



Otorohanga District Council

# AGENDA

15 December 2015

10.00am

Members of the Otorohanga District Council

Mr MM Baxter (Mayor)  
Mr RM Johnson  
MRS RA Klos  
Mr KM Phillips  
Mrs DM Pilkington (Deputy Mayor)  
Mr R Prescott  
Mr PD Tindle  
Mrs AJ Williams

Meeting Secretary: Mr CA Tutty (Governance Supervisor)

# OTOROHANGA DISTRICT COUNCIL

15 December 2015

Notice is hereby given that an ordinary meeting of the Otorohanga District Council will be held in the Council Chambers, Maniapoto St, Otorohanga on Tuesday 15 December 2015 commencing at 10.00am.

8 December 2015

**DC Clibbery**  
**CHIEF EXECUTIVE**

## AGENDA

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**PRESENT**

**IN ATTENDANCE**

**APOLOGIES**

**ITEMS TO BE CONSIDERED IN GENERAL BUSINESS**

**CONFIRMATION OF MINUTES – 17 NOVEMBER 2015**

**REPORTS**

**Item 265            OTOROHANGA COMMUNITY BOARD MINUTES 19 NOVEMBER 2015**

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

**From:                Governance Supervisor**

**Date:                 15 December 2015**

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**Executive Summary**

Minutes of the meeting of the Otorohanga Community Board held on 19 November 2015 as previously circulated.

**Staff Recommendation**

It is recommended that:

The minutes of the meeting of the Otorohanga Community Board held on 19 November 2015 be received.

**CA Tutty**  
**GOVERNANCE SUPERVISOR**

**Item 266            KAWHIA COMMUNITY BOARD MINUTES 27 NOVEMBER 2015**

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

**From:                Governance Supervisor**

**Date:                 15 December 2015**

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**Executive Summary**

Minutes of the meeting of the Kawhia Community Board held on 27 November 2015 as previously circulated.

**Staff Recommendation**

It is recommended that:

The minutes of the meeting of the Kawhia Community Board held on 27 November 2015 be received.

**CA Tutty**  
**GOVERNANCE SUPERVISOR**

**Subject:** ROAD LEGALISATION PART MAIHIIHI ROAD – SO 424598

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

**From:** Engineering Manager

**Date:** 15 December 2015

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### Relevant Community Outcomes

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

### Executive Summary

Council has documents requiring consent to legalising part of Maihihi Road being a one kilometre section before Hoddle Road.

The section of road was realigned in the 1980s and this action is to correct the legal alignment to coincide with the current physical location of the road.

The property owner involved is Paewhenua Station Trust.

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

### Staff Recommendation

It is recommended that:

1. The Otorohanga District Council hereby consents to the Minister of Land Information declaring:
  - a. Pursuant to Sec 114 of the Public Works Act 1981 the land described in the **First Schedule** below to be road vested in the Otorohanga District Council.
  - b. Pursuant to Sec 116 and 117 of the Public Works Act 1981 the road described in the **Second Schedule** below being stopped and vested in the adjoining property by way of amalgamation with the title listed and being subject to existing mortgages recorded on the title.

### **South Auckland Land District – Otorohanga District**

<b>First Schedule - Land to be Declared Road</b>			
<i>Area</i>	<i>Description</i>	<i>Title</i>	<i>Owners</i>
350m <sup>2</sup>	Section 2 SO 424598	CFR SA46B/708	Paewhenua Station Trustees
508m <sup>2</sup>	Section 4 SO 424598	CFR SA46B/708	Paewhenua Station Trustees
1003m <sup>2</sup>	Section 7 SO 424598	CFR SA46B/708	Paewhenua Station Trustees
274m <sup>2</sup>	Section 8 SO 424598	CFR SA46B/708	Paewhenua Station Trustees
51m <sup>2</sup>	Section 10 SO 424598	CFR SA46B/708	Paewhenua Station Trustees
113m <sup>2</sup>	Section 11 SO 424598	CFR SA46B/708	Paewhenua Station Trustees
93m <sup>2</sup>	Section 12 SO 424598	CFR SA46B/708	Paewhenua Station Trustees
<b>2392m<sup>2</sup></b>	<b>Total</b>		
<b>Second Schedule – Road to be Stopped and Vested by Amalgamation in Adjoining Property</b>			

<i>Area</i>	<i>Description</i>	<i>Title</i>	<i>Owners</i>
98m <sup>2</sup>	Section 3 SO 424598	CFR SA46B/708	Paewhenua Station Trustees
219m <sup>2</sup>	Section 5 SO 424598	CFR SA46B/708	Paewhenua Station Trustees
275m <sup>2</sup>	Section 6 SO 424598	CFR SA46B/708	Paewhenua Station Trustees
228m <sup>2</sup>	Section 9 SO 424598	CFR SA46B/708	Paewhenua Station Trustees
1381m <sup>2</sup>	Section 14 SO 424598	CFR SA46B/708	Paewhenua Station Trustees
493m <sup>2</sup>	Section 15 SO 424598	CFR SA46B/708	Paewhenua Station Trustees
<b>2694m<sup>2</sup></b>	<b>Total</b>		

2. The Mayor and Chief Executive of Otorohanga District Council be authorised to sign and seal any documentation necessary to legalise plan SO 424598.

### **Report Discussion**

These legal actions are to correct the property boundaries and make them coincide with the adjustments made to the alignment of Maihihi Road in the 1980s. Consultations have been undertaken with the current owner whose property the road passes over, and a compensation agreement has been obtained.

The details are as follows:

#### **Paewhenua Station Trust**

The Paewhenua Station owns land on both sides of Maihihi Road where these road legalisation actions are taking place. It is the only property involved. A letter of agreement in principle was obtained between Council and the owners in April 2014. This agreement was based on correspondence of 1985 and 1987 between Council and the Department of Maori Affairs who acted for Paewhenua Station at the time of the physical works.

The agreement was that Council would do all fencing and all but approximately 100 metres was undertaken in 1987. The last 100m has recently been done.

The agreement in principle was that the area of old road was to be contoured and grassed before being transferred to the owners. This contouring, grassing and fencing has recently been completed at Council's cost (\$9,000) as per the original arrangement in 1987. This then enabled the trustees of the property to sign the agreement to the land exchange. A very good working relationship was established between the Council, the trustees and the property manager, Peter Andrews, considering the long delay in completion of the Council's obligations.

#### **Maori Land Court Process**

The land is subject to the Maori Affairs Act 1953 and the legal actions will be required to be actioned through the Maori Land Court and this is the next step.

As is standard practice Council has, and will be, meeting all survey and legal costs associated with the road legalisation along this section of Maihihi Road.

**Roger Brady**  
**ENGINEERING MANAGER**

### **Attachments**

- a. SO 424598



## Digital Title Plan - SO 424598

**Survey Number** SO 424598  
**Surveyor Reference** Maihihi South.nz  
**Surveyor** Peter Thomas Cotter  
**Survey Firm** Otorohanga District Council  
**Surveyor Declaration** I Peter Thomas Cotter, being a person entitled to practise as a licensed cadastral surveyor, certify that

(a) The surveys to which this dataset relates are accurate, and were undertaken by me or under my direction in accordance with the Cadastral Survey Act 2002 and the Surveyor-General's Rules for Cadastral Survey 2002/2;  
 (b) This dataset is accurate, and has been created in accordance with that Act and those Rules.  
 Declared on 16/02/2010.

### Survey Details

**Dataset Description** Sections 1 - 15 SO 424598  
**Status** Approved as to Survey  
**Land District** South Auckland  
**Submitted Date** 16/02/2010  
**Survey Class** Class II Cadastral Survey  
**Survey Approval Date** 18/02/2010  
**Deposit Date**

### Territorial Authorities

Otorohanga District

### Comprised In

CT SA720/213  
 CT SA46B/708  
 CT SA23A/1369

### Created Parcels

Parcels	Parcel Intent	Area	CT Reference
Section 15 Survey Office Plan 424598	Legalisation	0.0493 Ha	
Part Lot 9 Deposited Plan 9874	Fee Simple Title Road		
Section 14 Survey Office Plan 424598	Legalisation	0.1381 Ha	
Part Lot 6 Deposited Plan 11788	Fee Simple Title		
Part Section 21 Block XII Mangaorongo Survey District	Fee Simple Title		
Section 1 Survey Office Plan 424598	Legalisation	0.0189 Ha	
Section 2 Survey Office Plan 424598	Legalisation	0.0350 Ha	
Section 3 Survey Office Plan 424598	Legalisation	0.0098 Ha	
Section 4 Survey Office Plan 424598	Legalisation	0.0508 Ha	
Section 5 Survey Office Plan 424598	Legalisation	0.0219 Ha	
Section 6 Survey Office Plan 424598	Legalisation	0.0275 Ha	



## Digital Title Plan - SO 424598

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### Created Parcels

Parcels	Parcel Intent	Area	CT Reference
Section 7 Survey Office Plan 424598	Legalisation	0.1003 Ha	
Section 8 Survey Office Plan 424598	Legalisation	0.0274 Ha	
Section 9 Survey Office Plan 424598	Legalisation	0.0228 Ha	
Section 10 Survey Office Plan 424598	Legalisation	0.0051 Ha	
Section 11 Survey Office Plan 424598	Legalisation	0.0113 Ha	
Section 12 Survey Office Plan 424598	Legalisation	0.0093 Ha	
Section 13 Survey Office Plan 424598	Legalisation	0.0408 Ha	
<b>Total Area</b>		<b>0.5683 Ha</b>	



## Schedule / Memorandum SCHEDULE OF AREAS

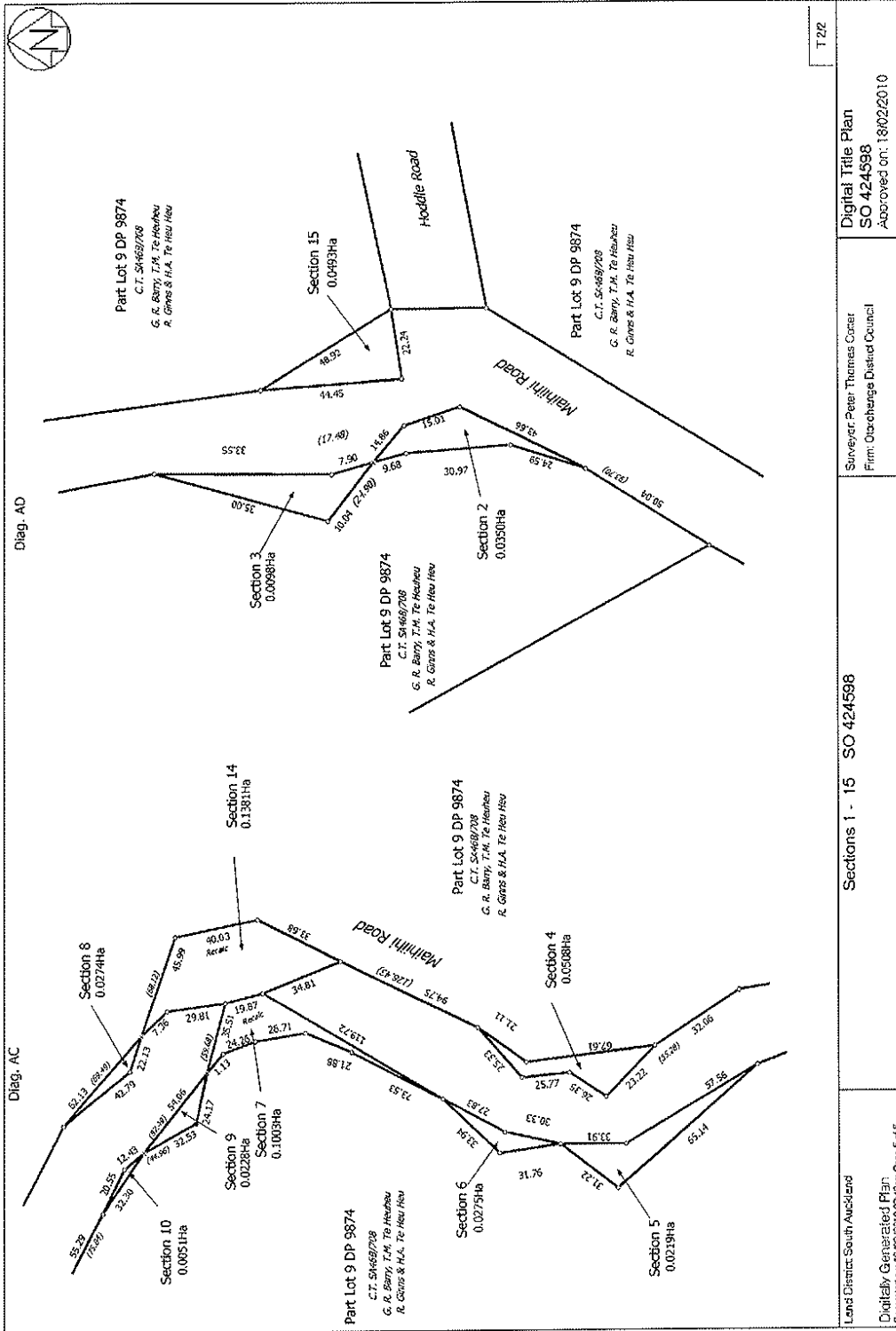
Land Registration District: South Auckland
 Plan Number: SO 424598

Shown	Description	Title Reference	Area
Sec. 1	Part Lot 6 DP 11798	C.T. SA23A/1369	0.0198ha
Sec. 2	Part Lot 9 DP 9874	C.T. SA46B/708	0.0350ha
Sec. 4	Part Lot 9 DP 9874	C.T. SA46B/708	0.0608ha
Sec. 7	Part Lot 9 DP 9874	C.T. SA46B/708	0.1003ha
Sec. 8	Part Lot 9 DP 9874	C.T. SA46B/708	0.0274ha
Sec. 10	Part Lot 9 DP 9874	C.T. SA46B/708	0.0051ha
Sec. 11	Part Lot 9 DP 9874	C.T. SA46B/708	0.0113ha
Sec. 12	Part Lot 9 DP 9874	C.T. SA46B/708	0.0093ha
Sec. 13	Part Section 21 Block XII Manganongo Survey District	C.T. SA730/213	0.0408ha

References Shown	Adjoining	Title Reference	Area
Sec. 3	Part Lot 9 DP 9874	C.T. SA46B/708	0.0098ha
Sec. 5	Part Lot 9 DP 9874	C.T. SA46B/708	0.0219ha
Sec. 6	Part Lot 9 DP 9874	C.T. SA46B/708	0.0275ha
Sec. 9	Part Lot 9 DP 9874	C.T. SA46B/708	0.0228ha
Sec. 14	Part Lot 9 DP 9874	C.T. SA46B/708	0.1381ha
Sec. 15	Part Lot 9 DP 9874	C.T. SA46B/708	0.0493ha

Schedule / Memorandum





<p>Sections 1 - 15 SO 424598</p>	<p>Surveyor Peter Thomas Conner Firm: Otago Regional Council</p>	<p>Digital Title Plan SO 424598 Approved on: 18/02/2010</p>
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Lands District South Auckland  
Digitally Generated Plan  
Generated on: 18/02/2010 07:43:58 Page 5 of 5

This document is a digital title plan generated by the Otago Regional Council. It is a legal document and should be read in conjunction with the relevant legislation.

**Subject: APPLICATION FOR TEMPORARY ROAD CLOSURE – HAMILTON CAR CLUB – NGUTUNUI HILLCLIMB**

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

**From: Senior Engineering Assistant**

**Date: 15 December 2015**

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### **Relevant Community Outcomes**

- Provide for the unique history and culture of the District
  - Promote the local economy and opportunities for sustainable economic development
  - Foster an involved and engaged Community
  - Recognise the importance of the Districts rural character
- 

### **Executive Summary**

An application has been received from the Hamilton Car Club for the following road closure within the Otorohanga District, to enable the Hamilton Car Club to hold the Ngutunui Hillclimb.

### **Staff Recommendation**

It is recommended that approval be granted for the following road closure:

Purpose: Ngutunui Hillclimb

Date: Sunday, 6 March 2016

Details of Closure: **PEKANUI ROAD** – entire length. Includes intersection with Scott Road (no exit)

**Period of Proposed Closure:** 8:45am to 5:00pm

With the following conditions imposed:

1. Persons will be allowed through the closure in the event of an emergency.
2. Hamilton Car Club is to pay an application fee of \$400.00 towards the administration of the road closure to Otorohanga District Council.
3. Hamilton Car Club is to pay for all advertising costs to the appropriate newspapers. Public notice advertisements are to be published in the Waitomo News.
4. Hamilton Car Club is responsible for obtaining public liability insurance (and paying the cost thereof) to a minimum value of \$2,000,000. This is required to indemnify Council against any damage to the property or persons as a result of rally activities during the road closure period.
5. Hamilton Car Club is to comply with the objection provisions contained in the Transport (Vehicular Traffic Road Closure) Regulations 1965.
6. Hamilton Car Club is to liaise, and provide evidence of liaison with all operators and businesses that may be affected by the road closures.
7. Hamilton Car Club is to consult with all residents of all properties on the roads intending to be closed and also the residents on roads connecting with roads intending to be closed, including any, no exit roads. Two mail drops to residents are to be carried out.

All initial mail drops to residents are to be approved by Council staff before distribution commences. The subsequent mail drop is to be completed no later than ten full days before the proposed closures.

8. Hamilton Car Club is solely responsible for signposting and policing of the roads to be closed, to ensure that only vehicles connected with the event have access to the road closure areas. This includes arranging the delivery, erection and staffing of all road closure barriers and the removal thereof after closures. All gates and entranceways are to be taped and to ensure its removal thereafter.
9. Signs advising of the road closures are to be erected at the start and end of the closed portions of the roads and on each intersecting road two weeks prior to the road closure. All signs are to be removed immediately after the closure. A Hamilton Car Club representative is to meet with Council Engineering staff regarding the required signs format, size, location and quantity of signs for approval before they are manufactured and erected.

### **Report Discussion**

Hamilton Car Club have applied for this road closure pursuant to the Tenth Schedule of the Local Government Act 1974.

They are prepared to comply with the objection provisions contained in the Transport (Vehicular Traffic Road Closure) Regulations 1965. Hamilton Car Club, are in the process of obtaining consents from residents of the affected areas, indicating agreement for the road closures. They have also conducted an initial letter drop and will carry out a reminder mail drop no later than ten full days before the proposed closure.

At the suggestion of a resident the Hamilton Car Club are donating trees to Ngutunui School to offset the carbon emissions from this event therefore making the event carbon neutral.

This event is also a major fundraising event for Ngutunui School, who provide an off-road venue, sausage sizzle and catering for the competitors and visitors to the school and the event.

The Hamilton Car Club will also give Ngutunui School a donation of \$5.00 per entry and share of the profit from the catering. A couple of people from the area will also be given the opportunity to experience a ride in a rally car.

**Marion Fleming**  
**SENIOR ENGINEERING ASSISTANT**

**Item 269: ODC MATTERS REFERRED FROM 17 NOVEMBER 2015**

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

**From: Governance Supervisor**

**Date: 15 December 2015**

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**Executive Summary**

**1. COUNCIL**

17 November 2015

- i. To have discussion with Roothing experts on the options available to improve re-occurring corrugation on sections of metal roads.

**2. HIS WORSHIP**

20 October 2015

- i. To follow up on the suggestion for a future Council meeting to be held on a local Marae in the District.

**3. CR KLOS**

20 October 2015

- i. On behalf of Council to have discussion with Landscape Consultant Mrs Rosemary Davison on the Board's decision to cancel the annual Community Garden Competition and whether there are other opportunities to encourage property owners to improve their properties.

**CA Tutty**  
**GOVERNANCE SUPERVISOR**

**GENERAL**

**MOTION TO EXCLUDE THE PUBLIC**

**Item 262 OBJECTION TO MENACING DOG CLASSIFICATION ON KARMA  
AND OTO CONFIDENTIAL**

**Reason for Confidentiality**

	<b>Grounds</b>	<b>Reason</b>
	Section 48(1) of the Local Government Official Information and Meetings Act 1987, which permits the meeting to be closed to	Subject to sections 6, 8 and 17 of the Local Government Official Information Act 1987, the withholding

	the public for business relating to the following grounds: -	of the information is necessary to:
<b>Item 262 OBJECTION TO MENACING DOG CLASSIFICATION ON KARMA AND OTO CONFIDENTIAL</b>	48(1a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.	7(2a) Protect the privacy of natural persons, including that of deceased natural persons.