manager
Author: R Blackstock
Infrastructure Support Officer

EXECUTIVE SUMMARY

In 2002 the New Zealand Government adopted the New Zealand Waste Strategy. This strategy was a partnership between Central and Local Governments to minimise waste as the waste being generated shows that resources are being used inefficiently.

In a government review (2006) the targets set out in this strategy found that out of thirty targets less than 30% had actually been achieved or assessed as being unachievable.

With the introduction of the Waste Minimisation Act and the waste levy the Government is asking for feedback to help determine the new direction for the reduction of waste, more efficient use of resources and reduction of pollution derived from waste.

Matamata-Piako District Council, as part of the waste liaison group of Regional and Local Authorities throughout the Waikato and Bay of Plenty region have drafted a submission template, which we have used as the bases for our submission. The attached discussion document has been divided into five categories and has fourteen targets that we have been asked to comment on. The five categories are:

1. Revising targets for the New Zealand Waste Strategy
2. Identifying products that are priorities for product stewardship
3. Identifying funding criteria for the Waste Minimisation Fund (contestable)
4. Monitoring waste in New Zealand
5. Improving the operation of the waste levy

Councillors are asked to approve the Waste Minimisation draft submission document so that it can be submitted to Ministry of Environment for review.

POLICY AND BYLAW ISSUES

There are no policy or bylaw issues.

SIGNIFICANCE POLICY

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

OFFICER RECOMMENDATION

That the Waste Minimisation draft submission document be approved by Council for submission to the Ministry of Environment.

6.11 MORRINSVILLE TOILET UPGRADE

File No: 05301/307.00
Attachments: [Site Plan New Toilet Facility Morrinsville Recreation Grounds](#)
Responsible Officer: G Ridley
Infrastructure Manager
Author: L Drake
Parks Officer

EXECUTIVE SUMMARY

A sum of \$400,000 has been made available to install new public toilets within the Morrinsville Recreation Ground and if remaining funds allow to undertake an upgrade of the Studholme Street and Thomas Park public toilet facilities, Allowance has also been made to install a Campervan Dump Station in the Recreation Grounds.

This report seeks Council approval to progress with upgrading these facilities.

BACKGROUND

In late 2007 a Crime Prevention by Environmental Design Report was undertaken by Council in conjunction with the Ministry of Justice. One of the issues identified was the sighting and condition of the public toilet block adjacent to the playground in Anderson Park. This block had been closed for a number of months due to high vandalism and was prone to graffiti.

The report also identified the location of the caravan dump station as an issue. The report suggested that the current station should be relocated into the main car park where it could be accessed 24 hours a day safely.

Within the same timeframe Council had initiated a Public Toilet Renewal Plan. This plan further identified that the toilets at Anderson Park need to be replaced as they were condition graded 5. This indicates a very poor condition with imminent failure being a high possibility.

Funding was allocated in the 2007/2008 Parks Bulk Fund to remove the toilet block and to relocate the station. The block and the station were removed in April 2008.

The 2008/2009 Annual Plan provided funding of \$400,000 for the replacement and upgrading of public toilets within the Morrinsville area. With priority being given for the replacement of public toilet facilities within the Morrinsville Recreation Ground, followed by refurbishment of other facilities within the Morrinsville Township.

ISSUES

The Morrinsville Recreation Ground is a major reserve that is used for large community events as well for Soccer, Cricket, Tennis, and for passive recreation. The Morrinsville Swimming Pool Complex is also located within the reserve.

Since the removal of the old toilet block located adjacent to the playground there are no public toilet facilities available within the Morrinsville Recreation Ground to service users of the reserve during periods of normal activity.

Toilets are available within the swimming pool complex, which service only the pool complex.

The toilet facilities contained within the camp ground complex are opened on request for large sports and community organised events. These facilities are of a good standard.

Any new facilities need to be constructed with sustainability principles in mind. They need to be adaptable to the future needs of the community, whilst providing a cost effective service throughout their lifecycle. Facilities such as toilets should have the ability to be uplifted from a site should the need arise. This enables an asset to be fully utilised by the community in another location should circumstances change.

STATUTORY ISSUES

Any building erected on the site must comply with the operative District Plan and the requirements of the Building Act 2002. As the Morrinsville Recreation Ground it must comply with the requirements of any operative reserves management plan under the provisions of the Reserves Act 1977.

POLICY AND BYLAW ISSUES

There are no policy or bylaw issues.

DELEGATED AUTHORITY

There are no issues relating to Delegated Authority.

LONG TERM COUNCIL COMMUNITY PLAN**COMMUNITY OUTCOMES**

- Belonging to our Community
- Community Safety and Support: Looking after People
- Our Social Infrastructure

SIGNIFICANCE POLICY

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

COMMUNICATION AND CONSULTATION ISSUES

The New Zealand Motor Caravan Association has donated the Campervan Dump Station and has been consulted regarding the site of the station. Further discussion will take place prior to construction to ensure that the dump station meets the needs of their members.

Discussion has also taken place with the Morrinsville Recreation Ground Users Group and the New Zealand Police.

There are no communication issues at present. However as each project is planned a communication plan will be developed.

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation of \$400,000 in the 2008/2009 Annual Plan.

OPTIONS

There are two options available to provide public toilet facilities within the reserve.

1. Build a new toilet block on site of permanent materials such as concrete block.
2. Install two prefabricated unisex units on the site.

Option One

Option one would require plans to be drawn and the building to be erected on site from scratch.

Once constructed it cannot be moved from the site. As normally a building of this type would be constructed using a one pour concrete foundation and floor. Historically public toilet blocks of this nature have been constructed of concrete blocks. This makes any further modification difficult and essentially requires the building to be knocked down should major reconfiguration works be required.

The cost of construction per square metre is also significantly higher than for other options.

Option Two

Option two enables the units to be installed onto the site and commissioned within a couple of days. The units conform to disability access requirements and are modular. This enables the facility to be uplifted from the site at any time in the future.

The units are fitted with automatic doors that will open and close automatically. The hours of operation can also be set automatically so that there is no requirement for security contractors to visit the site just to unlock or lock the facility.

The units have a good level of vandal resistant with the exterior constructed of painted concrete and stainless steel. The interior is finished in non slip tiles with items such as hand basins recessed so that they cannot be damaged.

The units will be sited in the main car park area in front of the staff house adjacent to the entrance gates to the main playing field. The attached site plan shows the location of the two toilet units and the Campervan Dump Station.

Sufficient space will be allowed to enable a third unit to be installed should in the future further capacity be required. If this was to occur the garden area would significantly be reduced.

The Campervan Dump Station

The Campervan Dump Station will be installed alongside the toilet units. This will allow easy access for Campervans including fifth wheeled units that are becoming more popular with campervan owners.

The Dump Station has a stainless steel lid that covers the unit when it is not in use. This stops infiltration of stormwater in the wastewater system. A hose is also provided to clean the station down after it has been used. A “push to operate” tap will be provided to enable users to refill their on board water tanks.

The station has been donated by the New Zealand Motor Caravan Association.

As part of the project lighting in the carpark will be upgraded. This will be achieved by the replacement of the current lighting standard located in the island garden at the road entrance of the carpark and in addition a new light will be installed in the new gateway area. This will ensure that the carpark has adequate lighting levels and provide additional safety for park users using the reserve for night practices.

Cabling for this and a new power connection to the toilet units will be thrust under the carpark. This will avoid any damage of the carpark asphalt surface. A new water connection will also be trust under the carpark to supply the units and the dump station.

The area surrounding the new facility will be landscaped and provision will be made for a drinking fountain near to the re configured gateway. This will provide a separate pedestrian access to the main sports field along with the ability to allow for mass movement of people when the area is used for large events.

Cost and Timeframe

The estimated cost for the above works at the Recreation Ground will be approximately \$247,000.

The toilet units will take approximately twelve weeks from order. During this time other site works and installation of power and water supplies would be undertaken.

Once the units are delivered to site they would be operational within a couple of days subject to final on site building inspections and other sundry works.

Studholme Street Toilets

The Studholme Street toilets are located in the Council owner public car park. This facility has extremely high usage and whilst the facility on the exterior would appear to be in reasonable condition, the interior areas are showing the effects of the high useage that this facility receives.

It is proposed to repaint the inside of the facility along with resurfacing the floors to enable easier cleaning. At this time the floor will also be re-levelled so that water does not pool.

The current urinal unit is in particularly poor condition and it is proposed to remove this unit and replace it with two urinettes. These will provide the same level of service but will create operational savings in terms of cleaning and maintenance.

Landscaping works to soften the outside appearance of the facility will also be undertaken in consultation with the lessee of the carpark.

To enable this work to be completed the facility will need to be closed to the public for a period between one and two weeks. However it may be possible to upgrade the facility in two stages so to minimise inconvenience to the public. During this time portable toilet units would be placed on site.

All estimates have been based on a total closure of the facility as they are significantly cheaper than a partial closure.

Prior to any works being undertaken a project plan and a communication plan will be developed. This will ensure that each stage of the project runs smoothly within projected timeframes and that there are no hold ups between trades. The Communications Plan will ensure that users are aware of the upgrade and any resulting disruption.

The total cost for the proposed works at the Studholme Street facility is expected to cost about \$52,000.

Thomas Park Toilet Facility

The facility located in Thomas Park also requires work to prevent vandalism and to provide a higher level of security to users.

The Public Toilet Renewal Plan identified the facility as having a high vandalism risk due to the lack of natural lighting. It further identified the lack of external lighting within the reserve.

This lack of lighting coupled with the sighting of the facility has resulted in a facility that does not provide high levels of safety to users.

The facility is located at the rear of Thomas Park and is not directly on any boundary. As a result it is possible for people to congregate behind the facility.

It is intended to utilise the balance of the approved budget estimate to fence the rear of the facility and landscape this area. This will eliminate this issue.

Consideration has been given to the installation of sections of the long run roofing with polycarbonate translucent roofing. However, given the levels of vandalism at the site, this would not be the preferred option.

The preferred option is the installation of sensor lighting in each cubical that only operates when it is occupied. This will ensure that energy costs are kept to a minimum.

Additional lighting could then be provided within the reserve both externally on the facility and within the reserve to improve the feeling of safety particularly in the early evening.

The facility has recently been painted with anti graffiti paint both internally and externally due to vandalism. At the same time flooring surfaces were upgraded.

With the installation of fencing and lighting it would be anticipated that vandalism at this site should significantly decrease.

The cost of these works is anticipated to be approximately \$47,000.

The total cost of all works at the three sites is anticipated to cost a grand total of approximately \$346,000. Once the above works have been completed future direction would be sought as to the future of the \$54,000 remaining budget.

This balance would decrease if the Studholme Street project was to be undertaken in two stages.

OFFICER RECOMMENDATION

That:

- 1. the report "Morrinsville Toilet Upgrade" be received.**
- 2. the two new prefabricated unisex units be installed at Morrinsville Recreation Ground car park and associated site works be undertaken.**
- 3. the Campervan Dump Station be installed.**
- 4. the upgrade of the Studholme Street toilet facility proceeds as detailed in this report.**
- 5. the upgrade Thomas Park toilet facility proceed as detailed in this report.**

7 URGENT ADDITIONAL BUSINESS

8 EXCLUSION FROM THE PUBLIC

8.1 MANGAWHERO ROAD SUBDIVISION UPDATE

File No: RCS1565
Responsible Officer: D McLeod
Chief Executive Officer
Author: D McLeod
Chief Executive Officer

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 Road Subdivision Update

OFFICER RECOMMENDATION

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

- Mangawhero Road Subdivision Update

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)(h) Enable the local authority to carry out, without prejudice or disadvantage, commercial activities.

8.2 RELEASE OF PUBLIC EXCLUDED ITEMS FOR THE PUBLIC FOR THE PERIOD FEBRUARY 2008 TO FEBRUARY 2009

File No: DEM021603
Responsible Officer: D McLeod
Chief Executive Officer
Author: J Payze
Committee Secretary

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:

- Release Of Public Excluded Items For The Period February 2008 To February 2009.

OFFICER RECOMMENDATION

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

- Release Of Public Excluded Items To The Public For The Period February 2008 To February 2009.

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)(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.**
- **7(2)(a) Protect the privacy of natural persons, including that of deceased natural persons.**

9 CLOSURE