

# ORDINARY AGENDA

## COUNCIL

**DATE:** Wednesday, 16 September 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.*

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**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 12 August 2009

[Minutes August 12 2009 Council.DOC](#)

**DRAFT RESOLUTION**

**That the Minutes of the Ordinary Meeting of Council held on 12 August 2009 be confirmed and signed as true and correct.**

Minutes, as circulated, of the Ordinary Meeting of the Matamata Piako District Council, held on 26 August 2009

[Minutes August 26 2009 Council.DOC](#)

**DRAFT RESOLUTION**

**That the Minutes of the Ordinary Meeting of Council held on 26 August 2009 be confirmed and signed as true and correct.**

**6 OFFICER REPORTS****6.1 MAYORAL DIARY FOR AUGUST 2009**

**File No:** DEM021606  
**Attachments:** [MAYORAL DIARY August 2009.doc](#)  
**Responsible Officer:** D McLeod  
Chief Executive Officer  
**Author:** G W H Vercoe QSM, ED, JP  
Mayor

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**EXECUTIVE SUMMARY**

A copy of the Mayoral Diary for the period 4 August to 8 September 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 4 August to 8 September 2009 be received.

**6.2 COMMUNITY BOARD REPORTS FOR AUGUST 2009**

**File No:** DEM021201  
**Responsible Officer:** D McLeod  
Chief Executive Officer  
**Author:** J Payze  
Committee Secretary

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**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 August 2009 be received.**

**6.3 SPORT WAIKATO ACTIVITY REPORT**

**File No:** COM182803  
**Attachments:** [Sport Waikato Council Report - September 2009.doc](#)  
**Responsible Officer:** D McLeod  
Chief Executive Officer  
**Author:** J Payze  
Committee Secretary

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**EXECUTIVE SUMMARY**

Presentation time: 10.30 am.

Ruth Stanley, Matamata-Piako District Sport Coordinator is to present to Council a report of the activities that have taken place within the Matamata-Piako District during the period 1 February to 1 September 2009. A copy of the Report is attached.

**POLICY AND BYLAW ISSUES**

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

**OFFICER RECOMMENDATION**

**That the information on the Sport Waikato Activity Report be received.**

## 6.4 APPLICATION FOR COUNCIL CONSENT TO EASEMENTS OVER RESERVE

<b>File No:</b>	<b>PRE520401</b>
<b>Attachments:</b>	<a href="#">Application by Barr &amp; Harris for easement on behalf of A Fowke</a>
<b>Responsible Officer:</b>	<b>G Ridley Infrastructure Manager</b>
<b>Author:</b>	<b>M Hawthorne Legal Advisor</b>

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### EXECUTIVE SUMMARY

Mr. Fowke the owner of property being subdivided on Tower Road, Matamata has made an application to Council for an easement for right of way over part of the Firth Tower Historic Reserve.

### BACKGROUND

The land in question is Lot 4 of a current subdivision located on Tower Road, Matamata adjacent to the Firth Tower Reserve. The subdivision plan is shown on the attached map. Lot 4 will be the balance lot of the subdivision containing approximately 65.37 hectares. It will be amalgamated with an adjoining parcel known as Section 246 Matamata Settlement; together the two lots will have a combined area of approximately 82.9 hectares.

Access to Lot 4 is via a narrow strip of land contained in Lot 4 which adjoins Tower Road. Council has an easement for right of way over this strip of land for the benefit of the Firth Tower Reserve.

Mr. Fowke has made an application for an easement for right of way over a portion of the Firth Tower Reserve in favour of Lot 4 for the purpose of widening the legal access to Lot 4 from 6 metres to 9 metres. Please see the attached application made by Barr & Harris on behalf of the owner.

The Firth Tower Reserve consists of two lots, both held in one certificate of title. The land is classified as Historic Reserve, subject to the Reserves Act 1977. A copy of the certificate of title and associated survey plans are attached to this report.

### ISSUES

#### Easement Area

The easement area is shown on the attached plan (Plan 1884) prepared by Barr & Harris. The plan shows the existing easement area (Area A) over Lot 4 in favour of Lot 1 DPS 19768, one of the two lots that make up the Firth Tower Reserve. Area A is six metres wide, sealed and currently provides one of the entrances to the Firth Tower car park, as shown in the attached photos.

The proposed easement in favour of Lot 4 is shown as Area B on Plan 1884. Area B is three metres wide, it covers part of the car park for Firth Tower and the edge of a grass island which contains two oak trees and two picnic tables.

If Council decides to grant an easement for right of way, appropriate conditions should be included to provide for formation, maintenance and marking of the easement area for access purposes.

#### Significant Trees

The Firth Tower Reserve contains several trees which are listed as significant under the Operative District Plan 2005. Two of these, both Oak trees, are located on the grass island adjacent to proposed easement Area B.

If Council decides to grant consent for an easement for right of way, appropriate conditions would be needed to protect the trees and their roots systems for the lifetime of the trees. Consideration must also be given to the requirements for the protection of significant trees under the Operative District Plan 2005.

#### Property

Community Facilities Manager, Steve Fabish does not oppose the application provided that appropriate conditions for formation, maintenance and marking of the easement area and protection of the trees are incorporated in to the easement instrument.

Tree protection may include formation of passing bays around the drip line of the trees during their lifetime, plans for formation of the easement area and an assessment by a suitably qualified person to confirm that proposed works and use of the easement area will not damage the trees.

#### Firth Tower Committee

The committee has been approached by Steve Fabish for their views on the application and they do not oppose the proposal provided that appropriate conditions for formation, maintenance and marking of the easement area and protection of the trees are incorporated in to the easement instrument.

#### Roading

Roading does not have any objection or additional traffic safety requirements for the easement application provided that appropriate conditions for formation and marking of the easement area and protection of the trees are incorporated in to the easement instrument.

Further upgrading of the right of way may be required as part of any future subdivision application.

#### Planning

By widening the legal access to nine metres, future subdivision of the 82.9 hectare lot (Lot 4 and Section 246 Matamata Settlement) to create five additional lots over 8 hectares in size could occur as a controlled activity. Subdivision of up to 9 additional 8 hectare lots would be classified as a discretionary activity.

Further subdivision could result in some additional traffic on the right of way easement, which would need to be addressed at time of subdivision. Additional development may also result in reserve sensitivity issues between the rural and residential uses of the lots and the development and operation of the Firth Tower Reserve.

Under the District Plan, any activity within the dripline of a protected tree becomes a discretionary activity. Allowing an additional user to have an easement over land under the dripline of the two protected Oaks triggers this rule and therefore resource consent would be required.

If Council decides to grant consent for an easement for right of way, then strict measures such as detailed above in this report should be imposed to ensure the trees are protected in perpetuity.

#### Value of Easement

Mr Fowke has made a provisional offer to sell to Council a parcel of land of approximately 4556m<sup>2</sup> at the rear of the Firth Tower Reserve for \$25,000.00 (Lot 3). The current proposal is to subdivide Lot 3 from Lot 4 as a second stage to the above subdivision and amalgamate Lot 3 with the Firth Tower Reserve. Council has approved the contribution of half the cost of this purchase up to \$15,000.00 from the Reserves Development Fund in the 2007/2008 Annual Plan, with the Firth Tower Committee providing the other half of the funding. While resource consent has been granted to the applicant, this proposal has yet to be secured by a sale and purchase agreement.

Normal practice in granting an easement is to establish compensation for the loss of use of the land and/or benefit to the dominant tenement, through the use of valuations provided by registered valuers and negotiation. If Council decides to grant the easement it is open to it to forgo seeking direct monetary consideration for the easement on the basis that the purchase of Lot 3 is completed as per Mr Fowke's proposal. It is anticipated that this approach will resolve any issues surrounding the payment of gift duty for the sale.

### **STATUTORY ISSUES**

#### Reserves Act 1977

Section 48 of the Reserves Act 1977 provides that Council, as the administering body of a reserve "with the consent of the Minister of Conservation and on such conditions as the Minister thinks fit, may grant rights of way and other easements over any part of the reserve for—

(f) Providing or facilitating access ... to ... any other land not forming part of the reserve or for any other purpose connected with any such land."

Council has authority delegated by the Minister of Conservation to consent to a grant of easement and to impose such conditions as it thinks fit in giving the consent where the activity is an existing use and the effects of the use will be the same or similar in character, intensity and scale. Accordingly, it is considered that the consent of the Minister of Conservation need not be sought.

Under section 48(3) of the Reserves Act 1977, public consultation on the granting of an easement is not required where:

"(a) The reserve is vested in an administering body and is not likely to be materially altered or permanently damaged; and

(b) The rights of the public in respect of the reserve are not likely to be permanently affected ... by the establishment and lawful exercise of the right of way or other easement.”

Parties who could potentially be affected by the proposed grant of easements include local Iwi, members of the public who may use the reserve and the Department of Conservation. As this matter deals with granting rights to continue with existing use of the land for vehicle access, there is not likely to be anyone who is significantly adversely affected by granting the rights, provided that the terms of the easement document do not exclude or unduly restrict other users of the reserve and sufficient protection is accorded to the significant trees adjacent to the easement area.

On this basis Council could reasonably conclude that the matter is of low significance, that no further consultation is required and that it may exercise its delegated authority in deciding whether to grant the easements.

Resource Management Act 1991 and Operative District Plan 2005

While Council has the ability to consent to the grant of easement in its capacity as the administering body under the Reserves Act 1977, an application may also need to be made for resource consent to carry out the activity under the District Plan. This application would need to be considered by Council in its capacity as a Consent Authority.

#### **POLICY AND BYLAW ISSUES**

There are no policy or bylaw issues.

#### **SIGNIFICANCE POLICY**

This issue has not triggered Council's Significance Policy.

#### **FINANCIAL IMPLICATIONS**

Resource requirements are in accordance with existing budgetary allocation.

#### **OPTIONS**

That:

Pursuant to section 48 of the Reserves Act 1977 Council declines to grant the easements shown as area B over Lot 1 Deposited Plan South Auckland 19768.

Or

Pursuant to section 48 of the Reserves Act 1977 Council agrees to grant the easements shown as area B over Lot 1 Deposited Plan South Auckland 19768 on the basis that:

- Appropriate conditions including formation, maintenance and marking of the easement area and protection of the significant trees are included in the easement instrument to the satisfaction of the Community Facilities Manager.
- Lot 3 is sold to Council for \$25,000.00.
- Appropriate land use consent is obtained in respect of any activities within the drip line of any significant trees.

- The application for, the preparation and registration of easements and any resource consents are at the cost in all matters to the Applicant.

#### **OFFICER RECOMMENDATION**

**That:**

- 1. Pursuant to section 48 of the Reserves Act 1977 Council agrees to grant the easements shown as area B over Lot 1 Deposited Plan South Auckland 19768 on the basis that:**
  - 1.1. Appropriate conditions including formation, maintenance and marking of the easement area and protection of the significant trees are included in the easement instrument to the satisfaction of the Community Facilities Manager.**
  - 1.2. Lot 3 is sold to Council for \$25,000.00.**
  - 1.3. Appropriate land use consent is obtained in respect of any activities within the drip line of any significant trees.**
  - 1.4. The application for, the preparation and registration of easements and any resource consents are at the cost in all matters to the Applicant.**

**6.5 ACTION SHEET REPORT**

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

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**EXECUTIVE SUMMARY**

The Action Sheet Report for the period April 2008 to August 2009 is tabled for information.

**POLICY AND BYLAW ISSUES**

There are no policy or bylaw issues.

**OFFICER RECOMMENDATION**

**That the Action Sheet Report for the period April 2008 to August 2009 be received.**

**6.6 DOCUMENTS EXECUTED UNDER COUNCIL SEAL - AUGUST 2009**

**File No:** REG140801  
**Attachments:** [Documents executed under Council Seal - August 2009](#)  
**Responsible Officer:** D Bellamy  
Environmental Services Manager  
**Author:** M Hawthorne  
Legal Advisor

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**EXECUTIVE SUMMARY**

The schedule of documents executed under Council Seal is attached.

**POLICY AND BYLAW ISSUES**

There are no policy or bylaw issues.

**OFFICER RECOMMENDATION**

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

**6.7 TE AROHA CITIZENS ADVICE BUREAU ANNUAL REPORT**

**File No:** COM180801  
**Attachments:** [annual\\_report.pdf](#)  
**Responsible Officer:** D McLeod  
Chief Executive Officer  
**Author:** H Helleur  
Policy Planner

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**EXECUTIVE SUMMARY**

Attached is the 2008-2009 Annual Report for the Te Aroha Citizens Advice Bureau.

**OFFICER RECOMMENDATION**

**That the Te Aroha Citizens Advice Bureau Annual Report be received.**

**6.8 GROWTH STRATEGY 2008-2038**

**File No:** RMR 200412A  
**Attachments:** [Federated Farmers submission](#)  
**Responsible Officer:** D McLeod  
Chief Executive Officer  
**Author:** P Rolfe  
Community Development Manager

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**EXECUTIVE SUMMARY**

Over the last year Council has worked through a process to develop a Draft Growth Strategy. This draft was then publicly advertised as part of Our Community Our Future (LTCCP) 2009 inviting submissions.

Council now needs to adopt the Growth Strategy so that it can be referred to as part of the development of other policy that affects Councils functions, for example to inform Councils stance on growth and development through the Regional Policy Statement.

As part of adopting the strategy Council needs to decide if it wishes to respond to a submission that was lodged by Federated Farmers and received by Council at its hearing on 3 June 2009. All submissions were due on 15 May 2009. A discussion on all the issues raised is outlined within this report.

A CD of the document is circulated separately and hard copies have been circulated to those who requested them at the last meeting. Note that a few minor typos have been amended since the last circulation.

**BACKGROUND****The Strategy**

The growth strategy takes a long-term view to guide the integrated development of the District as a whole by connecting the reality of our situation with the community's aspirations and the financial affordability of growth. The Growth Strategy is the "glue" that "bonds" land-use, with infrastructure, transportation, and funding recognising the various legislative frameworks that Council is required to operate under.

The Strategy looked across the District as it exists today and considers the trends, opportunities, constraints, and external influences that impact on future growth, and arrives at key observations as follows:

- Regional Context – The District is located in the golden triangle formed by Auckland, Hamilton and Tauranga housing a third of the Country's population and due to this location, access to markets and transport networks, the District is poised to see continued growth through the exploitation of its tourism potential, expansion of the business sector and migration from nearby cities as people search for a quality lifestyle.

- Population – Over the next 30 years the population is expected grow from 31,200 to 37,000 whereby the rural population is expected to remain stable and the urban population is expected to grow by 1% per annum. In addition it is identified that the age bracket of those 65 and older is likely to double by the year 2038.
- Urban Settlement – Four options were considered to manage the predicted growth
  - Growth management through current processes
  - Concentrating growth in the three towns
  - Dispersed growth which would also see rural villages expand such as Tahuna, Waihou, Waitoa, Te Poi and Hinuera
  - Market driven growth where decisions would be left entirely up to the market

Consultation clearly identified “concentrated growth” therefore the strategy adopts a concentrated growth model that sees the towns of Matamata and Morrinsville increase to around 8500-9000 people and Te Aroha to approximately 5,000 people by 2038.

In addition it highlights the need to integrate land-use, infrastructure, funding, and transportation and recommend the need to complete structure plans for the towns and urban design guidelines.

- Transportation – The early completion of the Waikato Expressway presents new opportunities to integrate the District’s external road connections and improve the links between Hamilton and Morrinsville along with improving Tahuna-Ohinewai Road from Mercer interchange to State Highway 27.
- Economy – Agriculture especially dairy farming is the backbone of the District’s economy and is likely to remain as the predominant driver in the future. Horticulture is identified to increase due to loss of land in Auckland and it is identified that there is a need to review the rural subdivision rules and the need for the management of the effects of horticulture and intensive farming on rural amenity values. In addition it identifies that freight handling facilities be further investigated at Hinuera and Waharoa.
- Environment – the strategy recommends the continuation of the current processes to identify and preserve the District’s significant natural features preserving the biodiversity of the District and its fauna and flora.

### **Implementation**

The Draft Growth Strategy has been recognised within Our Community Our Future (LTCCP) in terms of the predicted growth for the District along with recognition of recommendations within activity plans such as the District Plan Activity Plan.

Some of these projects are underway – for example the proposed plan change for Precinct F, Matamata has been developed and is within the statutory process which will provide for the annual growth rate in Matamata.

## **ISSUES**

### **Submissions**

One submission was received by the NZ Transport Agency as follows:

NZ Transport Agency - Strongly favours Option 2 -concentrated growth, as this is most likely to achieve sustainable development and the integration of land use planning with transportation. They wish to further understand how the proposed propositions align with the Future Proof scenarios. If any of the growth propositions are to be implemented, it will require a considerable amount of analysis to optimise the selected project. The submitter seeks further information regarding integration of the proposed growth scenarios with Future Proof, scenario evaluation framework, and specific modelling of each scenario.

Council responded as follows: *“Council advises that Morrinsville growth was assessed as part of the Future Proof Programme and that concentrated growth is the preferred option of Council”.*

The late submission delivered to the Council hearing by Federated Farmers raised the following issues:

- 1 Council Proposed Role as a Developer – requests that Council stick to its role as a service provider and regulator and not act as an entrepreneur

*Discussion* – The concern relates to a statement on page 6 whereby it recommends Council should step into the role of land developer, possibly in partnership with the private sector, to ensure the availability of industrial land at Morrinsville and Matamata.

As part of Councils functions it needs to ensure that suitable industrial land is available without actually being a developer and if this submission is accepted it is **recommended that the last sentence of the first paragraph on page 6 be deleted**, that is “In these times of limited investment funding, it is recommended that the Council should step into the role of land developer, possibly in partnership with the private sector, to ensure the availability of industrial land at Morrinsville and Matamata”.

Rural Residential Development – Council needs to explore options for encouraging rural residential lots and suggest small lots of 2500m<sup>2</sup> be encouraged rather than the present policy of 8 hectare rural lots.

*Discussion* – The growth module that is promoted within the draft strategy is to provide for concentrated development around Matamata, Morrinsville and Te Aroha which will assist to protect the good quality soils for agriculture purposes. The strategy also identifies as one of its actions that the District Plan rules for rural subdivision be reviewed therefore if this submission is accepted it is **recommended that the submitter be advised that consultation will be undertaken with key stakeholders when the rural subdivision rules are reviewed.**

- 2 Water Quality – The submitter disagrees with the statement regarding water quality on page 27 and asks that the section below be removed as they believe that the report that this has come from is flawed.

“Monitoring shows that water quality is deteriorating across the District. Nutrient concentrations in water are increasing while sediment and faecal

levels in the waterways are high. In some areas, nitrate levels in ground water do not meet drinking guidelines. Levels of bacteria in many rivers and streams make water both unsuitable for stock to drink and for recreational use”

*Discussion* – It is well know that our waterways are not good quality as documented in numerous places such as State of Environment reporting by the Hauraki Gulf Forum or numerous documents prepared by Environment Waikato. If this submission is accepted it **is recommended to soften the statement by deleting the words as shown as struck out in the last sentence. “Levels of bacteria in many rivers and streams make water both unsuitable for stock to drink and for recreational use”.**

- 3 Soil Health – The submitter disagrees with the statement that “Soil compaction caused by stock trampling and machine use, is resulting in a deterioration of soil structure”

*Discussion* – It is identified through various technical reports that the statement is correct based on surveys undertaken by Ag Research and Environment Waikato. If this submission is accepted then it is **recommended that the statement be qualified by adding the words “in some areas”**

- 4 Revenue and Financing Policy – It is requested that where activities have significant public good characteristics and are available evenly to all ratepayers that they be funded via the UAGC or by targeted rates.

- 5 Tourism and Added Value Industry – The submitter states that ‘Encouragement for these businesses, as with all other enterprises, needs to come by way of our Council making our district an attractive place for growth and opportunity’.

*Discussion* – The Growth Strategy outlines a number of opportunities for tourism and identifies that a Tourism Study be commissioned and that this is underway with government assistance being sought. If this submission is accepted it is **recommended that the submitter’s statement be passed onto those undertaking the study for inclusion.**

- 6 Water – It is requested that Council review the section regarding agricultural practices effect on water quality on page 63. They believe changes in farm practice have resulted in a marked improvement in water quality while simultaneously lifting productivity.

*Discussion* – It is difficult to justify removing this section when it is known that the statements are correct.

- 7 Land – The submitters state that farmers will always be focussed on the sustainable use of our districts soils referring to page 63. They also state that this issue is a Regional Council function.

*Discussion* – The statement relates to the Districts land resource rather than identifying that this will be a function of Council. If this submission is accepted it is **recommended that the submitter be advised of this.**

- 8 Climate Change – It is requested that this contentious issue be dealt with at a national level not a local one. See page 69.

*Discussion* – Climate change is discussed within the strategy as one of the external influences which will impact either positively or negatively on the growth and development of the District and should be recognised. Council is not proposing to put in place any regulation due to this statement. If this submission is accepted it is **recommended that the submitter be advised of this.**

- 9 Improving Environmental Performance – The submitter requests that any changes to riparian management be made through discussion with the districts farming community and others. See page 104.

*Discussion* – the Growth Strategy on page 104 already states in the 6th paragraph that consultation will be held with farmers and industry groups and that if this submission is accepted it is **recommended that this be reinforced through advising the submitters that as this matter affects landowners as well as public waterways extensive consultation would be required on such an issue.**

### **STATUTORY ISSUES**

The growth strategy recognises the various legislative frameworks that Council is required to operate under.

### **POLICY AND BYLAW ISSUES**

The strategy directs the development of policy for the future.

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

#### **COUNCIL ACTIVITIES**

The strategy will have an impact within the main activity groups of Community Development, Community Facilities and Community Infrastructure and in time Environmental Care.

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

The Strategy has been developed taking into account the four well-beings of our communities including the desires of the community through the established community outcomes.

#### **FINANCIAL IMPLICATIONS**

Some resource requirements have been provided where agreed within activity plans.

#### **OFFICER RECOMMENDATION**

**That the Growth Strategy 2008 – 2038 be adopted.**

## 6.9 HAURAKI GULF FORUM

**File No:** RMR 3424H02  
**Responsible Officer:** D McLeod  
Chief Executive Officer  
**Author:** P Rolfe  
Community Development Manager

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### EXECUTIVE SUMMARY

The Hauraki Gulf Forum has made two recommendations to its member agencies: firstly adoption of a “guide” for implementation of the Hauraki Gulf Marine Park Act, and that consideration is given to the creation of a distinct identity for the Hauraki Gulf Marine Park based on shared interests.

After having worked through the issues with Council this report recommends that the matters are received.

### BACKGROUND

Council is a member of the Hauraki Gulf Forum as approximately 90% of the District is within a catchment of the Hauraki Gulf.

Council recently held a workshop to gain a better understanding of the legislation and the Guide that has been produced.

### ISSUES

#### • THE GUIDE

The Hauraki Gulf Forum has developed a guide that will assist Councils in giving effect to the HGMPA in RMA policies and plans. The guide identifies ways in which regional policy statements, regional plans and district plans can more effectively protect and enhance the Gulf.

The guide identifies essential elements for effective regional coastal plans, regional plans and district plans produced under the Act.

The guide notes district plans primarily manage the impacts of land subdivision and development on the resources of the Gulf. To implement the provisions of the HGMPA, district plans could be expected to address the following matters:

- Manage the negative impacts of activities on the natural character, natural landscapes and amenity of the Gulf’s natural environment and encourage coastal developments proposals to include restoration elements.
- Reduce contaminants entering the Gulf’s coastal marine area through methods such as controlling earthworks and encouraging the use of “green” stormwater infrastructure.
- Ensure the protection of the Gulf’s historical and cultural heritage.
- Make provision for public access to the Gulf’s coast and the ability of members of the public to use and enjoy the coastal marine area.

- Address the likely consequences of sea-level rise to ensure the ongoing viability of natural coastal systems.
- Make provision for land-based elements of economic and recreational activities which require access to the Gulf's coastal marine area.

The guide also notes the HGMPA places high priority on recognising the relationship of tangata whenua with the Hauraki Gulf and on the need to protect, and where appropriate, enhance the resources of the Gulf which are of importance to tangata whenua, and sets out ways this can be achieved.

#### • **THE PARK**

The HGMPA also established the Hauraki Gulf Marine Park. However, even though it was established eight years ago, the park remains largely unrealised and has a very low profile due to a lack of branding and promotion.

The forum has asked its constituent parties to consider the development of a distinct identity for the Hauraki Gulf Marine Park, based on shared interests.

An identity or branding strategy could build on the recent work of the forum. The graphic representation of integrated physical and cultural elements in the forum's identity could be adapted and associated with this.

#### **STATUTORY ISSUES**

Part 1 of the Hauraki Gulf Marine Park Act (HGMPA) establishes that sections 7 and 8 of the Act must be treated as a New Zealand coastal policy statement and a national policy statement issued under the Resource Management Act (RMA). Consequently, RMA plans and policies for the Hauraki Gulf, its islands and catchments must give effect to sections 7 and 8 of the HGMPA.

#### **POLICY AND BYLAW ISSUES**

The guide could be used for the development of policy within the District Plan.

#### **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*
- *Amenity*
- *Land and Development*
- *Natural Environment and Heritage*
- *Natural Hazards*
- *Subdivision*

**SIGNIFICANCE POLICY**

This issue has not triggered Council's Significance Policy.

**FINANCIAL IMPLICATIONS**

Resource requirements are in accordance with existing budgetary allocation.

**OFFICER RECOMMENDATION**

**That:**

1. The guide “Governing the Gulf: Implementing the Hauraki Gulf Marine Park Act through Policies and Plans” be received.
2. The Council receives the proposal to develop a distinct identity for the Hauraki Gulf Marine Park based on shared interests.
3. The Council’s representative to the Hauraki Gulf Forum conveys the Council’s decisions to the Forum.

**6.10 HAURAKI RAIL TRAIL**

**File No:** PRE520410  
**Responsible Officer:** D McLeod  
Chief Executive Officer  
**Author:** D McLeod  
Chief Executive Officer

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**EXECUTIVE SUMMARY**

Mr McLeod is to give an update on the Paeroa to Te Aroha leg of the Hauraki Rail Trail.

**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 on the Paeroa to Te Aroha leg of the Hauraki Rail Trail be received.**

**6.11 BOSSON ROAD SEWER PROPOSAL**

**File No:** SEW521604  
**Attachments:** [Bosson Road Sewer Proposal.doc](#)  
**Responsible Officer:** D McLeod  
Chief Executive Officer  
**Author:** G Robertson  
Utilities Engineer

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**EXECUTIVE SUMMARY**

A submission to the recent LTCCP process requested that Council extend the sewer reticulation along Bosson Road. A public meeting was held to discuss the proposal which was attended by seventeen residents of the area. Various views were expressed at that meeting and a decision was made to hold a postal survey, which has been undertaken.

Council now needs to make a decision regarding their request.

**BACKGROUND**

Bosson Road is zoned rural/residential with predominately lifestyle blocks. Going by past public meetings, about half of the residents want to see it retain its present character and the other half want to be allowed to subdivide their land.

There are thirty six properties with frontage to Bosson Road although several have their main frontage to either Gratton Road or Gordon Avenue. Of these some nine houses fronting Bosson Road are already connected to the sewer system in the vicinity of Aroha View Avenue and Gordon Avenue, because they are either zoned residential or are the result of older subdivisions where the Council permitted the subdivider to extend services at their cost.

Thus twenty seven properties containing twenty one houses are not connected and of these only six properties are below 2500 square metres. Most properties are over 0.5 ha and many have houses which are sited well back from the road and beyond gravity range or the legal ability to rate if not connected.

Only where houses are within sixty metres of a public sewer can they be required to connect or pay half rates if not connected. A number of properties will require private pump stations to connect to the reticulation because of the distance from the road or the house level relative to the road.

**ISSUES**

**Various alternatives (see attached plan) were costed as follows:**

Please note:

These proposals only service Bosson Road except where the cost can be reduced by including Gratton Road properties; and that the costs are considered realistic and based on prices received for similar work in this locality. Costs are considerably

higher than the norm because of the need to dewater trenches due to the high water table.

Option 1

*Gravity line from Bosson Road to existing sewer lines in Aroha View Avenue and/or Mountain View Road – this is not feasible due to lack of sufficient fall.*

Option 2

*Gravity line from Bosson Road through the Robertson property to the pump station in Mount Avenue – this is not feasible due to lack of sufficient fall.*

Option 3

*Pump station in Bosson Road with rising main through the Robertson property to the pump station in Mount Avenue - Costed at \$450,000 or \$19,500 per property (previously estimated at \$14,584 in 2005).*

Option 4

*Gravity line from Gordon Avenue pump station to service as far as 46 Bosson Road - Costed at \$200,000 and will service fourteen properties not currently connected. Many are not built on or the houses are well back from the road. The cost is \$14,300 per property.*

Option 5

*Gravity line from Gratton Road pump station to service as far as Aroha View Avenue -*

*Costed at \$350,000 and will potentially service fourteen properties in Bosson Road and eleven properties in Gratton Road. Cost per property is \$14,000 and this increases to \$23,500 if Gratton Road is excluded.*

Option 6

*Small diameter pressurised system with individual pump stations at each property - The greatest cost of such a system is the individual pump station at \$10,500 and only a 90 mm line is required which can be laid at minimum depth. A scheme to service all of Bosson Road is estimated at \$366,000 or \$14,000 per property. A drawback to this system is that unless most properties were connected, the retention time in the pipe is such that the sewerage could cause odour problems in downstream manholes.*

**Conclusions**

There is very little difference between the options. The approximate cost is realistically around \$15,000 (based on utilising options 4 and 5).

There is also the need to increase the storage capacity at the Aroha View Pump Station which is a requirement whichever option is adopted as all options would end up at this pump station. The pumps have sufficient capacity but additional storage is needed to handle any greater inflows at peak times.

This would be expensive as additional storage has to have horizontal pipes/tanks under the sealed road and would cost about \$100,000. This would add \$3,700 per property to the cost on the basis of servicing twenty seven properties.

The direct cost per property is likely to be \$18,700. The total cost would need to be met by those benefiting as no subsidy is available for such an extension, and the land does not lie within the area serviced by Council.

Each property would also have to pay the sewerage development levy to pay for their share of downstream costs past the end of the new works required, which is currently \$4,376.

Thus the total cost per property would be approximately \$23,000. In addition they would pay the current sewer rate which is \$472.88 per year.

### **Survey Results**

Following a public meeting attended by seventeen residents, a survey was sent to some twenty six residents fronting Bosson Road, one of which owns two properties. Five surveys were accidentally sent to residents already on the sewer in the vicinity of Aroha View Ave and Gordon Rd, which effectively reduced the number surveyed to twenty one residents representing twenty two properties. A further four owners representing five properties whose properties also front Gratton Road and Gordon Road were surveyed by phone.

From the twenty five owners covering twenty seven properties who were surveyed and who could connect to a sewerage scheme servicing Bosson Road, twenty one responses were received and the results were as follows:

<b>QUESTION</b>	<b>YES</b>	<b>NO</b>
Do you approve of the scheme in principle?	12	9
Would you be prepared to pay approximately \$23,000 for the option to connect to the Council sewer network?	2	19

There was considerable concern at the cost and some felt that they had paid sufficient rates over the years; however residents of Bosson Road have never paid towards sewerage rates.

A further issue raised claimed health issues associated with septic tanks but only six properties are below the current minimum requirement for a septic tank and staff are not aware of any actual health concerns with these or any other property in this area.

As with all infrastructure septic tanks, that requires maintenance and also updating from time to time. Probably most septic tanks in the area are designed to older standards and are well past their reasonable lifetime. When they do cause problems they will need to be upgraded to a modern facility which costs around \$10,000 to \$13,000 and thus much less than a piped disposal system.

One resident surveyed expressed total satisfaction with their modern waste water treatment system.

It is unlikely to be financially viable to provide sewerage reticulation to Bosson Road at its current density of development, and it is suggested the solution lies in individuals upgrading their own on-site disposal systems.

**STATUTORY ISSUES**

It has been suggested that Council has an obligation to provide sewerage to this area under Health and Infrastructure legislation and that septic tanks are a 19th Century response to a major health problem.

Council has an obligation to deal with health problems but on-site sewerage disposal is still the most cost effective and practical method of sewerage disposal in many areas of New Zealand. There is no known evidence of health problems caused by on-site sewerage disposal in the Bosson Road area.

**POLICY AND BYLAW ISSUES**

Council has a current policy of not providing services to existing rural/residential land except in special circumstances. There does not appear to be any special circumstances applying to Bosson Road. Recent subdivisions in this area were approved prior to this policy being adopted by Council, but have met all the costs related to the extension of services, and also for the right to connect.

It is considered unlikely to be financially viable to provide a sewerage reticulation to Bosson Road at its current density of development, and that the answer lies in individuals upgrading their on-site disposal systems.

**LONG TERM COUNCIL COMMUNITY PLAN****COUNCIL ACTIVITIES*****Community Infrastructure***

*Community Infrastructure represents many of the responsibilities that Council has historically managed: maintenance and development of roads, stormwater, wastewater, water supply and waste (solid); however the later infrastructure has normally been confined to residential areas.*

**COMMUNITY OUTCOMES**

- Planning and Development

*It is not considered that there is any need to extend the residential development into Gratton Road in the reasonable future as the existing residential areas are not fully developed.*

**SIGNIFICANCE POLICY**

This issue is significant in terms of Council's Significance Policy.

**FINANCIAL IMPLICATIONS**

There are no current resources allocated.

**OPTIONS**

1. Resolve to install a sewerage system and assess the cost over those that can be required to contribute or who voluntarily agree to be connected. (The cost will be greater than the \$23,000 per property as some cannot be levied).

2. Resolve to install a sewerage system and subsidise the cost.
3. Take no action.

**OFFICER RECOMMENDATION**

**That:**

1. the report “**Bosson Road Sewer Proposal**” is received by Council.
2. no further action be taken.

**6.12 QUOTABLE VALUE**

**File No:** SUP562808  
**Responsible Officer:** M Te Wiata  
Community and Support Services Manager  
**Author:** D Anglesey  
Finance & Business Services Manager

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**EXECUTIVE SUMMARY**

Presentation time: 1.00 pm

Mr Richard Allen, Valuer for Quotable Value, will present the result of the Matamata-Piako District Council triennial Rates Revaluation.

**POLICY AND BYLAW ISSUES**

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

**OFFICER RECOMMENDATION**

**That the information from Quotable Value be received.**

- 7 URGENT ADDITIONAL BUSINESS**
- 8 EXCLUSION FROM THE PUBLIC**
- 9 CLOSURE**