



Rangitikei District Council

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Rangitikei
UNSPOILT...

Council Meeting Order Paper

**Thursday, 30 April 2015,
1.00 pm**

**Council Chamber, Rangitikei District Council
46 High Street, Marton**

Website: www.rangitikei.govt.nz

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Chair

His Worship the Mayor, Andy Watson

Deputy Chair

Cr Dean McManaway

Membership

Councillors Cath Ash, Richard Aslett, Nigel Belsham, Angus Gordon, Tim Harris,
Mike Jones, Rebecca McNeil, Soraya Peke-Mason,
Ruth Rainey, Lynne Sheridan

Please Note: Items in this agenda may be subject to amendments or withdrawal at the meeting. It is recommended therefore that items not be reported upon until after adoption by the Council. Reporters who do not attend the meeting are requested to seek confirmation of the agenda material or proceedings of the meeting from the Chief Executive prior to any media reports being filed.



Rangitikei District Council

Council Meeting

Order Paper – Thursday 30 April 2015 – 1:00 p.m.

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1 Welcome

2 Public forum

3 Apologies/Leave of absence

4 Members' conflict of interest

Members are reminded of their obligation to declare any conflicts of interest they might have in respect of items on this agenda.

5 Confirmation of order of business

That, taking into account the explanation provided why the item is not on the meeting agenda and why the discussion of the item cannot be delayed until a subsequent meeting, be dealt with as a late item at this meeting.

6 Confirmation of minutes

Recommendation

That the Minutes and Public Excluded Minutes of the Council meeting held on 26 March 2015 be taken as read and verified as an accurate and correct record of the meeting.

7 Mayor's report

A report will be tabled.

File ref: 3-EP-3-5

Recommendation

That the Mayor's report to Council's meeting on 30 April 2015 be received.

8 Administrative matters – April 2015

A report is attached.

File ref: 5-EX-4

Recommendations

- 1 That the report 'Administrative matters – April 2015' be received.
- 2 That Council agrees to waive the rates payable on the Crown land at 16-18 Robin Street, Taihape, so long as it remains available, under licence from the Ministry of Justice, to be used as a designated dog exercise area.

- 3 That the land at 16-18 Robin Street , Taihape, be deemed a designated dog exercise area under the Control of Dogs Bylaw 2014, so long as it remains available for this purpose under licence from the Ministry of Justice.

- 4 That the meeting schedule is amended so that Council meets on Thursday 14 May 2015 to deliberate on all submissions to “What’s the Plan Rangitikei...” and associated documents, with the meeting of the Assets/Infrastructure Committee to follow in the remaining available time that day.

EITHER

- 4.1 That to allow for early adoption of the 2014/15 Annual Report

- a. Council and Finance/Performance Committee meet on Thursday 1 October 2015 instead of Thursday 24 September 2015, and
- b. Assets/Infrastructure Committee and Policy/Planning Committee meet on Thursday 15 October 2015 instead of Thursday 8 October 2015

OR

- 4.2 That Council adopts the audited Annual Report at its meeting on 29 October 2015.

- 5 That Council approves the proposed memorandum of understanding between Council, Te Rangi Pai Forestry Limited (represented by Ryan, Thomas & Co.) and the Department of Conservation regarding the use of Inland Road for logging and the continuation of access from that road to the Department of Conservation’s forestry block, including the waiver if internal resource consent costs to allow a road strip to be subdivided from an adjoining lot.

EITHER

- 6 That the Delegations Register be amended, with respect to statutory delegations to the Chief Executive by adding:

- 6.1 Authority to exercise all functions, powers and duties in terms of section 34A(1) of the Resource Management Act 1991

OR

- 6.2 That the planner’s report on application from David Dickie and Maureen Jacobsen for resource consent pursuant to section 88 of the Resource Management Act 1991 be received and that the recommendation in that report including conditions (A) to (F) be

- a. **approved without amendment, OR**
- b. **approved with the following amendment(s), OR**
- c. **declined.**

- 7 That xx% of the fees (excluding the refundable deposit against damage) for the exclusive use of Wilson Park by the Marton Country Music Festival in January be approved on an ongoing basis.

9 Statement of proposed carry-forwards to 2015/16

The statement of proposed carry-forwards to 2015/16 are attached. If approved, they will be included in the final Long Term Plan 2015-25.

File ref: 1-LTP15-4-2

Recommendation

- 1 That the statement of proposed carry-forwards to 2015/16 be received.
- 2 That Council approves [with amendment/without amendment] the statement of proposed carry-forwards to 2015/16, and attaches them as an appendix to the minutes of the meeting 30 April 2015.

10 Horizons Regional Council 2015-25 Long Term Plan ‘Shaping our Region’s Future’

A report is attached.

File ref: 3-OR-3-12

Recommendation

- 1 That the report ‘Horizons Regional Council 2015-25 Long Term Plan ‘Shaping our Region’s Future’ be received.
- 2 That a submission to the Horizons Regional Council 2015-25 Long Term Plan ‘Shaping our Region’s Future’ be prepared for consideration by the Mayor, Deputy Mayor and Chief Executive, taking into account the discussion of issues raised during the presentation on ‘Shaping our Regions Future’.

11 Presentation on Horizons draft 2015/25 Long Term Plan

From 2.00 pm representatives from Horizons Regional Council will make a presentation to Council on their 2015-25 Long Term Plan.

12 Future funding for youth development in Rangitikei 2015/16

A report is attached.

File ref: 4-EN-12-3

Recommendation

- 1 That the report, “Future funding for youth development in Rangitikei 2015/16”, be received.

- 2 That Council agrees to fund the contracts with HYPE Academy to maintain the services to 3 July 2015 including to deliver outcomes required by the MYD funded projects.
- 3 That Council requests a further report at its meeting on 26 June 2015 outlining:
 - progress made by the Community Charter Board during May/June 2015 in confirming MSD investment, and
 - confirmed funding available for youth development from all other sources for 2015/16.

13 Marton Water Treatment Plant Upgrade – progress report and final estimated costs

A report is attached.

File ref: 6-WS-3-6

Recommendations

- 1 That the report 'Marton Water Treatment Plant Upgrade – progress report and final estimated costs' be received.
- 2 That additional capital funds of **\$300,000** be approved in the 2014/15 financial year to complete the remaining project works at the Marton Water Treatment Plant and Tutaenui bore.

14 Final Budgetary Requirements for Contract C955 Tutaenui Rd Trunk Main

A report is attached.

File ref: 5-CM-1-955

Recommendations

- 1 That the report 'Final Budgetary Requirements for Contract C955 Tutaenui Rd Trunk Main' be received.
- 2 That Council approve the increase in the value of C955 – Tutaenui Rd Trunk Main (Renewal), to \$740,000 plus GST, an increase of \$47,090.70 plus GST to be funded from the existing 2014/15 water treatment and reticulation renewals budget.

15 Submissions to the draft Dangerous and Insanitary Buildings Policy

A report is attached.

File ref: 3-PY-1-24

Recommendations

- 1 That the memorandum 'Submissions to the draft Dangerous and Insanitary Buildings Policy' be received.
- 2 That the draft Dangerous and Insanitary Buildings Policy be adopted [without amendment/as amended] to come into effect from 4 May 2015.

16 Receipt of committee minutes and resolutions to be confirmed

Recommendations

- 1 That the minutes of the following meetings be received:
 - Finance/Performance Committee, 26 March 2015
 - Taihape Community Board, 1 April 2015
 - Turakina Community Committee, 2 April 2015 *to be tabled*
 - Turakina Reserve Management Committee, 2 April 2015 *to be tabled*
 - Marton Community Committee, 8 April 2015
 - Hunterville Rural Water Supply Management Sub-Committee, 13 April 2015
 - Te Roopu Ahi Kaa Komiti, 14 April 2015
 - Bulls Community Committee, 14 April 2015
 - Omatane Rural Water Supply Management Committee, 15 April 2015 *to be tabled*
 - Assets/Infrastructure Committee, 16 April 2015
 - Policy/Planning Committee, 16 April 2015
 - Hunterville Community Committee, 20 April 2015 *to be tabled*
 - Ratana Community Board, 21 April 2015
- 2 That the following recommendations from the Marton Community Committee dated 8 April 2015 be confirmed:

15/MCC/035

That the Marton Community Committee recommends that Council reimburse the entire cost for bus hire for ANZAC Day activities by the Marton and District Pipe Band, including the portion outside of the District (to and from Halcombe).

- 3 That the following recommendations from the Policy/Planning Committee dated 8 April 2015 be confirmed:

15/PPL/028

That the Policy/Planning Committee recommend to Council that, with respect to the discretion available under Schedule 1(2) of the Building Act 2004, all discretionary exemptions are withdrawn but delegated authority is granted to the Environmental And Regulatory Services Team Leader to allow exemptions for temporary structures and engineer-reviewed solutions;

17 Future items for the agenda

18 Public excluded

Recommendation

I move that the public be excluded from the following parts of the proceedings of this meeting, namely:

Item 1: Proposed Bulls Community Centre

The general subject of the matter to be considered while the public is excluded, the reason for passing this resolution in relation to this 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:

General subject of the matter to be considered	Reason for passing this resolution in relation to the matter	Ground(s) under Section 48(1) for passing of this resolution
Item 1 Proposed Bulls Community Centre	Briefing contains information which it is necessary to withhold to enable the local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) <i>Section 7(2)(i)</i>	Section 48(1)(a)(i)

This resolution is made in reliance on Section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interests protected by Section 6 or Section 7 of the Act which would be prejudiced by the holding or the whole or the relevant part of the proceedings of the meeting in public as specified above.

19 Next meeting

Oral hearing of submissions, Thursday 7 May, 9.30 am

Thursday 28 May 2015, 1.00 pm

20 Meeting closed

Attachment 1

Rangitikei District Council

Council Meeting

Minutes – Thursday 26 March 2015 – 1:00 p.m.

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18	Meeting reconvened 4.02pm, Monday 30 March 2015	13
7	Adoption of "What's the Plan Rangitikei" as the Consultation Document for the 2015/25 Long Term Plan.....	13
8	Adoption of associated documents for simultaneous consultation with "What's the Plan Rangitikei"	15
19	Meeting closed 4.39 pm	15

Present: His Worship the Mayor, Andy Watson
Cr Dean McManaway
Cr Cath Ash
Cr Richard Aslett
Cr Nigel Belsham
Cr Angus Gordon
Cr Tim Harris
Cr Mike Jones
Cr Rebecca McNeil
Cr Soraya Peke-Mason (apology to the reconvened meeting)
Cr Ruth Rainey (apology to the reconvened meeting)
Cr Lynne Sheridan

In attendance: Mr Ross McNeil, Chief Executive
Mr Michael Hodder, Community & Regulatory Services Group Manager
Mr George McIrvine, Finance & Business Support Group Manager
Mr Hamish Waugh, Infrastructure Group Manager
Ms Denise Servante, Senior Policy Analyst
Ms Gaylene Prince, Community & Leisure Services Team Leader
Ms Carol Downs, Executive Officer
Ms Samantha Whitcombe, Governance Administrator

1 Welcome

His Worship the Mayor welcomed everyone to the meeting.

2 Public forum

None

3 Apologies/Leave of absence

None

4 Members' conflict of interest

Members were reminded of their obligation to declare any conflicts of interest they might have in respect of items on this agenda.

5 Confirmation of order of business

His Worship the Mayor indicated that item 7 would be deferred to allow time for feedback from the Auditor-General (and the issue of an opinion on the Consultation Document). After discussion the adjournment was set for 30 April 2015, starting 4.00 pm.

His Worship the Mayor informed Council that there would be two late items to this meeting:

Amendment to Council's Standing Orders
Rangitikei.com – Draft strategic plan 2015-2025

Resolved minute number	15/RDC/052	File Ref
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That Council accepts as a late item to Council's meeting on 26 March 2015 the proposed amendment to Council's Standing Orders to permit attendance at a meeting of Council by means of audio link or audio-visual link, as provided by clause 25A of Schedule 7, Local Government Act 2002, noting that:

- the item was not included on the agenda because the need to assist Councillors attend the anticipated adjourned meeting of Council (to adopt "What's the Plan Rangitikei" – the draft Long Term Plan Consultation Document) was not identified until after the Order Paper had been compiled and distributed; and that
- the item needs to be formally received and action authorised at this meeting to meet the Council's previously agreed timeframe for public consultation on "What's the Plan Rangitikei".

His Worship the Mayor / Cr Sheridan. Carried

Resolved minute number **15/RDC/053** **File Ref**

That Council accepts as a late item to Council's meeting on 26 March 2015 the draft strategic plan for Rangitikei.com, noting that:

- the item was inadvertently not included on the agenda and the mistake was not noted until after the Order Paper had been compiled and distributed; and that
- the item needs to be formally received and feedback from this meeting conveyed to Rangitikei Tourism to allow it to review and complete the plan.

His Worship the Mayor / Cr Ash. Carried

6 Confirmation of minutes

Resolved minute number **15/RDC/054** **File Ref**

That the Minutes and Public Excluded Minutes of the Council meeting held on 26 February 2015 be taken as read and verified as an accurate and correct record of the meeting.

Cr Sheridan / Cr Ash. Carried

9 Mayor's report

His Worship the Mayor spoke briefly to his report.

Cr McManaway informed Council that the Chair of the Hunterville Community Committee (Charlie Lewis) was resigning from the Committee as he is moving out of the District. He suggested that it might be appropriate for a letter to be sent to Mr Lewis thanking him for his contribution to the Committee both as a member and the Chair.

Resolved minute number **15/RDC/055** **File Ref** **3-EP-3-5**

That the Mayor's report to Council's meeting on 26 March 2015 be received.

His Worship the Mayor / Cr McManaway. Carried

Resolved minute number **15/RDC/056** **File Ref**

That a letter of thanks be sent to Charlie Lewis for his contribution to the Hunterville Community Committee as both a Committee member and the Chair.

Cr McManaway / Cr Sheridan. Carried

Resolved minute number **15/RDC/057** **File Ref**

That Council approves the remaining unallocated funding of \$3,245 in the Community Initiatives Fund to be allocated to community organisations in support of ANZAC Day services or other related activities, and that such allocations be determined by the Mayor and Chief Executive.

His Worship the Mayor / Cr Sheridan. Carried

10 Administrative matters – March 2015

Mr McNeil gave a brief overview of each item in the report, and provided Council with an update on the progress with the recommendation from the Taihape Community Board on investigating the potential for sport and recreation activities on Memorial Park, Taihape. The letter send by the Chief Executive to members of the Taihape Memorial Park Users Group would be copied to Councillors.

There was considerable discussion on the proposal to establish a 'no spray' register.

Resolved minute number **15/RDC/058** **File Ref** **5-EX-4**

That the report 'Administrative matters – March 2015' be received.

Cr Belsham / Cr Jones. Carried

Resolved minute number **15/RDC/059** **File Ref** **5-EX-4**

That Council endorses the proposed 'As-of-right town centre place-making' and its protocol for use of the footpath area and, for clarity, dispenses with any of the provisions in the Public Places Bylaw 2013 which conflict with this initiative over using footpaths in Bulls, Marton, Hunterville and Taihape.

Cr Ash / Cr Belsham. Carried

Motion

That Council continues the existing method of weed control on Council land and formally establishes a 'no-chemical spray' list and promotes its availability, and implements an alternative method of weed control within these no-chemical spray zones.

Cr McManaway / Cr Rainey

Amendment

That Council continues the existing method of weed control on Council land and formally establishes a 'no-chemical spray' list and promotes its availability, and implements an alternative method of weed control within these no-chemical spray zones.

Cr Sheridan / Cr Gordon. Lost

Procedural motion

That the motion be put

Cr Belsham / Cr McNeil. Carried

Resolved minute number **15/RDC/060** **File Ref** **5-EX-4**

That Council continues the existing method of weed control on Council land and formally establishes a 'no spray' list and promotes its availability.

Cr McManaway / Cr Rainey. Carried

Resolved minute number **15/RDC/061** **File Ref** **5-EX-4**

That Council, with respect to the application from Lodge Rangitikei No. 38, approves a waiver of the full building warrant of fitness fee of \$77.00.

Cr Jones / Cr McManaway. Carried

Resolved minute number **15/RDC/062** **File Ref** **5-EX-4**

That objections to the proposed partial road closure for High Street (SH1) in Bulls on Saturday 18 April 2015, from 11.00 am to 2.00 pm, for the opening of the Mounted Rifles Display in the Bulls Museum that day are considered and determined by the Mayor, Deputy Mayor and Chief Executive.

His Worship the Mayor / Cr Belsham. Carried

Resolved minute number **15/RDC/063** **File Ref** **5-EX-4**

That Council confirms/amends in a further public notice, as required by the Transport (Vehicular Traffic Road Closure) Regulations 1965, the publicly notified intention to close

- part of High Street (SH1) in Bulls on Saturday 18 April 2015, from 11.000 am to 2.00 pm, for the opening of the Mounted Rifles Display in the Bulls Museum;
- part of High Street (SH1), part of Criterion Street and part of Daniell Street in Bulls on Saturday 25 April 2015, from 4.45 am to 7.15 am, for the ANZAC Day Dawn Service and Parades by the Bulls RSA and Marton RSA; and
- part of Hautapu Street (SH1), part of Huia Street, and part of Kokako Street, Taihape part of Papakai Road from 4.45 am to 7.15 am, for the ANZAC Day Dawn Service and Parades by the Taihape RSA.

His Worship the Mayor / Cr Harris. Carried

Resolved minute number **15/RDC/064** **File Ref** **5-EX-4**

That, having regard to the requirement in section 17A of the Local Government Act 2002 to review delivery of services, Council confirms:

- a) that the processes which commenced in 2014 to review the shared services arrangement with Manawatu District Council for the delivery of infrastructure services meet the intent of section 17A of the Local Government Act 2002 and that it would not be cost-effective to address all the options specified in section 17A(4);
- b) that, if the outcome of the review is that Manawatu District Council or another entity is responsible for delivery of infrastructure services for the Rangitikei District Council, the final contract or agreement will comply with the requirements in section 17A(5); and
- c) that it is satisfied (in terms of section 17A(4(b))) that undertaking a review for the delivery of roading management and maintenance services (as distinct from reviewing the contract and seeking tenders for that during 2015) does not justify the costs of undertaking such a review.

Cr McManaway / Cr Gordon. Carried

Resolved minute number **15/RDC/065** **File Ref** **5-EX-4**

- 1 That Council authorises the Mayor to sign the submission on the proposed regulations to be made under the Food Act 2014 and to send it to the Ministry for Primary Industries.
- 2 That Council authorises the Mayor to sign the submission without amendment on the draft Regional Passenger Transport Plan and to send it to Horizons Regional Council, asking for an opportunity to speak to that Council's Land Transport Committee about the Council's views.
- 3 That Council authorises the Mayor to sign the submission without amendment on the discussion paper on funding sources for local government and to send it to Local Government New Zealand.

Cr Jones / Cr Sheridan. Carried

11 Future Management of Parks and Town Maintenance

Ms Prince gave a brief overview of the main points of the report.

Resolved minute number **15/RDC/066** **File Ref** **5-CM-1-907**

That the 'Parks and Town Maintenance Review' report be received and noted as constituting a review of delivery of services under section 17A Local Government Act 2002.

Cr Jones / Cr Peke-Mason. Carried

Resolved minute number **15/RDC/067** **File Ref** **5-CM-1-907**

That the current separate arrangement for maintenance of parks and town maintenance in Ratana be continued, subject to an independent review of the scope and pricing.

His Worship the Mayor / Cr Belsham Carried

Resolved minute number **15/RDC/068** **File Ref** **5-CM-1-907**

That a separate arrangement for the local management and delivery of parks and town maintenance within Kōitiata be investigated.

His Worship the Mayor / Cr Peke-Mason. Carried

Resolved minute number **15/RDC/069** **File Ref** **5-CM-1-907**

That from 1 August 2015 the Council provide parks and town maintenance through a mixed delivery arrangement (i.e. internal delivery of mowing, gardens, playgrounds, litter bins and minor maintenance) with contracting out for burials, berm mowing and CBD cleaning, trees and turf renovation.

Cr Jones / Cr Sheridan. Carried

Cr McManaway voted against the motion.

Cr Peke-Mason left Chambers 3.05 pm / 3.07 pm

The meeting was adjourned for afternoon tea 3.15 pm / reconvened 3.30 pm

12 Receipt of committee minutes and resolutions to be confirmed

Resolved minute number **15/RDC/070** **File Ref**

That the minutes of the following meetings be received:

- Turakina Community Committee, 5 February 2015
- Turakina Reserve Management Committee, 5 February 2015
- Finance/Performance Committee, 26 February 2015
- Bulls Community Committee, 10 March 2015
- Marton Community Committee, 11 March 2015
- Assets/Infrastructure Committee, 12 March 2015
- Policy/Planning Committee, 12 March 2015

Cr Gordon / Cr Sheridan. Carried

Resolved minute number **15/RDC/071** **File Ref**

That the following recommendation from the Turakina Reserve Management Committee dated 5 February 2015 be confirmed:

15/TRMC/001

That the Turakina Reserve Management Committee recommends to Council that the spouting on the Reserve building be repaired, having had no response to the December 2014 Request for Service.

Cr Peke-Mason / Cr Sheridan. Carried

Council requested that clarification be provided to the Bulls Community Committee on the status of the toilets within the Library in Bulls.

Resolved minute number **15/RDC/072** **File Ref**

That the following recommendation from the Bulls Community Committee dated 10 March 2015 be received:

15/BCC/014

That the issue of signage for the public toilets in Bulls be addressed by Council as a matter of urgency.

Cr Aslett / Cr Peke-Mason. Carried

Resolved minute number **15/RDC/073** **File Ref**

That the following recommendation from the Marton Community Committee dated 11 March 2015 be confirmed:

15/MCC/029

That the Marton Community Committee requests that Rangitikei District Council contribute to some or all of the cost for Bus Hire for the ANZAC Day activities by Marton Pipe Band.

Cr Sheridan / Cr Harris. Carried

Resolved minute number **15/RDC/074** **File Ref**

That the following recommendation from the Marton Community Committee dated 11 March 2015 be referred to the Assets/Infrastructure Committee, with a plan and options for the tidying up of the Lower High Street toilets:

15/MCC/033

That the Marton Community Committee recommends the walls and floor inside the Lower High Street Toilets be redecorated with tiles.

His Worship the Mayor / Cr McManaway

13 Late items

Rangitikei.com – Draft strategic plan 2015-2025

Cr McNeil provided a brief overview of the draft Strategic Plan 2015-2025 for Rangitikei.com (formally Rangitikei Tourism).

Resolved minute number	15/RDC/075	File Ref
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That the Rangitikei District Council receives and supports the general direction of the draft Strategic Plan 2015-2025 for Rangitikei.com (previously known as Rangitikei Tourism).

His Worship the Mayor / Cr Peke-Mason. Carried

Amendment to Council's Standing Orders

Mr Hodder spoke briefly to the tabled report on this item.

Resolved minute number	15/RDC/076	File Ref
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That the memorandum 'Proposed amendment to Council's adopted Standing Orders – providing for attendance at Council meetings by audio link or audio-visual link' be received.

That Appendix 1 [without amendment] be added to Council's adopted Standing Orders.

That section 3.17.2 of Council's adopted Standing Orders be amended by adding after the phrase 'the names of those members present' the phrase "the names of those members attending the meeting by means of audio link or audio-visual link".

His Worship the Mayor / Cr Sheridan. Carried

14 Future items for the agenda

Nil

15 Public excluded

Resolved minute number 15/RDC/077 **File Ref**

I move that the public be excluded from the following parts of the proceedings of this meeting, namely:

Item 1: Proposed Bulls Community Centre

The general subject of the matter to be considered while the public is excluded, the reason for passing this resolution in relation to this 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:

General subject of the matter to be considered	Reason for passing this resolution in relation to the matter	Ground(s) under Section 48(1) for passing of this resolution
Item 1 Proposed Bulls Community Centre	Briefing contains information which it is necessary to withhold to enable the local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) <i>Section 7(2)(i)</i>	Section 48(1)(a)(i)

This resolution is made in reliance on Section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interests protected by Section 6 or Section 7 of the Act which would be prejudiced by the holding or the whole or the relevant part of the proceedings of the meeting in public as specified above.

His Worship the Mayor / Cr Aslett. Carried

16 Next meeting

Thursday 30 April 2015, 1.00 pm

17 Meeting adjourned 4.20 pm to be reconvened at 4pm on Monday 30 March 2015

Resolved minute number 15/RDC/078 **File Ref**

That the Council meeting held on 26 March 2015 be adjourned to reconvene at 4.00pm on Monday 30 March 2015.

His Worship the Mayor / Cr Aslett. Carried

18 Meeting reconvened 4.02pm, Monday 30 March 2015

His Worship the Mayor reconvened the meeting, and introduced the Council's Auditors Debbie Perera and Chris Webber (Audit New Zealand).

Resolved minute number **15/RDC/079** **File Ref**

That the apologies for absence from Cr Peke-Mason and Cr Rainey be received.

His Worship the Mayor / Cr McManaway. Carried

7 Adoption of "What's the Plan Rangitikei" as the Consultation Document for the 2015/25 Long Term Plan

Mr McNeil narrated a PowerPoint presentation on the adoption of the 2015-25 Long Term Plan Consultation Document, "What's the Plan Rangitikei...?", and acknowledged the support that had been received from Council's auditors throughout the process.

Ms Perera spoke to Council on the process undertaken in the audit of the 2015-25 Long Term Plan consultation document and confirmed that that an audit opinion would be provided if the document is adopted.

Resolved minute number **15/RDC/080** **File Ref** **1-LTP15-9**

That the memorandum and Chief Executive's presentation on "What's the Plan Rangitikei" be received.

His Worship the Mayor / Cr Gordon. Carried

Resolved minute number **15/RDC/081** **File Ref** **1-LTP15-9**

That the presentation on the adoption of the 2015-25 Long Term Plan consultation document, "What's the Plan Rangitikei...?", be received.

Cr Aslett / Cr Jones. Carried

The meeting was informed that a rates calculator would be available on the Council website so each property owner could see what the rates for 2015/16 (based on Council's proposals in "What's the Plan Rangitikei...?") would be.

Resolved minute number **15/RDC/082** **File Ref**

That Council resolves to adopt the following information in terms of section 93G of the Local Government Act 2002 as being information which:

- a. is relied on by the content of the consultation document adopted under section 93A; and
- b. is necessary to enable the Auditor-General to give the reports required by the Auditor-General to give the reports required by sections 93C(4) and 93D(4); and
- c. provides the basis for the preparation of the long-term plan:
 - the draft 2015/25 Long Term Plan;
 - the asset management plans for
 - roading and footpaths
 - the three waters
 - community and leisure assets;
 - the draft town centre plans for Bulls, Marton and Taihape;
 - the concept plan and feasibility report for the proposed Bulls community/civic centre;
 - the reports compiled during the Strategic Water Resources Project;
 - the economic development strategy; and
 - the strategic study of Rangitikei aquatic facilities.

Cr McManaway / Cr Belsham. Carried

Resolved minute number **15/RDC/083** **File Ref** **1-LTP15-9**

That Council resolves to carry-forward into 2015/16 the following budget provisions made in 2014/15:

- Bulls wastewater treatment plant upgrade: \$2,200,000
- Marton wastewater treatment plant upgrade: \$1,473,500

Cr McManaway / Cr Harris. Carried

Resolved minute number **15/RDC/084** **File Ref** **1-LTP15-9**

That Council resolves that for the Rangitikei 2015/25 Long Term Plan it is financially prudent to set projected operating expenses at a different level than that required by section 100(1) of the Local Government Act 2002 having had regard to the four factors specified in section 100(2) of that Act.

Cr Gordon / Cr Harris. Carried

Resolved minute number **15/RDC/085** **File Ref** **1-LTP15-9**

That Council resolves to adopt "What's the Plan Rangitikei" as the consultation document for the 2015/25 long-term plan in terms of sections 93A to 93G of the Local Government Act 2002 (subject to minor editorial changes), to add in a report from the Auditor-General as specified in section 93C(4), to authorise the Mayor and the Chief Executive to sign the Letter of Representation for the audit of Rangitikei District Council's Long Term Plan Consultation Document, and to give effect to the timetable for receiving and hearing submissions.

Cr Jones / Cr McNeil. Carried

8 Adoption of associated documents for simultaneous consultation with "What's the Plan Rangitikei"

Resolved minute number **15/RDC/086** **File Ref** **3-PY-1**

That the memorandum 'Adoption of associated documents for simultaneous consultation with "What's the Plan Rangitikei"' be received.

His Worship the Mayor / Cr Belsham. Carried

Resolved minute number **15/RDC/087** **File Ref** **3-PY-1**

That Council adopts for consultation (using the special consultative procedure) simultaneously with "What's the Plan Rangitikei" the following associated documents:

- Proposed revenue and financing policy,
- Proposed policy on development contributions, and
- Proposed Schedule of fees and charges for 2015/16.

Cr McManaway / Cr Ash. Carried

19 Meeting closed 4.39 pm

Confirmed/Chair: _____

Date: _____

Attachment 2



Rangitikei
RESPONSIBILITY...

REPORT

SUBJECT: **Administrative matters - April 2015**

TO: Council

FROM: Ross McNeil, Chief Executive

DATE: 22 April 2015

FILE: 5-EX-4

1 Additional dog exercise area in Taihape

- 1.1 At the request of the Taihape Community Board a request was made to the Office of Treaty Settlements to reconsider the use of their block of vacant land in Robin Street as a dog exercise area. This was referred to the Ministry of Justice, which is willing to allow this provide Council pays the rates (currently \$937). A recommendation is included to authorise that. An aerial map is attached as Appendix 1.
- 1.2 Clause 13.1 of the Control of Dogs Bylaw allows the Council to declare, by resolution, any public place to be a designated dog exercise area.¹ As the Ministry of Justice would issue a licence for Council to use the Robin Street site, it will be under the control of the Council and thus a 'public place'.

2 Proposed change to meeting schedule

- 2.1 As noted during adoption of "What's the Plan Rangitikei...?", oral hearings of submissions are scheduled on Thursday 7 May 2015 in Marton (potentially all day) and 8 May 2015, in Taihape (in the morning). A further session that afternoon in Marton will be held if required.
- 2.2 Deliberation on all submissions has been scheduled for Thursday 14 May 2015, starting 9.30 am. The meeting for the Assets/Infrastructure Committee will follow. The Policy/Planning Committee will next meet on 11 June 2015
- 2.3 Council aims to adopt its audited Annual Report by the end of September. The timing of Thursdays means that Council is scheduled to meet on 24 September 2015, which is likely to be too tight timing for the Council's auditors. It is suggested that Council's meeting is re-scheduled to 1 October 2015. However,

¹ Exclusions are the playing surfaces of sports grounds and up to 20 metres of the playing surface where contained within the perimeter fence of the sports ground.

the statutory deadline for adoption is 31 October 2015, so Council may prefer to leave the meeting schedule as it is and adopt the annual report on 29 October 2015.

- 2.4 If early adoption of the Annual Report is preferred, Elected Members may wish to consider moving the meetings of Assets/Infrastructure and Policy/Planning Committees on a week, to 15 October 2015 as October has five Thursdays.

3 Remuneration for Elected Members in 2015/16

- 3.1 The Remuneration Authority has advised the new levels of remuneration to apply to Elected Members from 1 July 2015. This is attached as Appendix 2. No change is proposed to remuneration for members of Community Boards.
- 3.2 The Authority has asked for confirmation of the provision of a vehicle for the Mayor. Up until now, the Mayor has not been provided with a vehicle and has claimed mileage used in his own vehicle. Council's Policy on Elected Members' allowances and recovery of expenses allows for a vehicle to be provided that is also available for the Mayor's private use. The Authority normally assesses full private use of such a vehicle as 20% and has a formula to deduct the value of the vehicle provided from the Mayor's salary.

4 Marton Railway Station – subway neglect

- 4.1 At its meeting on 26 February 2015, Council authorised the Chief Executive to undertake negotiations with KiwiRail for the initial clean-up and on-going maintenance of the subway in Marton.²
- 4.2 The proposed deed of grant from KiwiRail is attached (as Appendix 3). It is a standard format (and has a standard fee, representing the costs in administering such grants). KiwiRail confirms that it has let work out to contractors on upgrading the subway and the lighting, at a cost of \$24,000 (thus accepting a condition put by Council to KiwiRail), and that it is happy for the subway to remain open to the public so long as the Council enters into a deed of grant for its ongoing maintenance.
- 4.3 Entering into the deed of grant will entail looking after the entry into the subway from the railway station but KiwiRail is receptive to entering into a similar arrangement for the Marton railway station. Further advice will come from KiwiRail on this.

² 15/RDC/045.

5 Project Central Wind

- 5.1 Meridian Energy has reported back on its consideration of the two issues where clarification was sought before presenting a report for Council's consideration and decision. This included a study on the nature of building and resource consent activity in the vicinity of the proposed wind farm since the consent was initially issued. This was referred to the Council's legal adviser for comment. This perspective from Meridian and other advice provided to date has been discussed with representatives of the Rangitikei Guardians. Further advice has been sought from Council's legal adviser on points raised by the Guardians.
- 5.2 At the Te Roopu Ahi Kaa hui in Moawhango on 14 April 2015, a request was made for a similar meeting with representatives of the two relevant Iwi – Ngati Tamakopiri and Ngati Whitikaupeka. A meeting date for this meeting has yet to be confirmed.
- 5.3 The other two councils have deferred formal consideration meantime.

6 Te Mana o te Wai Fund

- 6.1 This Fund, administered by the Ministry for the Environment, is to provide funding to enable Maori to improve the water quality of lakes, rivers, streams, estuaries, lagoons etc. by:
- supporting iwi/hapū to play an active part in improving the water quality of their local freshwater bodies,
 - enabling iwi/hapū to actively participate in managing their local freshwater bodies,
 - developing partnerships and working in collaboration with others, and
 - assisting iwi/hapū and the wider community to recognise the importance of fresh water in supporting a healthy ecosystem, including supporting human health.
- 6.2 Two applications will be made for the Rangitikei, relating to the wastewater discharges at Bulls and Ratana. Ngati Apa is leading on the first and assisting with the second.

7 Inland Road – Te Rangi Pai Forestry

- 7.1 Last year Ryan, Thomas & Co asked for consideration to upgrading Inland Road in advance of logging of the forestry block owned by Te Rangi Pai Forest Limited. Inland Road connects to Omatane North Road and Mokai Road. An aerial shot is attached as Appendix 4. The road is largely unformed, and gated. Council's roading staff advised Ryan, Thomas that upgrading, at Council's cost,

was not feasible; in response Ryan, Thomas asked whether the road could be sold to the adjoining owners. This would mean the legal road would be closed.

- 7.2 Closing legal roads requires permission from the Minister of Conservation, who takes advice from the Walking Access Commission. Closing Inland Road is not an acceptable option as it is the only access for the Department of Conservation's forestry block. Following further discussion with representatives of the Department of Conservation and the Walking Access Commission, it seemed that the best approach was to develop a memorandum of understanding between all parties; a discussion was held in February and the points of agreement circulated for comment.
- 7.3 In that discussion Te Rangi Pai Forestry indicated negotiations were being conducted with the owner of a property adjoining the road and the forest with the intention of purchasing a piece of land which would provide easier access for logging trucks and reduce the length of Inland Road which would be used. However, such a purchase would mean a subdivision and a resource consent as the area would be below the minimum size permitted in the rural zone. Officers indicated that fees for that subdivision would be waived, but that is now a matter which Council has reserved to itself.
- 7.4 The finalised points of agreement (which it is intended to format as a memorandum of understanding to be signed by the Council's Chief Executive, Te Rangi Pai Forest Limited (represented by Ryan, Thomas & Co.) and the Department of Conservation) are attached as Appendix 5.

8 Deforestation liabilities

- 8.1 Council was advised at its meeting on 11 December 2014 of the decision by the Ministry for Primary Industries to impose a financial penalty for late notification of deforestation at the Rata Block and that a request for review of this decision had been made to the Ministry's Chief Executive.
- 8.2 The outcome of that review was made known earlier this month. Council's legal advisers recommend an appeal is lodged with the District Court. Papers are being prepared for this.

9 IANZ visit for accreditation as a Building Consent Authority

- 9.1 All four Corrective Action Requests (CARs) from the technical review conducted in February 2015 have been cleared. A formal letter will follow from the Ministry of Business, Innovation and Employment (MBIE) confirming Council's accreditation as a Building Consent Authority for a further two years.

10 Future management of parks and town maintenance

- 10.1 The Parks & Reserves Team Leader position has been advertised, prices and specifications are being sought for equipment, and options for staff and equipment space are being considered.
- 10.2 Peter Shore has been approached to provide an independent review at Ratana. Peter has had previous experience, developing schedules and specifications for parks, and also been heavily involved in performance analysis. An initial discussion has also been held with an interested party from Koitiata. This initial meeting was very promising and further discussion will be held.

11 CCTV cameras

- 11.1 The installation is complete and fully operational in Bulls, Marton and Taihape.
- 11.2 Hunterville is expected to be complete by the end of the month.

12 Santoft fire – recovery of costs

- 12.1 A claim has been made to the National Fire Authority for \$98,696 for reimbursement of the costs of fire-fighting invoiced by Horizons (and also the District Council's own costs).

13 Dog attack in Bulls

- 13.1 During the Easter break, a dog came close to mauling a teenager in a seemingly unprovoked attack. The dog has been impounded and consideration is being given to prosecuting the owner.

14 Charging for Food Control Plan template and Diary

- 14.1 The Ministry for Primary Industries has advised all territorial authorities that it is no longer able to carry the printing costs associated with the template and diary for the Food Control Plans introduced under the Voluntary Implementation Programme. A downloadable electronic version of these is freely available from the Ministry's website. The current templates will change somewhat once the regulations for the Food Act 2014 are completed and the template is issued as a Notice under that Act.
- 14.2 However, the Ministry acknowledges that a high number of businesses prefer a hard copy of the template – possibly due to a lack of technology or English being a second language. To meet this, the Ministry is running a bulk order system two or three times per year through Bluestar (the Ministry's contracted printer) and setting up a system for territorial authorities to place orders directly with Bluestar. Either of these options ensures that the most recent

version is being used. They will be available until at least the end of the transition period (June 2019)

- 14.3 It is not proposed to recover costs from businesses requesting hard copies. The costs for Council during 2015/16 are unlikely to exceed \$1,500. Officers will alert business to the availability of an electronic template from the Ministry's website.

15 MW LASS update

- 15.1 MW LASS entered into a joint approach for tendering insurance brokering and risk management with its counterparts in the Bay of Plenty and Hawkes Bay and the West Coast Regional Council. That process has recently concluded. Aon will be re-engaged. The estimated indicative savings to MW LASS councils is nearly \$0.5 million.
- 15.2 Investigations are being undertaken for a new set of regional aerial maps to be made during the year. As with the last set (in 2010/11, Horizons will fund half the cost with the other half being shared among the district councils.
- 15.3 LASS directors are considering the best way to manage (and fund) expansion of capacity within the Archives Central repository in Feilding and to attract other local authorities, while ensuring LASS councils using the repository³ can be certain their space needs will continue to be met.

16 Improving broadband connectivity and mobile coverage in the Rangitikei

- 16.1 At its meeting on 9 April 2015, the Assets/Infrastructure Committee was advised that the Ministry of Business, Innovation and Employment (MBIE) has asked local government to get involved in identifying the next priorities for Ultra-fast Broadband, the Rural Broadband Initiative and the Mobile Black Spots Fund. Work has started on a bid for better connectivity in the Rangitikei.
- 16.2 Although MBIE has established a process in which territorial authorities are competing against one another, there is a strong interest by the local government sector in a more collaborative approach. One expression of this is the Rural Connectivity Symposium in Wellington on 28 May 2015.

³ Ruapehu, Rangitikei, Manawatu, Horowhenua, Tararua and Horizons. Wanganui and Palmerston North have their own repositories and dedicated staff, but make their archives holdings available through the Archives central database.

17 Town centre plan update

Taihape

- 17.1 Peter Shore has now met with all Memorial Park user groups, individually. He is currently summarising comments received, and advises that there have been quite a few consistencies in what's been said that will provide a starting point to bring the various groups together to develop a plan and a Memorandum of Understanding. Peter has also made himself familiar with Memorial Park and the surrounding reserve land including an assessment of its condition, and how it is being used.
- 17.2 The next stage is for the groups to agree on a collective vision and a way forward, including signing a Memorandum of Understanding.

Hunternville

- 17.3 The Hunternville Town Centre Plan Steering Group and Lions Club have taken the first steps in implementing their Town Centre Plan. Queen's Park has been given a facelift, including painting the park furniture and clearing low-hanging trees to open up the camping and picnic areas. Phase two will involve fixing and painting the fence running alongside the stream by the playground. The Group's next major project will be to upgrade the playground and bridge linking the playground to Queen's Park.

Marton

- 17.4 The Marton Town Centre Plan Steering Group is continuing with a number of projects aligned to the Town Centre Plan. The first of these was the selection of a winner of Public Art competition, Olivia Carpenter from Nga Tawa School. The winning design was for the Library and has been passed on to the relevant staff member in Council. A number of other designs will be put forward to Council and local building owners for consideration.
- 17.5 The Steering Group is currently planning to install a pathway through Marton Park from the Maunder Street entrance down through the trees and linking in with the Anglican Church entrance from Broadway. The Anglican Church committee is supportive of the idea. A proposal from the Steering Group will be presented to Council staff for sign off before any work is undertaken.

Bulls

- 17.6 At a meeting of the Bulls Town Centre Plan Steering Group on 8 April, the chairperson Jane Dunn tendered her resignation and suggested that the Group should consider disbanding. This was because:
- the original objective to deliver a Town Centre Plan for Bulls had been achieved,

- the place-making initiatives that the Group had agreed to undertake had been completed, and
 - the site for the new multi -purpose community facility was on the point of being secured.
- 17.7 Ms Dunn's recommendations were accepted by the Group and members thanked her for the commitment and drive she brought to the process. Thanks were also passed onto the Council staff for their support for the Group. All matters relating to the Town Centre Plan process will now be directed through the Bulls Community Committee.

18 Determination on a notified, opposed resource consent application

18.1 Council has received an application for a resource consent to build a house closer than 100 metres to the neighbouring property on Brandon Hall Road, Bulls. It has been limited notified – to the neighbour – who has lodged an objection but does not wish to speak to a hearing. There is no delegation to any officer to determine the matter, which is unusual. A check with other districts shows that normally such a matter would be determined by the Chief Executive or Group Manager.

18.2 A recommendation to amend the Delegation Register is included so that the matter could be determined by the Chief Executive. This refers to section 34A(1) of the Resource Management Act which provides:

A local authority may delegate to an employee, or hearings commissioner appointed by the local authority (who may or may not be a member of the local authority), any functions, powers, or duties under this Act except the following:

- a. the approval of a proposed policy statement or plan under clause 17 of Schedule 1:
- b. this power of delegation

18.3 If Council prefers to leave the delegations as they are, the matter must be determined by Council. Accordingly, the planner's report and recommendation are attached as Appendix 6 for consideration.

19 Proposed road closures

19.1 There have been no applications for road closures since the last meeting

20 Fee discounts and waivers to non-profit community organisations

- 20.1 Anne George has asked whether Council will approve an ongoing waiver of the fees for having the Marton Country Music festival on Wilson Park. The full fee is currently \$638.00 per day.
- 20.2 Previously fees have been waived under the delegation to the Chief Executive, and a 50% reduction was made for this year's festival. Council needs to approve any future waiver: a recommendation to enable that is included. Previously no reduction or waiver had been made on refundable deposits against damage to parks and halls.
- 20.3 Since the Finance/Performance Committee is currently reviewing the way in which Council supports events in the District, Council may wish to defer a decision on this request until the Committee's review is complete.

21 Staffing

- 21.1 Interviews have been scheduled for the fixed-term role covering the maternity leave to be taken by Samantha Whitcombe. The new role of Team Leader, Parks & Reserves has been advertised.
- 21.2 Mike Fletcher has resigned from his role as Senior Projects Engineer with the Shared Services Infrastructure Group; his last day will be 1 May 2015. Andrew Burberry starts next month as Utilities Reticulation Serviceperson (replacing Richard Illston, whose resignation has been previously noted).
- 21.3 Anthony Woodside is presenting the results of a case study in regional data sharing based on cemeteries to the GIS Forum run by the Association of Local Government Information Managers this month.

22 Recommendations

- 22.1 That the report 'Administrative matters – April 2015' be received.
- 22.2 That Council agrees to waive the rates payable on the Crown land at 16-18 Robin Street, Taihape, so long as it remains available, under licence from the Ministry of Justice, to be used as a designated dog exercise area.
- 22.3 That the land at 16-18 Robin Street, Taihape, be deemed a designated dog exercise area under the Control of Dogs Bylaw 2014, so long as it remains available for this purpose under licence from the Ministry of Justice.
- 22.4 That the meeting schedule is amended so that Council meets on Thursday 14 May 2015 to deliberate on all submissions to "What's the Plan Rangitikei...?" and associated documents, with the meeting of the Assets/Infrastructure Committee to follow in the remaining available time that day.

EITHER

- 22.5 That to allow for early adoption of the 2014/15 Annual Report
- a. Council and Finance/Performance Committee meet on Thursday 1 October 2015 instead of Thursday 24 September 2015, and
 - b. Assets/Infrastructure Committee and Policy/Planning Committee meet on Thursday 15 October 2015 instead of Thursday 8 October 2015

OR

- 22.6 That Council adopts the audited Annual Report at its meeting on 29 October 2015.
- 22.7 That Council approves the proposed memorandum of understanding between Council, Te Rangi Pai Forestry Limited (represented by Ryan, Thomas & Co.) and the Department of Conservation regarding the use of Inland Road for logging and the continuation of access from that road to the Department of Conservation's forestry block, including the waiver if internal resource consent costs to allow a road strip to be subdivided from an adjoining lot.

EITHER

- 22.8 That the Delegations Register be amended, with respect to statutory delegations to the Chief Executive by adding:

Authority to exercise all functions, powers and duties in terms of section 34A(1) of the Resource Management Act 1991

OR

- 22.9 That the planner's report on application from David Dickie and Maureen Jacobsen for resource consent pursuant to section 88 of the Resource Management Act 1991 be received and that the recommendation in that report including conditions (A) to (F) be
- a. approved without amendment, OR
 - b. approved with the following amendment(s), OR
 - c. declined.
- 22.10 That xx% of the fees (excluding the refundable deposit against damage) for the exclusive use of Wilson Park by the Marton Country Music Festival in January be approved on an ongoing basis.

Ross McNeil
Chief Executive

Appendix 1

OTS land, 16-18 Robin Street, Taihape

Print Date: Wednesday, 8 April 2015
Print Time: 1:42:56 p.m.



Scale: 1:999
Original Sheet Size A4

Projection: NZGD2000 / New Zealand Transverse Mercator 2000
Bounds: 5604113.82688865, 1839783.40020557
5603906.0597802, 1840137.95068417

Digital map data sourced from Land Information New Zealand. UNKNOWN COPYRIGHT HOLDERS.
The information displayed in the GIS has been taken from Rangitikei District Council's databases and maps.
It is made available in good faith but its accuracy or completeness is not guaranteed.
If the information is relied on in support of a resource consent it should be verified independently.

Appendix 2

Rangitikei District

Positions of Responsibility 2015/16

Position Name	Number of Positions	Multiple of Base Councillor Salary	Position Salary
Deputy Mayor	1	1.4000	27,580
Committee Chairperson	1	1.2500	24,625
Deputy Committee Chairperson/Chairperson Chief Executive's Review Committee	1	1.1653	22,956
Deputy Committee Chairperson	2	1.1028	21,725
Councillor		1.0000	19,700

Mayor	82,350 Before adjustment for vehicle provision ,if applicable
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Appendix 3

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**KIWRAIL LIMITED
(KiwiRail)**

**RANGITIKEI DISTRICT COUNCIL
(Grantee)**

**AGREEMENT TO GRANT RIGHT TO ACCESS
WAY AT MARTON SUBWAY AT 0.181KMS ON
THE MARTON-NEW PLYMOUTH LINE.**

GRANT NUMBER G89930



AGREEMENT dated

2015

BETWEEN

KIWIRAIL LIMITED ("KiwiRail")

AND

RANGITIKEI DISTRICT COUNCIL ("Grantee")

BACKGROUND

- A.** NZRC is a statutory corporation established under the New Zealand Railways Corporation Act 1981 ("**NZRC Act**").
- B.** Pursuant to the NZRC Act, NZRC may grant interests, easements, privileges, or concessions in relation to railway land.
- C.** By the Core Lease, the Crown and NZRC granted to New Zealand Rail Limited a lease of certain land owned by the Crown or owned, held, used, or occupied by NZRC. KiwiRail is now the lessee under the Core Lease.
- D.** The Grantee has requested KiwiRail grant certain rights to the Grantee in respect of the Land as set out in Schedule 1 hereto.
- E.** The parties enter into this Agreement to record the terms on which the above will occur.

EXECUTED AS AN AGREEMENT

SIGNED by **KIWIRAIL LIMITED** as
Grantor by:

Authorised Signatory

and witnessed by:

Signature of witness

Name of witness

Occupation

City/town of residence

SIGNED by RANGITIKEI DISTRICT
COUNCIL as Grantee by:

Authorised Signatory

Authorised Signatory

Name of Signatory

Name of Signatory

and witnessed by:

Signature of witness

Name of witness

Occupation

City/town of residence

SCHEDULE 1

REFERENCE SCHEDULE

ITEM 1	Land:	The railway land shown between two red lines at Marton as is identified on the plan G89930/1-2 attached at Schedule 3.
ITEM 2	Grant Area:	Means that part (or those parts) of the Land more particularly shown as a yellow line on the plan G89930/1-2 attached at Schedule 3.
ITEM 3	Term:	12 months
ITEM 4	Commencement Date:	1 April 2015
ITEM 5	Expiry Date:	31 March 2016
ITEM 6	Grant Fee:	\$650.00 plus GST per annum, subject to review in accordance with clause 5.1.
ITEM 7	Grant Fee payment frequency:	Annually in advance.
ITEM 8	Review Dates:	On each anniversary of the Commencement Date.
ITEM 9	Default Interest Rate:	5% above Bank of New Zealand prime overdraft rate.
ITEM 10	Minimum Public Risk Cover:	\$2,000,000.00 or such greater amount as required from time to time by KiwiRail
ITEM 11	Purpose:	To have and maintain Marton rail pedestrian subway and associated fencing at 0.181kms on the Marton-New Plymouth Line.
ITEM 12	Grantee's Works:	Maintain the subway and associated fencing.

SPECIAL CONDITIONS

- When any maintenance is carried out on fencing a permit to enter is required.
- Graffiti is to be removed within two weeks of Council being notified.

SCHEDULE 2

OPERATIVE PROVISIONS

1. INTERPRETATION

In this Agreement unless the context indicates otherwise:

1.1 Definitions:

"Authority" means and includes every governmental, local, territorial and statutory authority having jurisdiction or authority over the Land, the Grant Area or any part of it, or its use;

"Building Act" means the Building Act 2004;

"Commencement Date" means the date set out in Schedule 1;

"Core Lease" means the Memorandum of Lease dated 20 December 1991 entered into between the Crown and NZRC (as lessor), and New Zealand Rail Limited as lessee, as varied from time to time before the date of this Agreement;

"CGPI" means the Capital Goods Price Index for New Zealand published quarterly by Statistics New Zealand (or, if it ceases to exist, such index as most closely approximates the same);

"Crown" Her Majesty the Queen in Right and New Zealand acting by and through her Ministers of Finance and State Owned Enterprises;

"Default Interest Rate" means the rate set out in Schedule 1;

"Expiry Date" means the date set out in Schedule 1;

"Grant Area" means the area specified in Schedule 1 and shown on the plan attached at Schedule 3;

"Grantee" means the Grantee, its successors and permitted assigns together with the Grantee's servants, agents, employees, workers, invitees and contractors with or without vehicles, machinery or equipment;

"Grantee's Property" means all equipment, chattels, partitions and fixtures and fittings installed by the Grantee in the Grant Area;

"Grantee's Works" means the works to be erected or constructed by the Grantee on or within the Grant Area as described in Schedule 1, such works being necessary or desirable for the Grantee's use and enjoyment of the Grant Area for the Purpose;

"Grant Fee" means the amount set out in Schedule 1;

"GST" means tax levied under the Goods and Services Tax Act 1985 and includes any tax levied in substitution for that tax;

"KiwiRail" means KiwiRail Limited and includes KiwiRail's successors and assigns;

"Land" means all that land described in Schedule 1;

"Purpose" means the purposes for which the Grantee shall be entitled to use the Grant Area specified in Schedule 1;

"Railway Infrastructure" shall adopt the definition given to that term in the Railways Act 2005;

"Review Dates" means the dates set out in Schedule 1;

"Structure" means any structure constructed or erected on or within the Grant Area pursuant to the Grantee's Works including any supports incidental to such structure;

"Term" means the term of this Agreement specified in Schedule 1 which shall be the period commencing on the Commencement Date and ending on the Expiry Date; and

"Working Day" means any day of the year other than Saturdays, Sundays, the provincial anniversary as observed in Auckland, Wellington and the province where the Land is situated, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, Labour Day and any day in the period commencing 24 December and ending on 5 January the next year (both days inclusive).

- 1.2 **Building Act:** The terms "building code", "building consent", "building work" and "code compliance certificate" have the meanings given to those terms in the Building Act.
- 1.3 **Defined Expressions:** Expressions defined in the main body of this Agreement have the defined meaning in the whole of this Agreement including the background.
- 1.4 **Headings:** Section, clause and other headings are for ease of reference only and do not form any part of the context or affect this agreement's interpretation.
- 1.5 **Negative Obligations:** Any obligation not to do anything includes an obligation not to suffer, permit or cause that thing to be done.
- 1.6 **Persons:** References to persons include references to individuals, companies, corporations, partnerships, firms, joint ventures, associations, trusts, organisations, governmental or other regulatory bodies or authorities or other entities in each case whether or not having separate legal personality.
- 1.7 **Plural and Singular:** Singular words include the plural and vice versa.
- 1.8 **Sections and Clauses:** References to sections and clauses are references to this Agreement's sections and clauses.
- 1.9 **Statutes and Regulations:** References to a statute include references to regulations, orders, rules or notices made under that statute and references to a statute or regulation include references to all amendments to that statute or regulation whether by subsequent statute or otherwise.
- 1.10 **Implied Terms excluded:** To the fullest extent permitted by law the implied provisions of the Property Law Act 2007, Land Transfer Act 1952 and the Land Transfer Regulations 2002 are expressly excluded from this Agreement.

2. GRANT OF RIGHT

- 2.1 **Grant of Right for Term:** KiwiRail grants to the Grantee the right to use the Grant Area for the Purpose during the Term, upon payment of the Grant Fee and subject to the terms, covenants, conditions herein contained or implied and the provisions of section 35 of the New Zealand Railways Corporation Act 1981 and the Railways Act 2005. The Grantee accepts those rights and covenants with KiwiRail to observe and perform the terms and stipulations set out in this Agreement.

3. HOLDING OVER

- 3.1 **Continuation Beyond Expiry:** If KiwiRail permits the Grantee to continue to use the Grant Area after the expiry or earlier termination of the Term:
 - (a) the Grantee may do so on a yearly basis only;

- (b) the Grantee will continue to pay KiwiRail the Grant Fee, with the first payment being due on the first day of the Grantee's continued use of the Grant Area after the expiry or earlier termination of the Term;
- (c) the Grantee must pay the Grant Fee under clause 3.1(b) on each anniversary of the Commencement Date;
- (d) the Grantee's right to continue to occupy and use the Grant Area under this clause 3.1 may be terminated at any time by either party pursuant to clause 14; and
- (e) pending termination under clause 3.1(d), the Grantee's continued use of the Grant Area under this clause 3.1 will continue on the same terms (as far as they are applicable) as this Agreement.

4. PAYMENT OF GRANT FEE

4.1 **Payment:** The Grantee must, during the Term, pay the Grant Fee to KiwiRail in the frequency specified in Schedule 1 commencing with a first payment on the Commencement Date and thereafter as follows:

- (a) if the payment frequency is annually, then on each anniversary of the Commencement Date; or
- (b) if the payment frequency is monthly, then by way of equal monthly instalments on the 1st day of each and every month during the Term; and

such payments shall be in full without any deduction or set-off. The Grant Fee and any other payments to be made under this Agreement shall be paid to KiwiRail by direct bank payment or as KiwiRail may direct.

4.2 **Default Interest:** If the Grantee fails to pay any instalment of the Grant Fee or any other money payable under this Agreement for 10 Working Days after the due date for payment or the date of KiwiRail's demand, if there is no due date, then the Grantee must pay on demand interest at the Default Interest Rate on the money unpaid from the due date or the date of KiwiRail's demand (as the case may be) down to the date of payment.

5. GRANT FEE REVIEWS

5.1 **Review of Grant Fee:** The Grant Fee will be reviewed on each Review Date with such reviewed grant fee to be determined in accordance with the following formula:

$$A = B \times (C/D)$$

Where:

A is the new Grant Fee.

B is the Grant Fee payable immediately prior to the Review Date.

C is the figure at which the CGPI stood immediately prior to the relevant Review Date.

D is the figure at which the CGPI stood immediately prior to the previous Review Date or the Commencement Date (whichever is the later),

provided that C/D shall never be less than 1.00.

- 5.2 In the event that there has been no increased in the CGPI, there shall be no adjustment to the Grant Fee.

6. GRANTEE'S WORKS

- 6.1 **Construction:** The Grantee shall not proceed with construction or erection of the Grantee's Works including any Structure until and unless:

- (a) KiwiRail has provided written approval for such construction or erection of the Grantee's Works, including (where relevant):
 - (i) the location of any Structure; and
 - (ii) the required clearances from railway lines and other Railway Infrastructure;
- (b) the Grantee has submitted to KiwiRail detailed plans and specifications of the Grantee's Works including any Structure (including plans and specifications for any temporary Structure) duly certified by a Chartered Engineer of the applicable engineering practice area given the nature of the Grantee's Works with at least 5 years' current and continuous standing in the engineering profession; and
- (c) the Grantee has made payment to KiwiRail of KiwiRail's reasonable costs for appraising and approving such plans and specifications.

- 6.2 **Building Work:** In addition to the provisions of clause 6.1, the Grantee must:

- (a) not carry out any building work on the Grant Area without first obtaining all building consents required to enable that building work to be lawfully carried out. If KiwiRail is as owner of the land required to provide its consent to the relevant Authority to enable such building consent to be obtained, then such consent shall, if provided, be solely for the purposes of enabling the building consent to be obtained and shall not be taken as being approval pursuant to clause 6.1(a);
- (b) carry out all building work strictly following the building code and the building consents issued for that building work (including conditions of those consents), and only while the building consents for that building work are current and otherwise in strict compliance with all conditions and requirements imposed by KiwiRail as part of providing its approval under clause 6.1(a);
- (c) comply immediately with all notices issued by any Authority relating to any building work carried out by the Grantee;
- (d) obtain a code compliance certificate for any building work carried out by the Grantee on the Grant Area immediately on completion of that building work; and
- (e) not do or allow anything to be done (including any building work) which would be a breach of any obligation under the Building Act 2004, or which would constitute an offence under the Building Act 2004.

- 6.3 **Indemnity:** To the extent it is not limited from doing so under any New Zealand Law, The Grantee indemnifies KiwiRail against all notices, calls, orders, liabilities, actions,

claims, demands, losses, proceedings, damages, costs (including legal costs) and expenses of any kind:

- (a) imposing a liability on KiwiRail;
- (b) suffered or incurred by KiwiRail; or
- (c) for which KiwiRail is or may become liable,

arising from a breach by the Grantee or any person for whom the Grantee is responsible, of any obligations under the Building Act 2004.

- 6.4 **Responsibility:** Notwithstanding the provisions of clause 6.1, the Grantee acknowledges that the Grantee shall be solely responsible for the erection, construction and materials comprised in the Grantee's Works and for the design and safety of the Grantee's Works and any associated temporary works.
- 6.5 **Supervision of works:** Following satisfaction of the requirements in clause 6.1, the Grantee shall complete the Grantee's Works at the Grantee's sole cost in accordance with the provisions of clause 6.2 (where relevant) and to the entire satisfaction of KiwiRail. KiwiRail shall be entitled to require that completion of the Grantee's Works shall either in whole or part be supervised by KiwiRail's appointed railway personnel in which case, the costs of such supervision shall be paid by the Grantee.
- 6.6 **Commencement of works:** Notwithstanding anything contained in this clause 6, construction or erection of the Grantee's Works shall not commence until such time as the Grantee has obtained a permit from KiwiRail to access the Grant Area for such purpose.
- 6.7 **No nuisance:** In the course of construction or maintenance of the Grantee's Works, the Grantee shall not unduly interfere with or obstruct any other lawful user of the Grant Area or the Land and shall carry out all work expeditiously and on completion of the work shall immediately restore the surface of any affected part of the Land or the Grant Area as nearly as possible to its former state and condition at the Grantee's sole cost and expense.
- 6.8 **KiwiRail not liable for damage:** The Grantee shall not hold KiwiRail liable for any accident or damage to the Grantee's Works howsoever caused and must pay to KiwiRail the cost of removing or making any alteration to the position of any part of the Grantee's Works necessitated by any alteration or addition to the railway on the Land including all infrastructure, structural and other features comprised in the current or future operations of the railway on the Land.
- 6.9 **Grantee liable for damage:** The Grantee shall pay KiwiRail the cost of repairing any damage which may occur directly or indirectly to the railway, the Land or the Grant Area by the use of the Grant Area for the Purpose or caused as a result of any breakage, leakage or the existence or use of the Grantee's Works including any Structure.

7. LIMITATION ON RIGHTS

- 7.1 **Security Interest:** The Grantee must not grant or agree to grant any security interest (as defined in the Personal Property Securities Act 1999) in or over its interest this Agreement.
- 7.2 **No Registration / Caveat:** The Grantee acknowledges that this Agreement does not create a registrable interest in the Grant Area or the Land and that the Grantee must not

register a caveat over the title(s) to the Land relating to the Grantee's interest under this Agreement.

8. ASSIGNMENT

- 8.1 **No assignment:** The Grantee acknowledges that the rights provided by this Agreement are in personam rights only and may not be assigned or transferred and the granting of the rights pursuant to this Agreement does not create a lease or an interest in land relating to the Grant Area or otherwise confer on the Grantee any rights of exclusive possession.
- 8.2 **Change in shareholding:** For the purposes of clause 8.1, where the Grantee is a company which is not listed on the main board of a public stock exchange, any change or re-arrangement of the beneficial ownership of the principal shareholding of the Grantee or the Grantee's holding company, and any change in the Grantee's shareholding altering the effective control of the Grantee will be treated as an assignment of this Agreement in breach of clause 8.1.

9. GENERAL PROVISIONS RELATING TO GRANT

- 9.1 **Use of the Grant Area:** The Grantee shall use the Grant Area only for the Purpose and such use shall comply with the requirements of the Resource Management Act 1991, or any other statutory provisions relating to resource management.
- 9.2 **Structural alterations:** The Grantee may not make any alterations to the Grantee's Works (including any Structure forming part of the Grantee's Works), or construct any building, undertake any excavation or earthmoving on the Grant Area without the written consent of KiwiRail which may be granted or withheld in KiwiRail's absolute discretion. Any consent granted by KiwiRail pursuant to this clause 9.2 shall, if KiwiRail determines necessary, be subject to the provisions of clause 6.
- 9.3 **Compliance:** The Grantee must at all times and at its own cost comply with:
- (a) all statutes, ordinances, regulations, by-laws or other enactments affecting or relating to the use of the Grant Area and with all requirements which may be given by any Authority and all obligations and requirements exercised under statute or regulation from time to time, including in compliance with the requirements of all railway legislation;
 - (b) all statutes, ordinances, regulations, by-laws or other enactments governing the design, erection, maintenance, use and construction of the Grantee's Works including any Structures and to submit to KiwiRail proof that any necessary consent or approval required from the relevant Authority has been obtained and continues to be held current including, but not limited to, consent and compliance certificates as required pursuant to the Building Act 2004; and
 - (c) any rules or building regulations imposed by KiwiRail which apply to the control, safe use, security and protection of, access to, use and occupation of, improvements to and the operation of any equipment installed in the Grant Area and the Land.
- 9.4 **Structures:**
- (a) The Grantee shall at its own cost comply with all written requests by KiwiRail for the removal, alteration (including additions to) or relocation of any structures on the Grant Area, together with making good any damage caused thereby,

owned by either KiwiRail, the Grantee or any other third party where such removal, alteration or relocation is:

- (i) necessary for KiwiRail's use of the Land; or
 - (ii) required in order for the Grantee to comply with clause 9.3.
- (b) If the Grantee fails to carry out any work or make good any damage in accordance with any notice issued by KiwiRail in relation to clause 9.4(a) within the time specified, KiwiRail may at all reasonable times enter the Grant Area and (if applicable) the structures on the Grant Area bringing all necessary equipment and materials and execute all or any of the required work or repairs as KiwiRail shall think fit.
- (c) In addition to KiwiRail's other remedies, KiwiRail shall be entitled to recover from the Grantee all costs of such work or repairs pursuant to clause 9.4(b), including all fees and expenses for inspecting the Grant Area and (if applicable) any structure, the issue of the notice and all sums of money paid on account of any insurance or indemnities or otherwise with respect to such work or repairs, together with interest at the Default Interest Rate as if the same (including interest) were rent in arrears.

9.5 **Compliance with easements:** The Grantee shall perform and observe the obligations of KiwiRail in connection with any easement or 3rd party interest of any kind in the Land for the time being affecting the Grant Area.

9.6 **Access by Grantee:** The Grantee shall only access the Grant Area in the manner pre-approved by KiwiRail with such access being reasonable given the nature of the Purpose for which the Grantee has been granted rights in respect of the Grant Area.

9.7 **Access by KiwiRail:** KiwiRail reserves the right for KiwiRail together with KiwiRail's employees, agents, contractors and invitees to:

- (a) pass and re-pass with or without materials or implements of any kind over the Grant Area for the purpose of carrying out any works or inspections to the railway or the Grant Area;
- (b) erect, construct and maintain advertising hoardings and/or drainage pipes and other works including telecommunications, electric power lines or cables on, over or within the Grant Area together with any necessary supports, and the Grantee will make no claim against KiwiRail on account of any such works; and

KiwiRail will use all reasonable endeavours to ensure that such works do not in KiwiRail's opinion materially adversely inhibit the Grantee's use of the Grant Area pursuant to this Agreement.

9.8 **No Interruption to KiwiRail's Activities:** The Grantee must not do or permit to be done in the Grant Area anything which may become a nuisance, disturbance or obstruction to KiwiRail.

9.9 **Core Lease:** The Grantee will comply with all of KiwiRail's obligations in the Core Lease insofar as they relate to the Grant Area (other than the covenants for payment of rent and other money under the Core Lease) as if all those obligations were set out in this Agreement as obligations on the Grantee.

9.10 **Responsibility for Loss or Damage:** KiwiRail is not responsible for or liable to the Grantee for:

- (a) any loss or damage caused or sustained in any way to the Grant Area or any equipment, fixtures, fittings and chattels installed or located in the Grant Area; and
- (b) the theft or loss of any of the Grantee's equipment, fixtures, fittings or chattels.

10. SPECIFIC PROVISIONS RELATING TO GRANTEE'S WORKS

10.1 **Application:** The following additional provisions in clauses 10.2 to 10.4 shall apply where the Grantee's Works are specified to include such works.

10.2 Above Ground Structures

- (a) **Clearances:** The Grantee shall ensure that the Structure, the approaches thereto and anything connected therewith shall be constructed so as to afford clearances of not less than those approved under the provisions of clause 6.1 hereof.
- (b) **Rubbish Removal:** The Grantee shall ensure that any rubbish deposited or accumulated on the Grant Area or dropped by users as a consequence of the placement of any Structure on the Grant Area is promptly and regularly removed. Should KiwiRail be required to remove any such rubbish, all costs incurred will be paid by the Grantee to KiwiRail upon demand.

10.3 Below Ground Structures

- (a) **Markers:** The Grantee shall erect and maintain to the entire satisfaction of KiwiRail, sufficient markers or signs on the Grant Area to indicate the location and nature of the Structure together with any warning or safe working information.

10.4 Right of Way

The provisions of this clause **Error! Reference source not found.** shall only apply to any grant of right of way which does not include a level crossing.

- (a) **Supporting Infrastructure:** The Grantee will at the cost of the Grantee and to the entire satisfaction of KiwiRail form, metal and seal the right of way including where necessary the installation of any drainage and the forming, kerbing and channelling or footpaths on the Grant Area.
- (b) **Approaches:** The Grantee will at the cost of the Grantee and to the entire satisfaction of KiwiRail, fence, form, metal, seal, reinstate and maintain the approaches to the right of way.
- (c) **Fencing:** The Grantee will fence the right of way at the cost of the Grantee and to the entire satisfaction of KiwiRail.
- (d) **Safety:** If at any time in order to facilitate or assist with the safe usage and operation of the right of way, KiwiRail or any railway personnel acting on KiwiRail's behalf considers it necessary or advisable, KiwiRail may direct the Grantee to move the right of way to another site. The Grantee shall be responsible for all costs associated with the installations and/or the moving of the right of way to another site specified by KiwiRail. If the Grantee fails to comply with its obligations under this clause 10.4(d) within 1 month of receiving notice of such requirement from KiwiRail, KiwiRail may terminate this Agreement in accordance with the provisions of clause 14.2.

11. REPAIR AND MAINTENANCE

- 11.1 **Maintenance:** The Grantee shall be solely responsible for the cost of repairs and maintenance to the Grantee's Works and shall, subject to the provisions of clause 11.2, at all times keep and maintain the Grant Area and the Grantee's Works in and on the Grant Area in good and substantial repair so as to ensure no loss, cost or damage shall be caused to or suffered by KiwiRail as a result of any failure by the Grantee to keep the Grantee's Works in such condition. For the purposes of ensuring the Grantee complies with its repair and maintenance obligations, the Grantee shall be entitled subject to the provisions of clause 11.2 to conduct an engineering inspection of the Grantee's Works, including any Structure in the Grant Area not less frequently than annually and following such inspection(s) being completed will provide the Grantee with a copy of the finalised engineering report once available.
- 11.2 **Access for maintenance and repairs:** Prior to entering the Grant Area for the purposes of carrying out any repairs or maintenance to the Grantee's Works, the Grantee shall first obtain a permit to enter the Grant Area from KiwiRail. Any permit granted by KiwiRail pursuant to this clause 11.2 shall be subject to the provisions of clause 6.5 in relation to supervision.
- 11.3 **KiwiRail may undertake repairs:** KiwiRail may give notice in writing to the Grantee requiring the Grantee within a reasonable time to repair, maintain or clean the Grant Area, in accordance with the Grantee's liability under this Agreement. If the Grantee fails to carry out any work or make good any damage in accordance with any such notice within the time specified, KiwiRail may at all reasonable times enter the Grant Area and (if applicable) the structures on the Grant Area bringing all necessary equipment and materials and execute all or any of the required work or repairs as KiwiRail shall think fit.
- 11.4 **Recovery of Costs:** In addition to KiwiRail's other remedies, KiwiRail shall be entitled to recover from the Grantee all costs of such work or repairs pursuant to clause 11.3, including all fees and expenses for inspecting the Grant Area and (if applicable) any Structure, the issue of the notice and all sums of money paid on account of any insurance or indemnities or otherwise with respect to such work or repairs, together with interest at the Default Interest Rate as if the same (including interest) were rent in arrears.

12. INSURANCE

- 12.1 **Public Risk Insurance:** The Grantee must take out and keep current at all times during the Term of this Agreement a public liability insurance policy in the joint names of KiwiRail and the Grantee for their respective rights and interests. The amount of cover under that policy must not be less than the Minimum Public Risk Cover. The policy must include liability for:
- (a) damage to or destruction of:
 - (i) any Structures erected on the Grant Area; and
 - (ii) all fixtures, fittings, chattels and equipment affixed to, located in or installed in any Structures (including equipment owned by other Grantees of KiwiRail, adjacent to or near the Grant Area); and
 - (b) losses, excluding consequential losses, damages and costs arising directly or indirectly from any one or more of the following:
 - (i) any fire, explosion or other hazard emanating from the Grant Area;

- (ii) the use or operation of the Grant Area; and/or
- (iii) any act or default of the Grantee or of any person for whom the Grantee is responsible.

13. SUITABILITY OF GRANT AREA

- 13.1 **Rail Use:** KiwiRail does not make any warranty or representation, express or implied, that the Grant Area is or will remain suitable or adequate for the Purpose. All warranties as to suitability and adequacy implied by law are expressly excluded to the fullest extent permitted by law. The Grantee acknowledges that trains may pass without warning at any time during the day or night and use of the Grant Area shall be at the sole risk of the Grantee. Where the Purpose specified in this Agreement includes use of the Grant Area as a right of way with or without a level crossing, such risk shall extend to all persons using the Grant Area pursuant to the Grantee's rights under this Agreement. The Grantee acknowledges that KiwiRail may not own or lease the Land and the Grant Area, and that 3rd parties may have an interest in the Land, being, without limitation, an ownership or leasehold interest. KiwiRail makes no warranty or representation that 3rd parties having an interest in the Land (if any) have consented to, or approved of, this Grant. The Grantee will conduct its own investigations in this regard and will obtain all necessary consents, permissions, or approvals to the entry into this Agreement.
- 13.2 **Safety Measures:** KiwiRail is not responsible for providing any safety measures to protect the Grantee's Works including any Structure from water damage, fire, explosion, storm, earthquake, hazard or potential hazard whether coming from inside the Grant Area (including equipment installed in the Grant Area) or from outside.

14. TERMINATION

- 14.1 **Termination by either party:** Either party may terminate this Agreement for any reason whatsoever at any time by giving the other party twelve (12) calendar months' written notice of such termination.
- 14.2 **Termination for breach by Grantee:** If:
- (a) the Grantee fails to pay the Grant Fee or any other money payable under this Agreement to KiwiRail for 10 Working Days after either the due date for payment, or the date of KiwiRail's demand (if there is no due date) and the Grantee has failed to remedy that breach within 10 Working Days;
 - (b) the Grantee fails to perform or observe any of the Grantee's other obligations under this Agreement for a reasonable period of time taking into account the nature of the breach and the process required to remedy such breach;
 - (c) the Grantee assigns or attempts to assign the Grantee's rights under this Agreement, either in whole or part,

then KiwiRail may terminate this Agreement by notice in writing served on the Grantee either immediately or at any later time.

- 14.3 **Termination by KiwiRail – Railways Use:** The Grantee acknowledges that KiwiRail may terminate this Agreement upon 3 months' notice, where the Grant Area is required for railways use.
- 14.4 **No Compensation:** In the event of termination of this Agreement under clauses 14.1, 14.2 or 14.3 from whatsoever cause, no compensation shall be payable to the Grantee.

15. INDEMNITY

15.1 **Indemnity by Grantee:** The Grantee indemnifies KiwiRail, the Minister of Railways and the Government of New Zealand from and against:

- (a) any accident or injury to any person or for damage to any property arising out of or caused or contributed to either directly or indirectly by the use or existence of the Structure or anything connected therewith or by any defect in the construction or maintenance of the Structure.
- (b) all costs (including legal costs) and expenses incurred by KiwiRail in taking action to demand and/or recover any part of the Grant Fee or other money payable by the Grantee under this Agreement; and
- (c) all actions, proceedings, calls, costs (including legal costs), expenses, claims, demands, damages, losses or liabilities of any kind suffered or incurred by KiwiRail as a result of:
 - (i) the act or neglect of the Grantee or of any person for whom the Grantee is responsible relating to the use of the Grant Area (including any Structure forming part of the Grantee's Works on the Grant Area) or the use or operation of any equipment installed in the Grant Area;
 - (ii) the Grantee's breach of, or failure to comply with, the Grantee's obligations under this Agreement;
 - (iii) the Grantee's breach of, or failure to recognise, any 3rd party's interests in the Land; or
 - (iv) damage to the Land or improvements on the Land where the damage causes any 3rd party having an interest in the Land or improvements thereon to suffer a loss.

15.2 **Payment by Grantee:** The Grantee must pay on demand all amounts owing to KiwiRail as a result of the indemnity contained in clause 15.1, together with interest on those amounts at the Default Interest Rate calculated on a daily basis from the date KiwiRail incurs that liability until the Grantee pays the relevant amount.

16. LIABILITY FOR BREACH

16.1 **Grantee's Liability:** Without limiting the scope of the indemnity provisions in clauses 6.3 and 15.2, the Grantee shall at all times be liable to KiwiRail, the Minister of Railways and the Government of New Zealand for or in respect of:

- (a) any accident or injury to any person or for damage to any property arising out of or caused or contributed to either directly or indirectly by the use or existence of the Structure or anything connected therewith or by any defect in the construction or maintenance of the Structure.
- (b) all costs (including legal costs) and expenses incurred by KiwiRail in taking action to demand and/or recover any part of the Grant Fee or other money payable by the Grantee under this Agreement; and
- (c) all actions, proceedings, calls, costs (including legal costs), expenses, claims, demands, damages, losses or liabilities of any kind suffered or incurred by KiwiRail as a result of:

- (i) the act or neglect of the Grantee or of any person for whom the Grantee is responsible relating to the use of the Grant Area (including any Structure forming part of the Grantee's Works on the Grant Area) or the use or operation of any equipment installed in the Grant Area;
- (ii) the Grantee's breach of, or failure to comply with, the Grantee's obligations under this Agreement;
- (iii) the Grantee's breach of, or failure to recognise, any 3rd party's interests in the land; or
- (iv) damage to the Land or improvements on the Land where the damage causes any 3rd party having an interest in the Land or improvements thereon to suffer a loss.

16.2 **Grantee's Indemnity if Applicable:** Further and without derogating from the Grantee's liability under clause 15.1, the Grantee indemnifies KiwiRail, the Minister of Railways and the Government of New Zealand to the fullest extent permitted under the laws of New Zealand in respect of all events, matters, costs (including legal costs), expenses, actions, proceedings, claims, demands, damages, losses or liabilities of any kind that arise under clause 15.1.

16.3 **Payment by Grantee:** The Grantee must pay on demand all amounts owing to KiwiRail as a result of the Grantee's liabilities contained in clauses 15.1 and 15.2, together with interest on those amounts at the Default Interest Rate calculated on a daily basis from the date KiwiRail incurs that liability until the Grantee pays the relevant amount.

17. REMOVAL OF GRANTEE'S WORKS ON EXPIRY OR TERMINATION

17.1 **Removal on Expiry or Termination:** The Grantee must remove all the Grantee's Works and the Grantee's Property (including any Structures forming part of the Grantee's Works and any other alterations or additions made to the Grant Area pursuant to clause 6), and repair any damage caused by that removal within 10 Working Days of the expiry of the Term or termination of this Agreement.

17.2 **Failure to Comply:** If the Grantee fails to comply with clause 17.1 KiwiRail may remove the Grantee's Works (including Structures forming part of the Grantee's Works and any other alterations or additions made to the Grant Area pursuant to clause 6), the Grantee's Property and repair any damage caused by that removal and the Grantee must pay to KiwiRail on demand all costs incurred by KiwiRail in doing so.

17.3 **Removal by Grantee:** Notwithstanding the provisions of clause 17.2, KiwiRail may choose not to remove the Grantee's Works and the Grantee's Property, and then the Grantee's Works and the Grantee's Property will become KiwiRail's property and KiwiRail will not have to pay compensation for the Grantee's Works or the Grantee's Property to the Grantee.

18. COSTS

18.1 **Costs:** The Grantee must pay to KiwiRail on demand all reasonable costs (including legal costs), charges and other expenses which KiwiRail may incur or for which KiwiRail may become liable relating to:

- (a) **Preparation of Agreement:** the negotiation, preparation and execution of this Agreement and of any variation of this Agreement;

- (b) **Grantee Fee Review:** any documents evidencing a review of the Grant Fee;
- (c) **Renewal of Term:** any documents evidencing a renewal or extension of the Term;
- (d) **Remedying Breach:** KiwiRail remedying the Grantee's breach of any term of this Agreement;
- (e) **Exercise of Powers:** KiwiRail's exercise or attempted exercise or enforcement of any power, right or remedy conferred on KiwiRail by this Agreement; and
- (f) **Proposals:** the consideration and approval (if given) of any proposals made to KiwiRail by the Grantee in respect of any matter contemplated by this Agreement (including costs incurred in employing consultants).

19. RESOLUTION OF DISPUTES

19.1 **Disputes:** If any dispute, difference or question arises between the parties about:

- (a) the interpretation of this Agreement;
- (b) anything contained in or arising out of this Agreement;
- (c) the rights, liabilities or duties of KiwiRail or the Grantee; or
- (d) anything else relating to the relationship of KiwiRail and the Grantee under this Agreement (including claims in tort as well as in contract);

the parties may refer that matter to informal mediation, if both parties agree, having regard to the nature of the dispute or difference between them and the potential delays and costs which might arise if that matter is referred to arbitration.

19.2 **Appointment of Mediator:** The parties must try to agree on the mediator, who must be a senior solicitor or barrister practising in the district in which the Land is situated. If they cannot agree, the president or any vice-president for the time being of the district law society for the place where the Land is situated (or his or her nominee) will nominate the mediator on either party's application. The mediator's decision will be final and binding on both parties.

19.3 **Arbitration:** If the parties do not agree to refer the dispute, difference or question to mediation under clause 19.1 within 10 Working Days of that dispute, difference or question arising, then it will be referred to the arbitration of a single arbitrator under the Arbitration Act 1996.

19.4 **Arbitrator:** The parties must try to agree on the arbitrator. If they cannot agree, the president or any vice-president for the time being of the district law society for the place where the Land is situated (or his or her nominee) will nominate the arbitrator on either party's application.

19.5 **Action at Law:** The parties must go to arbitration under this section before they can begin any action at law (other than an application for injunctive relief or debt collection).

20. NOTICES

20.1 **Service of Notices:** Any notice to be given by KiwiRail under this Agreement shall be sufficient if the notice is signed in accordance with clause 20.2 and shall be validly given

if sent by letter or facsimile addressed to the Grantee at the Grantee's last known residential or business address.

20.2 **Signature of Notices:** Any notice or document to be delivered or served under this Agreement must be in writing and may be signed by:

- (a) the party giving or serving the notice;
- (b) any attorney, officer, employee or solicitor for the party serving or giving the notice; or
- (c) the solicitor or any director, officer, employee or any other person authorised by that party to give or serve the notice.

20.3 **Time of Service:** Any notice or other document will be treated as delivered or served and received by the other party:

- (a) on personal delivery;
- (b) three Working Days after being posted by prepaid registered post to the addressee's last known residential or business address in New Zealand; or
- (c) on completion of an error free transmission, when sent by facsimile.

21. FIBRE OPTIC CABLE

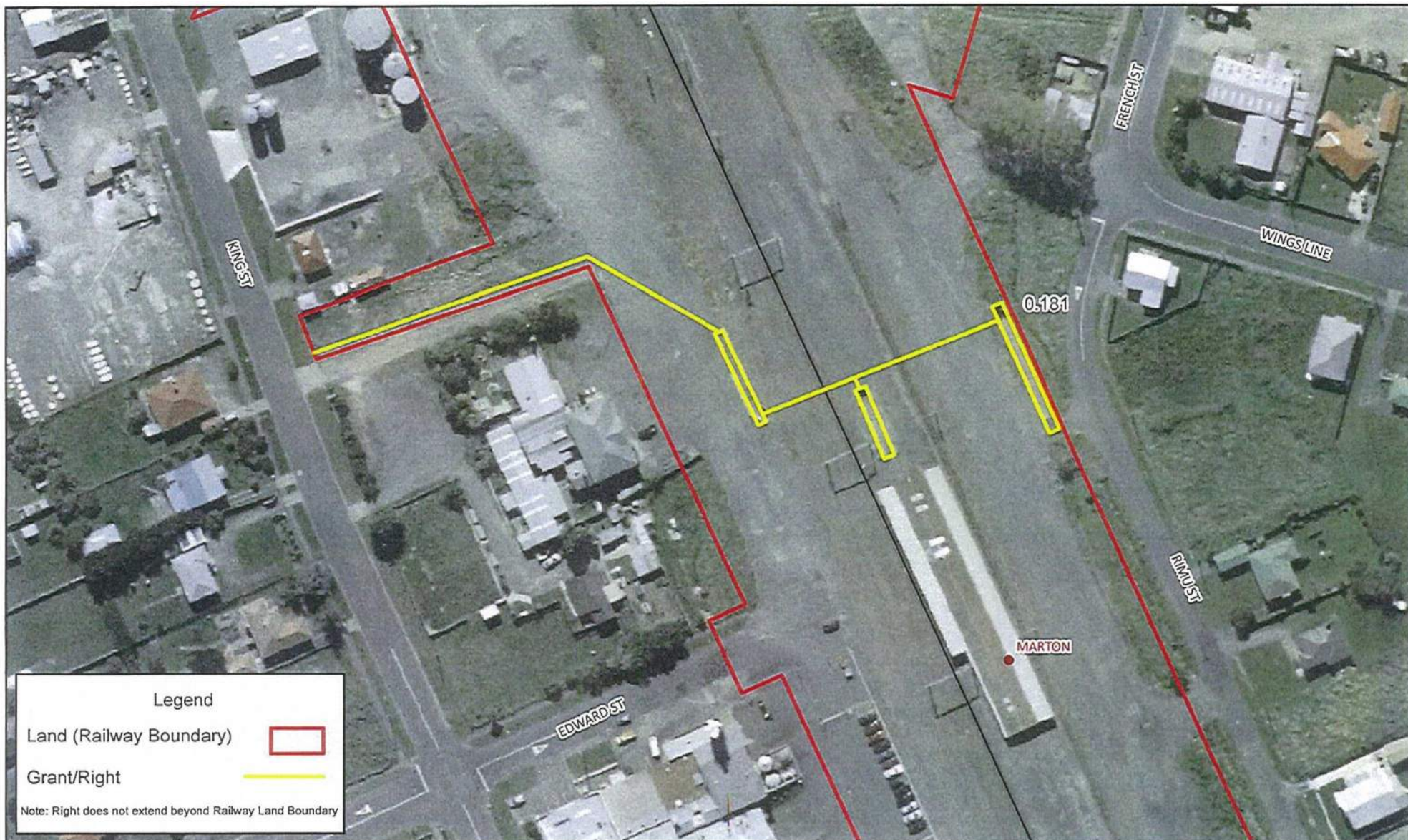
21.1 **Cable located on Land:** Vodafone New Zealand Limited ("**Vodafone**") and KiwiRail have certain ownership, access and other rights in respect of a fibre optic system ("**System**") located on the Land by virtue of an agreement dated 28 September 1990 ("**Fibre Optic Cable Agreement**"). Where future extensions to the System are constructed on or under the Land, Vodafone's and KiwiRail's rights under the Fibre Optic Cable Agreement shall take precedence over the Grantee's rights under this Agreement to the extent of any conflict, and the Grantee acknowledges that this Agreement shall be subordinate to, and shall not derogate from, those rights.

21.2 **Grantee's covenants in respect of the cable:** The Grantee covenants and agrees:

- (a) not to interfere with or disturb the System;
- (b) not to do anything which might cause increased maintenance or operating expenses of the System, or reduce the System's efficacy;
- (c) to indemnify Vodafone and KiwiRail for any liability, claim, damage or loss arising out of installation maintenance or use by the Grantee of its facilities or interference with the use, operation or maintenance of the System or failure to comply with this clause of the Agreement;
- (d) to reimburse Vodafone and KiwiRail for the costs of any relocation which Vodafone or KiwiRail carries out to meet the Grantee's requirements;
- (e) that either Vodafone or KiwiRail shall be entitled to seek injunctive relief restraining any actual or threatened breach of this Agreement by the Grantee causing interference with or disturbance to the System; and
- (f) that for the purpose of the Contracts (Privity) Act 1982, Vodafone and KiwiRail are each designated to benefit under this Agreement in respect of their respective rights under the Fibre Optic Cable Agreement.

- 21.3 **Limitation of access:** In respect of the two metre strip centred on the fibre optic cable of the System, the Grantee shall have no right of entry (except for normal use in passing over the strip (without obstructing it)) or excavation or subterranean activities, without notifying and obtaining the prior written consent of KiwiRail and Vodafone.

SCHEDULE 3
PLAN OF GRANT AREA



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G89930/1 Accessway at Marton

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This data is made available in good faith but its accuracy or completeness is not guaranteed

Appendix 4

Mokai Road - Inland Road

Print Date: Wednesday, 11 March 2015
Print Time: 7:50:06 a.m.



Scale: 1:6585
Original Sheet Size A4

Projection: NZGD2000 / New Zealand Transverse Mercator 2000
Bounds: 5601281.84478249, 1854172.79702598
5599911.69967405, 1856510.92266846

Digital map data sourced from Land Information New Zealand. CROWN COPYRIGHT RESERVED.
The information displayed in the GIS has been taken from Rangitikei District Council's databases and maps.
It is made available in good faith but its accuracy or completeness is not guaranteed.
If the information is relied on in support of a resource consent it should be verified independently.

Appendix 5

INLAND ROAD

Points of agreement in discussion 23 February 2015¹

1. The only viable route for carting the logs out of the Te Rangi Pai Forest block is via the section of Inland Road which connects to Omatane North Road. The bluff at the other end of Inland Road connecting to Mokai Road is too difficult to realign.
2. The need to preserve access to the Conservation forestry block means that it is not possible for Council to close the road and sell it to Te Rangi Pai Forest. Walking access to the block will continue to be available; vehicular access through prior permission from the adjoining landowner.
3. Council will continue to maintain that portion of Inland Road from Omatane North Road to the first gate on Inland Road.
4. Te Rangi Pai Forest will upgrade the unformed clay road for approximately 1 km from the gate.
5. Council will provide engineering advice to Te Rangi Pai Forest on the upgrade necessary to handle logging trucks. It will be designed for summer use – there is no intention for logging trucks to operate during winter.
6. Council is willing to negotiate with Te Rangi Pai Forest on:
 - the provision of culverts,
 - provision of dust control near the three houses along the road, and
 - access to Council's metal pits.
7. Te Rangi Pai Forest intends to build a private access road from Inland Road to the forestry block by purchasing 10 acres from the neighbour. This will amount to a subdivision and it will require a resource consent (as this not an area containing class 1 or 2 soils the subdivision would be treated as a restricted discretionary activity). An alternative to that would be to upgrade the full length of Inland Road between the Omatane gate and the Te Rangi Pai Forest block Mokai boundary gate.
8. Council will waive the internal resource consent costs to deal with the subdivision of the 10 acre strip (if the owner agrees to sell).
9. The two existing locked gates (at either end of the currently unformed section of Inland Road) will remain. This continues the decision made by the Rangitikei County Council in 1974 (R/4/1/163). Council's current policy is that it may require signs to be placed close by to make explicit the right of public access.

¹ Final sentence of paragraph 7 added subsequently, following discussion with Matthew Thomas

10. Council will confirm with the Department of Conservation that it is willing to be a signatory to a memorandum of understanding between Council and Te Rangi Pai Forest incorporating the above points.

In addition

- Council will provide large scale maps of the area.
- Council will confirm the loading capability of the bridges on Inland Road and Omatane North Road are sufficient for logging trucks

Note

The operative Rangitikei District Plan does not limit the extent of earthworks in the rural zone. However, the earthworks associated with the upgrade of Inland Road and the construction of the proposed new private road also needs to comply with the Horizons One Plan. If less than 2,500 m³ per year, the slope is less than 20 degrees and five standards* are met, it is a permitted activity and no consent will be necessary. Larger earth movements may require resource consent and an Erosion and Sediment Control Plan.

*See accompanying leaflet

Appendix 6

Section 104C of the Resource Management Act 1991
Report on a limited notified resource consent application

IN THE MATTER of an application for
resource consent pursuant
to Section 88 of the
Resource Management
Act 1991.

BETWEEN Mr DH Dickie and Ms MC
Jacobsen

Applicant

AND Rangitikei District Council

Consent Authority

CONSENT RM 150009

RESOURCE MANAGEMENT ACT 1991

LAND USE CONSENT RM150009

- 1.1 **For:** The Rangitikei District Council
- 1.2 **Report:** Compiled by Katrina Gray, Policy Analyst/Planner
- 1.3 **File:** RM150009
- 1.4 **Proposal:** To construct a dwelling within the 100 metre dwelling separation and 20 metre setback rules.
- 1.5 **Location:** Brandon Hall Road, Bulls
- 1.6 **Legal Description:** Lot 2 DP 354753 (CFR 223347)
- 1.7 **Valuation Number:** 1350021201

Planning Framework

- 1.8 **District Plan** This application was assessed against the operative Rangitikei District Plan (as of 3 October 2013).
- 1.9 **Zone** Rural (Planning Map 4)
- 1.10 **Special Notations** Natural Hazard Area 1 (Ground Shaking and Liquefaction)

2 Introduction

- 2.1 An application was received by Council on 2 March 2015 to construct a dwelling which breaches the dwelling separation and building setback requirements. Two site visits were undertaken, on 2 March and 20 April 2015, by Katrina Gray, Policy Analyst/Planner, and Johan Cullis, Environmental and Regulatory Services Team Leader.

- 2.2 In this report I provide the following:

- A description of the proposal.
- A description of the site and surrounding area.
- An overview of the history of the site.
- An assessment of the application against the rules in the District Plan.
- A description of the notification decision, affected parties and submission.
- An assessment of the statutory considerations under section 104 and Part 2 of the Resource Management Act 1991.
- A recommendation, including conditions.

3 Proposal

- 3.1 The applicant proposes to construct a new dwelling on the western portion of the subject site at Brandon Hall Road. The proposed dwelling will be located approximately 35 metres from the nearest dwelling (located at 211 Brandon Hall Road). It will also be approximately 13 metres from the western boundary and 17 metres from the southern boundary (see Figure 1 below).
- 3.2 A copy of the application is included as [Appendix 1](#).



Figure 1. Proposed building platform.

4 Site and Surrounding Area

- 4.1 The property, contained in Certificate of Title 223347, being Lot 2 DP 354753, has an area of 1.351 hectares, the proprietor being David Hain Dickie (1/2 share) and Maureen Collette Jacobsen (1/2 share).
- 4.2 The site is zoned Rural and is accessed via Brandon Hall Road. It contains an existing shed and cattle yards (see Figure 2).
- 4.3 The site is elevated to the west, where the building platform is proposed, then lowers to the east to below road level (Figure 2, 3 and 4). There are several young trees which have been planted on the lower portion of the site. This area has been fenced into smaller paddocks. There is a row of mature trees on the west of the site along the boundary with the adjoining property. These trees are approximately 6 metres high.
- 4.4 The surrounding environment is mainly rural, containing dwellings associated with rural uses. There is a dwelling on a small site to the west, a forestry block to the south and east and paddocks to the north on the opposite side of Brandon Hall Road.

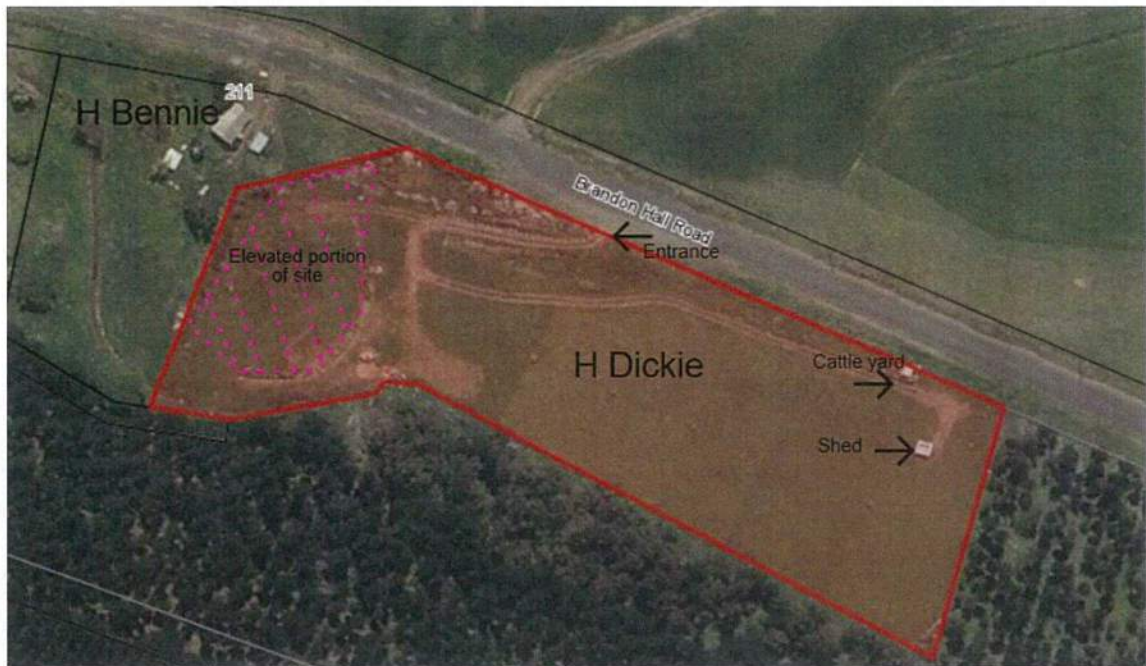


Figure 2. Aerial view of the site



Figure 3. View of the proposed building platform looking south-west from the existing entrance.



Figure 4. View of the site looking east from the proposed building platform.

5 History of the Site

- 5.1 The subject site, Lot 2 DP 354753 was subdivided in 2005 through subdivision consent application RM050004. The subdivision split Ms Bennie's property into two lots, so that Mr Dickie could purchase Lot 2 (the subject site). Her dwelling was existing at this time (this is the dwelling affected by this consent application).
- 5.2 Information in this consent application showed that the proposed dwelling for Lot 2 (Mr Dickie's lot) would be located on the western portion of the site, at the same proposed site as the current consent application. At the time the proposed building platform breached the rule in the District Plan which required a 200 metre dwelling separation distance.
- 5.3 At this time land use consent was not required because the written approval was submitted from Ms Bennie (the affected property owner) authorising the construction of a dwelling within 200 metres of her dwelling¹.
- 5.4 The titles for the subdivision were issued in August 2005. A further written approval, signed by Ms Bennie, was submitted to Council in 2006. It was more specific and agreed to the construction of a new dwelling for Mr Dickie 35 metres from her dwelling.

¹ Note that this provision has now changed. Resource consent is required regardless of whether the neighbour approval has been given.

- 5.5 In 2010 Mr Dickie sought advice from the Rangitikei District Council regarding whether he was still entitled to construct a dwelling at the intended location. On behalf of the Council, Ms Norswood responded stating *"the written approval given by Ms Bennie is valid until a dwelling is constructed on the site"*.
- 5.6 I am of the understanding that Ms Bennie explicitly revoked her approval for the construction of the proposed dwelling and that, although there was no specific documentation, this fact was accepted by all parties in 2012².
- 5.7 Therefore, Council advised Mr Dickie that land use consent was required to construct a dwelling at the proposed location (breaching the now 100 metre separation requirement). The current consent application considers this matter.

6 Relevant Rules/Status of Application

- 6.1 Under Schedule B7 Residential activities are permitted, so long as they comply with the Permitted Activity Standards. An assessment of the application against these standards is provided in Table 1 below.

Table 1. Assessment against the relevant Permitted Activity Standards.

B7.1 Building Setbacks	B7.1-1 All buildings, except those used for intensive farming, must not be located any closer than: a) 20 metres from any side or rear boundary; b) 5 metres from any road boundary; c) 10 metres from a boundary with an existing state highway.	Does not comply The proposed dwelling will be located 13 metres from the western boundary and 17 metres from the southern boundary.
B7.2 Maximum Number of Dwellings Per Site	B7.2-1 The number of dwellings must not exceed a maximum of two dwellings per site.	Complies There are no existing dwellings on the site, the proposed dwelling will be the first on the site.
B7.4 Dwelling Separation	B7.4-1 New dwellings must not be located closer than 100 metres from any existing dwelling.	Does not comply The proposed dwelling will be located approximately 35 metres from an existing dwelling on the site to the west of the site.
B7.7 Setback from Rivers, Lakes, Wetlands, and the Coast	B7.7-1 Buildings or structures must not be constructed within: a) 15 metres of a river, lake edge or wetland; b) 350 metres of a mean high water springs along the coast.	Complies There are no rivers, lakes or wetlands in the surrounding area.

² Her approval has been withdrawn in writing through this consent process.

- 6.2 The proposed subdivision does not comply with all of the Permitted Activity Standards, therefore, it is considered as **Restricted Discretionary**.

7 Written approval, notification and submission

- 7.1 The properties affected by the dwelling separation and boundary setback breaches were considered to be affected parties in relation to this proposal (see Table 2 below). There were a number of letters included by the applicant in support of the proposal. It is considered that the majority of these are not relevant to the application because these parties are not affected by any rule breaches.

Table 2. Affected parties.

Owner	Location	Rules breached	Affected party approval provided
Heather Bennie	211 Brandon Hall Road	100 metre dwelling separation 20 metre setback	No
Ausskok Holdings Limited – Director Francis Robert Twiss	Lot 1 DP 474514 (CFR 651667).	20 metre setback	Yes

- 7.2 Heather Bennie is affected by the rule breaches and did not provide her affected party approval, therefore she was notified of the application on 16 March 2015. The notification decision report is enclosed as [Appendix 2](#).
- 7.3 Ms Bennie submitted in opposition to the proposal on 7 April 2015, stating on the submission form she did not wish to speak in support of her submission at a hearing. Therefore, a hearing is not required. Her submission is shown as [Appendix 3](#).
- 7.4 Her submission is summarised in the bullet points below:
- There are alternative building platforms on the site.
 - Concerned about the earthworks required as part of the construction process.
 - Will affect her lifestyle and her privacy during her retirement.
 - Asked that Council decline the application.
 - If approved, would like a time restraint on when builders can be on the site to Monday – Friday between the hours of 9am-5pm

7.5 Council's Assets and Roading departments were consulted regarding the proposed subdivision. They commented the following:

- That the vehicle crossing must meet the required standard.
- The proposed entrance does not meet the required sightlines.
- Effluent disposal will be considered as part of the building consent process.

7.6 The vehicle access for the proposal was considered as part of the 2005 subdivision. The entrance at the existing location was approved, even though the sightlines could not be met. It was considered to be the most appropriate location for the vehicle entrance when considering the topography of the site.

8 Consideration of Application

8.1 This application is considered under section 104 of the Resource Management Act 1991. The relevant section is given in [Appendix 4](#).

Environmental Effects

Privacy

8.2 A reduction in privacy is an issue mentioned by the submitter. I consider that locating a dwelling 35 metres from an existing dwelling has the potential to adversely affect privacy values for both parties. The proposed dwelling will be visible from parts of the submitter's property (see Figure 5). However, it will not be visible from the dwelling due to the existing screen planting, provided the proposed dwelling is a single storey building (see Figure 6).

8.3 I consider the existing trees on the applicant's site and the proposed condition to restrict the dwelling to a single storey structure mitigate the potential effects associated with a loss of privacy on the submitter's property. The trees provide adequate visual screening so that the applicant is not able to view the submitter's property, with the exception of a gap in the trees which is visible from the applicant's driveway (see Figure 7). In addition, the submitter will only be able to view the applicant's proposed dwelling from the area where there is a gap in the screen planting. I consider that the effects of this gap can be mitigated by a condition on the consent requiring this gap to be planted.

8.4 It is also important that these trees are maintained over the long term to ensure ongoing privacy for both dwellings. The longevity and maintenance of the trees is addressed as a condition of consent to ensure that privacy is maintained into the future.



Figure 5. View of the proposed building platform from the submitter's property.



Figure 6. View towards the proposed building platform from the submitter's property (near to the dwelling).



Figure 7. Screening between the properties. Taken from the applicant's site.

Noise

- 8.5 Locating a dwelling 35 metres from another, rather than 100 metres has the potential to increase the noise effects on both dwellings. It is noted that in Ms Bennie's submission the issue of the proposed dwelling affecting her lifestyle was raised. Conversations, music and animal noises from pets will be more audible the closer dwellings are located to each other. These are effects which I consider have the potential to affect the submitter's lifestyle.

- 8.6 I consider that there is a permitted base line with regard to noise. Section 104(2) states that a consent authority “*may disregard an adverse effect of an activity if the plan permits an activity with that effect*”. The District Plan has noise limits which would need to be complied with and could potentially provide a permitted baseline for noise. However, I consider that part of the intent of requiring a 100 metre separation distance between dwellings in the Rural Zone is to ensure that noise effects associated with dwellings (conversations, music, domestic animals) are significantly minimised.
- 8.7 I consider that the screen planting will help to reduce the noise effects; however, noise reduction is more effective when there is more than one barrier. Therefore, to mitigate this effect, a condition of consent requires that either; the main living areas (both indoor and outdoor) are oriented to the south or east of the property; or an acoustic fence is installed on the submitter’s site (in accordance with the recommendations of a suitably qualified expert) to ensure noise travelling to the submitter’s site is minimal. I consider that this requirement will ensure there are multiple noise barriers between the main noise generating activities on the applicant’s site and the submitter site.

Alternative Sites

- 8.8 It is noted that submitter has argued that there are possible alternative sites for the proposed dwelling. Figure 8 below shows the 100 metre dwelling separation distance requirement (approximately).



Figure 8. Intramaps image showing 100 metres from the submitter’s dwelling

- 8.9 Meeting the 100 metre separation rule, would require the applicant to construct the dwelling on the eastern portion of the site. It is also noted that the applicant has argued that the land available outside of the 100 metre separation requirement is low lying, sitting below road level, and does not have an as desirable rural outlook.
- 8.10 The view from the proposed building platform is shown in Figure 9 below, while the view from the eastern portion of the site (further than 100 metres from Ms Bennie's dwelling) is shown as Figure 10.
- 8.11 I consider that there would be a loss of amenity due to the loss of rural views if the proposed dwelling was to be located on the lower portion of the site.
- 8.12 In addition, the lower portion of the site is much flatter, and more suited to primary production activities than the western portion of the site.
- 8.13 Overall, I consider that although there are alternative sites on the property, the most logical site for the proposed dwelling, is the proposed site on the elevated western portion of the property.



Figure 9. Views from the proposed building platform



Figure 10. Views from a building platform which can meet the 100 metre separation requirement.

Earthworks

- 8.14 The submitter expressed concern that a significant amount of earthworks would be required to raise the building platform behind the retaining wall. The submitter considered that these works could change the aesthetics of the site. The view of the area behind the retaining wall which might need to be filled in is shown in Figure 11.



Figure 11. View of existing retaining wall where earthworks might be required

- 8.15 I consider that the scale of earthworks potentially required is not significant when considering the surrounding environment. The earthworks will simply increase the area of the site which is raised. The District Plan has no maximum volume of earthworks or maximum change in vertical height in the Rural Zone³.

³ Horizons Regional Council may have requirements.

Timing of building work

- 8.16 The submitter also requested that if the consent was to be granted, that the building work be restricted to the hours of 9am to 5pm, Monday to Friday. I do not consider that this is an issue within the scope of the consent. If the issue the submitter is concerned about is noise, the construction work will need to comply with the noise requirements in the District Plan under Rule B1.7-6.

Rural Amenity

- 8.17 The Rural Zone is often characterised by open space, low density development and large lot sizes. The affect on their lifestyle is an issue raise by the submitter. The applicant and submitter both have lots which could be considered small for a rural property (applicant - 1.352 hectares: submitter - 0.467 hectares). The result of these small lot sizes is that dwellings are likely to be constructed closer to each other than in a different rural setting.
- 8.18 Based on both site visits, I consider that the rural amenity values for the submitter can be maintained due to the existing screen planting and proposed consent conditions relating to noise. Neither dwelling has a clear line of site to the other dwelling. In addition, it could be assumed that the proposed dwelling would be constructed to maximise the views, with the main living areas facing north-east away from the submitter's property.
- 8.19 I consider that the amenity values of the applicant could be compromised if the dwelling was required to be constructed on the lower portion of the site (where there are no rural views).
- 8.20 Overall, I consider that the amenity values of the area are not likely to be adversely affected as a result of the proposed dwelling.

Restricted Discretionary Considerations

- 8.21 As a restricted discretionary activity, the effects which can be considered are limited. The relevant factor is outlined and discussed below.

The effect of the particular non-compliance on the environment, including the cumulative or combined effect of non-compliances.

- 8.22 Based on the discussion above I consider the effect of the non-compliance will be minor. Rural amenity values will be retained and the potential negative effects on privacy can be mitigated due to the existing screen planting. Effects on privacy can be mitigated into the future with an appropriate condition on the consent. Although it is desirable to separate dwellings in the Rural Zone, I consider that the proposed building platform is appropriate given the topography of the site.

National Environmental Standard

- 8.23 The National Environmental Standard (NES) for Assessing and Managing Contaminants in Soil came into effect 1 January 2012. The activity involves soil disturbance, which is covered by the NES when it occurs on a piece of land that a HAIL activity is being or has been undertaken on it.
- 8.24 For this application it is considered that the piece of land where the dwelling is proposed has not had a HAIL activity undertaken on it, therefore the NES does not apply.

Objectives and Policies

- 8.25 The District Plan contains a number of objectives and policies which are relevant in the consideration of this application. The relevant objectives and policies are discussed in Table 3 below.

Table 3. Analysis against relevant objectives and policies.

A2 NATURAL ENVIRONMENT	
<u>Rural Amenity</u>	
Objective 6 Maintain the largely primary production qualities of the Rural Zone and manage land use so that character and amenity values are not compromised.	I consider that this objective can be met. The majority of the site will be used for primary production activities. The applicant has stated that by living on site they will be able to better manage stock. The dwelling is not likely to adversely affect the character or amenity of the area. The screening between the two properties ensures privacy is retained. It is expected in the Rural Zone that dwellings are associated with rural land uses.
Policy A2.1-1 Avoid, remedy or mitigate any adverse effects of shading of land, public roads or buildings caused by shelterbelts, plantations or buildings on adjacent properties.	I consider that there is potential for the screen planting to create shading effects on the neighbouring property. This issue can be mitigated as a condition of consent requiring the applicant to maintain the trees so that they are no taller than 4 metres from ground level.
Policy A2.1-4 Preserve the largely open space and unbuilt nature of the rural environment, and maintain the distinctive cultural landscapes associated with the predominance of primary production.	I consider that this policy can be met. The location of the proposed dwelling ensures that the open space nature of the surrounding environment remains. The applicant is permitted to have a dwelling on the site and the location on the highest point of the site ensures that the flat portion of the site can be used effectively for primary production activities.

<u>Rural Zone</u>	
Objective 8 Sustainable management of the versatile soils of the District to ensure their ongoing productive capacity.	I consider that this objective can be met. The applicant is using their site for primary production activities. The proposed dwelling will enable greater oversight of these activities.
Policy 2-2.3 Provide a Rural Zone for most of the District that: a) Maintains the predominant primary production nature of the District. b) Avoids residential and rural residential development disassociated from primary production. c) Maintains the open space and protects outstanding natural features and landscapes which are distinctive to the District.	I consider that this policy can be met. A dwelling is consistent with the rural environment, the dwelling will be associated with small scale primary production activities and the open space nature of the surrounding environment will be retained.

9 Part 2 of the Resource Management Act 1991

- 9.1 When considering an application for resource consent, an assessment of the proposal is to be made subject to the matters outlined in Part 2 of the Resource Management Act 1991. This includes the ability of the proposal to meet the purpose of the Act, which is to promote the sustainable management of natural and physical resources. Furthermore, the matters of national importance in section 6 must be recognised and provided for, and particular regard must be had to the matters listed in section 7. The Sections of particular relevance are given as Appendix 5.
- 9.2 In relation to section 5, I consider that the proposed dwelling can ensure that the needs of future generations are met. The proposed dwelling allows the residential activity to occur with the small scale primary production activities on the site. I consider the building platform is the logical location of the dwelling on the site to maximise the views and allow for efficient use of the flat portion of the site for primary production activities. I consider that there is the potential for the proposed dwelling to adversely affect privacy of the submitter, and thus amenity values. However, I consider these effects can be mitigated by the screen planting.

- 9.3 In relation to section 6, I consider there are no relevant matters of national importance.
- 9.4 In relation to section 7, I consider that the proposed dwelling can provide for the efficient use and development of the natural and physical resources. The proposed building platform uses the site efficiently. The flat land to the east of the site provides for primary productive uses, while the raised portion of the site to the west provides for residential use. I consider the proposed dwelling is not likely to have significant adverse effects on amenity values or the quality of the surrounding environment.
- 9.5 Overall, when considering the proposal and the level of effects that are likely to result from the proposed dwelling, I consider that the proposal is consistent with the purpose of sustainable management, outlined in section 5 of the Act.

10 Recommendation

- 10.1 Section 104C of the Act stipulates that Council may grant or refuse an application for a restricted discretionary activity, and if it grants the application, it may do so with or without conditions attached.
- 10.2 It is recommended that this application, to construct a dwelling which breaches the dwelling separation and building setback rules, on Lot 2 DP 354753 (CFR 223347), at Brandon Hall Road, be **granted**, pursuant to Sections 104 and 104C of the Resource Management Act 1991 and in accordance with Section 108 subject to the following conditions:
- (A) That the activity be in general accordance with the application submitted to the Rangitikei District Council, stamped 'APPROVED XX May 2015'.
 - (B) Charges set in accordance with Section 36(1)(c) of the Resource Management Act 1991 shall be paid to the consent authority for the carrying out of its functions in relation to the administration, monitoring and supervision of this resource consent and for the carrying out of its functions under Section 35 of the Act.
 - (C) The consent holder must submit a Planting Management Strategy prepared by a suitably qualified person to Council for approval before any construction work at the site commences.

The planting management strategy should include the following:

- Management techniques to ensure the trees grow no higher than 4 metres (Note: the existing planting may need to be trimmed to meet this requirement).

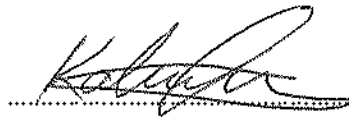
- Management techniques to ensure that the screening trees do not grow over the boundary with 211 Brandon Hall Road.
 - How the trees will be managed to ensure they retain adequate screening so that they cannot be seen through.
 - How the gap in the screen planting will be addressed including; the type of trees to be planted to fill the gap and the timeline for planting.
 - The process the consent holder will undertake if any of the screen planting trees are killed or die naturally.
- (D) That the vehicle entrance and access is upgraded to meet the requirements of the operative Rangitikei District Plan at the building consent stage, but no later than one month after completion of the dwelling.
- (E) That the dwelling is a maximum of one storey high (a maximum of 5 metres at the highest point of the dwelling).
- (F) Either:
- The main living areas (both indoor and outdoor) are oriented to the east or south, OR,
 - An acoustic fence is constructed on the applicant's property in accordance with the recommendations of a qualified expert and approved by Council. Note: the purpose of the acoustic fence is to stop noise travelling from the consent holder's property to the property at 211 Brandon Hall Road.

Advice Notes

- 1) Pursuant to section 125 of the Resource Management Act 1991 this consent will lapse on the expiry of 5 years after the date of commencement of the consent, unless:
 - a. The consent is given effect to, or;
 - b. An application for an extension of time is made before the consent lapses.

11 Reasons For The Recommendation

- 11.1 It is considered the proposed land use is appropriate given the site topography and surrounding environment. The dwelling was proposed at the same location at the time of subdivision and screen planting has been established to ensure privacy for both dwellings is retained.
- 11.2 Although alternative site on the property are possible, I consider that the proposed site is the most viable to ensure efficiency of the primary production activities on the site and provide for rural amenity.
- 11.3 The discussion above shows that the proposed subdivision is consistent with the objectives and policies of the district plan, and can address the restricted discretionary consideration and Part 2 of the Act.
- 11.4 Conditions imposed on the granting of the consent will ensure that the activity will not give rise to significant adverse effects.



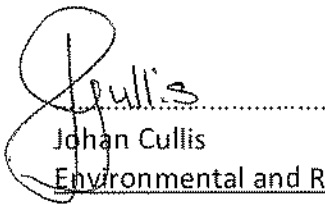
Katrina Gray

Policy Analyst/Planner

23 April 2015

For the Rangitikei District Council

Peer Reviewed:



Johan Cullis

Environmental and Regulatory Services Team Leader

23 April 2015

Appendix 1
Resource Consent Application

	RECEIVED 07 MAR 2015	Ref: R-Form 9a	
		Version: 2.1	
		Issued: 1 July 2014	
		To: Rangitikei District Council Environmental & Regulatory Department 46 High Street, Private Bag 1102 Marton 4741 Phone: (0800) 422 522	



PLEASE READ

- Upon lodging application with Council, a DEPOSIT and/or BOND is required
- Full cost of the Resource Consent (RC) will be provided once the application is Granted, Cancelled or Declined
- Under the Privacy Act 1993, you have the right to see and correct any personal information the Council holds about you
- Additional charges over and above the deposit paid may accrue during processing of a Resource Consent application. These charges will be invoiced in accordance with the Schedule of Resource Management Charges and must be paid by the applicant.

OFFICE USE ONLY	
Valuation Number:	1350021201
RC Reference Number:	
Date Application Received:	2-3-15

SECTION 1

APPLICANT

Name of Applicant (s): (eg Mr, Mrs, Miss, Ms)

Mr David Hain Dickie
 M's Maureen Collette Jacobsen

Contact person(s):

Mailing address: 492 Wellington Road.

MARTON

Postcode: 4710

Street address/Registered office:

Postcode:

Applicant (s) contact details:

Landline: 063276905

Mobile: 0279577998

Daytime:

After hours: as above

Fax:

Website:

Email: mawsjacobsen@gmail.com

First Point of Contact for Communication with the Council/Building Control Authority:

Applicant: ☒ HAIN DICKIE

Owner: ☒

Preferred correspondence:

Fax: ☐

Email: ☒

Post: ☐

SECTION 2**OWNER**

Name of owner(s): (eg Mr, Mrs, Miss, Ms)

DAVID HAIN DICKIE

MAUREEN COLLETTE JACOBSEN

Contact person(s): HAIN DICKIE

Mailing address: 492 WELLINGTON ROAD

MARTON

Postcode: 4710

Street address/Registered office:

Postcode:

Owner(s) contact details:

Landline: 063276905

Mobile: 0279577998

Daytime: 0279577998

After hours: as above.

Fax:

Website:

Email: mawsjacobsen@gmail.com.

SECTION 3**LOCATION**

Location of the proposed activity: 210 BRANDONHALL ROAD

Legal Description: LOT 2 DP354753

Valuation Number: 13500/21201

Please include the name of any relevant stream, river or other water body to which the application may relate and proximity to any well known landmark(s):

SECTION 4**PROJECT**

Description of the proposed activity for which consent is sought:

The following additional Resource Consents are needed for the proposed activity and have/have not been applied for:

☐

Have:

☐

Have not:

SECTION 5**CONSULTATION**

Have you consulted with Iwi?	If yes who did you consult with?
Who else have you consulted?	
Did they have any concerns?	
How have you addressed these concerns?	

SECTION 6**ATTACHMENTS**

(As this is an application for a land use consent, I attach the following documentation)

<input checked="" type="checkbox"/> A copy of the Certificate of Title	<input checked="" type="checkbox"/> Affected person(s) consents
<input checked="" type="checkbox"/> An Assessment of Environmental Effects	<input type="checkbox"/> Attached information as required by the District Plan
<input checked="" type="checkbox"/> Site Plan(s)	<input type="checkbox"/> Development Plan(s)
<input type="checkbox"/> Other	

SECTION 7**RESOURCE CONSENT APPLICATION DEPOSIT**

(Set by the Council in accordance to Resource Management Act 1991 and the Local Government Act 2002)

	Deposit Only	\$
Non-notified Land Use		436.00
Limited notification Land Use		824.00
Notified Land Use		1,754.00
Request for Plan Change(s)		5,475.00
Application for alteration to designation – non notified		438.00
Application for alteration to designation – notified		1,751.00
Cancellation/Change of consent condition(s)		271.00

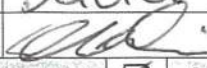
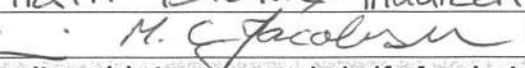
CHARGES FOR COUNCIL STAFF

(per hour or part thereof)

Administration/Committee Administration Staff	100.00
Planning Officer/Consent Planner	144.00
Senior/Consultant Planner	183.00
Technical and Professional Staff from all other Council units	183.00
Manager	211.00
Commissioner	At cost + disbursements
All advertising, consultant and solicitor fees associated with all work types including processing of a consent or certificate (including specialist technical or legal advice) and new notice of requirements, designation alterations, removal of designations and district plan changes	At cost + disbursements

SECTION 8**DECLARATION**

(I hereby certify that, to the best of my knowledge and belief, the information given in this application is true and correct. I undertake to pay all actual and reasonable application costs incurred by the Rangitikei District Council)

Name:	David Hain Dickie / Maureen Collette Jacobson		
Signature:			Date:
Owner(s) signature:	<input checked="" type="checkbox"/>	Applicant(s) signature on behalf of and with authority of the owner:	<input type="checkbox"/>

SECTION 9**RESOURCE MANAGEMENT ACT 1991
ASSESSMENT OF ENVIRONMENTAL EFFECTS FOR LAND USE**

Please provide details of the likely effects of the proposed land use (including traffic generation and parking, visual, noise and vibration, odour, lighting, or any other effects)

If likely effects are only minor, please justify why your proposed activity will have only minor effects

Please outline what measures you propose to reduce any potential negative effects

Are earthworks proposed, and if so, please state the depth, height and volume of earthworks?

Will any hazardous substances be stored or used on the site?

NIL

Are there any existing easements or right of ways that may be affected?

NIL

SECTION 10

CHECKLIST FOR LAND USE APPLICATIONS

(Please ensure all relevant information/documentation is attached to the application)

Completed application form	<input type="checkbox"/>
Land Use consent deposit	<input type="checkbox"/>
Current computer register Certificate of Title (Less than 6 months old)	<input type="checkbox"/>
Assessment of environmental effects relevant to your application	<input type="checkbox"/>
A scaled Site Plan which shows	
North Point	<input type="checkbox"/>
Scale	<input type="checkbox"/>
Boundaries	<input type="checkbox"/>
Water courses	<input type="checkbox"/>
Distances to buildings	<input type="checkbox"/>
Parking, loading, access	<input type="checkbox"/>
Landscaping	<input type="checkbox"/>
Position of services	<input type="checkbox"/>
Existing and proposed ground levels	<input type="checkbox"/>
Maximum building height	<input type="checkbox"/>
Relevant height plane angles	<input type="checkbox"/>
Heritage sites or objects	<input type="checkbox"/>
Compatibility with existing development	<input type="checkbox"/>
Hazardous substances	<input type="checkbox"/>
Visual effects	<input type="checkbox"/>
Community effects	<input type="checkbox"/>
Waste disposal	<input type="checkbox"/>
Vehicle movements	<input type="checkbox"/>
Development Plan which shows	
Appearance of building	<input type="checkbox"/>
Floor heights and levels	<input type="checkbox"/>
Elevations	<input type="checkbox"/>
Signs	<input type="checkbox"/>
Hours of operation	<input type="checkbox"/>
Outdoor lighting	<input type="checkbox"/>
Water and sewage supply	<input type="checkbox"/>
Relocate photographs	<input type="checkbox"/>
Proposed improvements	<input type="checkbox"/>



- Upon lodging application with Council, a DEPOSIT and/or BOND is required
- Full cost of the Resource Consent (RC) will be provided once the application is Granted, Cancelled or Declined
- Under the Privacy Act 1993, you have the right to see and correct any personal information the Council holds about you
- Additional charges over and above the deposit paid may accrue during processing of a Resource Consent application. These charges will be invoiced in accordance with the Schedule of Resource Management Charges and must be paid by the applicant.

SECTION 11
APPROVAL OF AFFECTED PERSON(S)
(I/We have obtained the written approval of the following affected person(s):
Name of owner(s): *(eg Mr, Mrs, Miss, Ms)*
Mailing address:
Postcode:
Occupier(s) name:
(If different)
Mailing address:
Postcode:
Name of owner(s): *(eg Mr, Mrs, Miss, Ms)*
Mailing address:
Postcode:
Occupier(s) name:
(If different)
Mailing address:
Postcode:
Name of owner(s): *(eg Mr, Mrs, Miss, Ms)*
Mailing address:
Postcode:
Occupier(s) name:
(If different)
Mailing address:
Postcode:
Name of owner(s): *(eg Mr, Mrs, Miss, Ms)*
Mailing address:
Postcode:
Occupier(s) name:
(If different)
Mailing address:
Postcode:
OFFICE USE ONLY

1	Quality of plans acceptable	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	NA
2	All sections of the application form completed	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	NA
3	Vetting completed and application accepted	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	NA
4	Vetting completed and application declined	<input type="checkbox"/> Yes	<input type="checkbox"/> No	NA

Name of Vetting Officer:
Signature:
Date:



COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952



Search Copy


R. W. Muir
Registrar-General
of Land

Identifier **223347**
Land Registration District **Wellington**
Date Issued 20 September 2005

Prior References
WN41C/386

Estate	Fee Simple
Area	1.3510 hectares more or less
Legal Description	Lot 2 Deposited Plan 354753

Proprietors
David Hain Dickie as to a 1/2 share
Maureen Collette Jacobsen as to a 1/2 share

Interests

6579525.2 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 20.9.2005 at 9:00 am
Fencing Covenant in Transfer 7046871.3 - 13.11.2006 at 9:16 am
7046871.4 Mortgage to Westpac New Zealand Limited - 13.11.2006 at 9:16 am

Transaction Id
Client Reference p nrth

Search Copy Dated 14/10/08 8:20 am, Page 1 of 2
Register Only

Limited Notified Resource Consent – Rural Zone

Potential Rule Breaches

Building Setback

B7.1 20 metres from any side or rear boundary

Dwelling Separation

B7.4 100 metres from existing dwellings

Planting Setback

B7.6 Forestry 30 metres from a dwelling

Resource Consent Application

What are the likely environmental effects of proposal?

- What are the potential positive or negative effects?
- Can the negative effects be avoided or mitigated?
- Have you done anything to date to potentially avoid negative effects?
- What could you do to reduce potential negative effects or concerns of your neighbour?

Who have you consulted with and what are their views?

Have they provided their written approval and signed the site plan?

How does your proposal compare to the objectives and policies of the District Plan?

- Preserve open space and the unbuilt nature of the rural environment
- Avoid fragmentation of rural land for residential development.
- Maintain the primary production qualities of the rural zone.

Are there potential alternative sites for the dwelling on the property? Why/Why not?

**Make sure you include a site plan with your application which shows the location of the dwelling, distance from boundaries, distance from existing dwellings, natural features on the site, other buildings or structures on the site.*

Hain Dickie Maureen Jacobsen

Answers to Relevant Sections in the Application for Land use Consent Form:

Applicable for Limited Notification Land use only.

Section 3.

There is a small stream which is covered in Section 9.

Section 4.

For the purpose of preparing a house platform and building a house on that platform.

The Following Resource Consents for affected persons are included here with.

This includes adjustments to:

B7.1 20 meters from any side or rear boundary.

B7.4 100meters from existing dwelling.

B7.6 Forestry 30 meters from dwelling.

In the case of with Heather Bennie we had received a letter which told us we were able to build but to Advance matters and to remove uncertainty without prejudice we are prepared to make this application.

All other copies including copy of letter are enclosed.

All other letters, affected person applications and site plans are signed.

There are no alternative sites for a dwelling on this property as the remainder of the land is low lying with no views.

Section 5.

We have consulted with Hapu of NgatiApa who has investigated our application for Resource Consent to build a dwelling on 210 Brandon Hall Road.

After they investigated they are satisfied that the development does not have any adverse effects on sites of significance to them or any significant water ways.

They are therefore able to support the application proceeding through the consent process.

Copy of letter enclosed.

Section6.

Site plan enclosed.

Affected persons consents enclosed.

Attached information as required by the District Plan will be completed when Notified Land use application is completed.

- 1) A copy of the certificate of Tilled is enclosed.

We believe that the effects on the environment of this development will be very low.

Section 9.

1. The effects on parking, visual, noise vibration and odour will be negligible and have pre planted trees which are now well developed to limit any possible lighting or other effect that may concern our neighbor.
2. We have previously double fenced the boundary and have planted trees for wind protection

And to give our neighbor privacy.

We will be endeavoring at all times to communicate positively with our neighbor to allay any concerns she may have regarding environmental issues.

Existing and future tree planting will enhance the aesthetics and bird life of the area.

By living on the property we will be able to better manage stock husbandry and grass production and better maintain the aesthetics.

We have ploughed, cultivated and re grassed the land to improve the farming potential of this land, it has also been limed and fertilized.

We have subdivided into smaller paddocks to improve stock management.

We have eradicated the gorse and are starting to get control of the thistle infestation.

3. We will be fencing of a small stream that runs into the corner of the property to prevent any adverse environmental effects of cattle grazing from nitrate run off.

To preserve open space and the inbuilt nature of the rural environment the house will be built in front of a young plantation we planted earlier so it will blend in with the environment and will be of a long low design to minimize the visual impact.

The land outside of the house fenced surround will be maintained as a primary production farming concern with existing cattle yards and shearing facilities on the property so will have no potential negative effects.

4. Yes earth works are proposed but will give details when applying for notified land use.
5. There will be no hazardous substances stored or used on the site.
6. There are no existing easements or right of ways that may be affected.

	Written Approval of Affected Persons Section 95, Resource Management Act 1991	Ref: R-Form AP
		Version: 1
		Issued: 6 January 2015
		Rangitikei District Council 46 High Street Private Bag 1102 Marton 4741 Phone: (0800) 422 522


SECTION 1

Applicant Details	
Applicant name:	David Hain Dickie + Maureen Jacobsen
Address of proposed activity:	Brandon Hall Road
Description of proposed activity:	To erect a house property on their property at Brandon Hall within 100 metres of their neighbours house.

SECTION 2

Affected Persons			
Full name(s):	Knopfferre Ltd		
Address:	C- FR TWISS + Co, Solicitor, Marton		
P.O. Box 113	Postcode:	4741	
Phone No - Landline:	06 327 6569	Mobile:	
Daytime:		After hours:	
Fax:	06 327 6568	Email:	frtwiss.co.nz
Owner/Occupier status:	<input type="checkbox"/> Owner	<input type="checkbox"/> Occupier	
In most cases the Council will require the approval of the legal owners and the occupiers of the affected property			
You should only sign below if you support or have no opposition to approval of the application for resource consent you have been asked to consider.			
1	I/We have been given details of the full and final proposal, including the plans to which I/we are giving approval.		
2	I/We agree that we have signed the plans shown to us relating to this application.		
3	I/We understand that by giving my/our written approval, the Council cannot take into account any actual or potential effects of the activity on my/our property when considering this application. The fact that any such effects may occur shall not be relevant grounds on which the Council may refuse to grant its consent to the application.		
4	Further, I/we understand that we may give notice in writing to the Council withdrawing this approval under Section 104(4) of the Resource Management Act 1991 at any time before the application is finalised.		

SECTION 3

Signature			
Name:	Francis Robert Twiss	Name:	
Signature:		Signature:	
		Date:	3.2.15

SECTION 4

Privacy Information
The information you have provided will be stored on a public register and held by Rangitikei District Council. Under the Privacy Act 1993, you have the right to see and correct personal information Rangitikei District Council holds about you.

If you would like further information regarding the implications of signing this form, please contact the planner at Rangitikei District Council



COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952

Search Copy



R. W. Muir
Registrar-General
of Land

Identifier **651669**
Land Registration District **Wellington**
Date Issued **09 May 2014**

Prior References

469149

Estate Fee Simple
Area 7.9971 hectares more or less
Legal Description Lot 3 Deposited Plan 474514

Proprietors

Kropferre Limited

Interests

Appurtenant hereto is a right of way created by Easement Instrument 8214863.2 - 13.7.2009 at 11:10 am

The easement created by Easement Instrument 8214863.2 is subject to Section 243(a) Resource Management Act 1991

Subject to a right of way over part marked B on DP 474514 created by Easement Instrument 9697393.2 - 9.5.2014 at 12:26 pm

Appurtenant hereto is a right of way created by Easement Instrument 9697393.2 - 9.5.2014 at 12:26 pm

The easement created by Easement Instrument 9697393.2 is subject to Section 243(a) Resource Management Act 1991

WRITTEN APPROVAL OF A POTENTIALLY AFFECTED PARTY

Approval by Person(s) Potentially Affected by an Application for a Resource Consent/Change of Condition/s

To be completed by the person requesting approval

Applicant: HAIN DICKIE

Address of Proposed Activity: BLANDON HALL ROAD, BULLS LOT 2 DP73936

Brief Description of Proposed Activity: TO BUILD A HOUSE WITHIN
THE MINIMUM REQUIRED DISTANCE FROM AN
EXISTING HOUSE ON NEIGHBOURING PROPERTY.
DISTANCE TO BE 35 METRES AS PER ENCLOSED MAP

To be completed by the person giving their approval

Owner/Occupier (Please delete one) Name: Heather Bennie

Address for Service: Brandon Hall Rd, Bulls

Please note: In most circumstances, the Council will require the approval of the legal owners and occupiers of the affected property.


You should only sign below if you fully understand the proposal, and if you **support** or have **no opposition** to the proposal you have been asked to consider. Council will not accept conditional approvals. If you have conditions on your approval, these should be discussed and resolved with the applicant directly.

1. I/we hereby give approval for the proposal to be considered by the Rangitikei District Council.
2. I/we have sighted all the attached plans and supporting information for the above activity.
3. I/we have signed and dated the attached plans and attached them to this form.
4. I/we understand that, if I give my approval, the Rangitikei District Council shall not take into account any effects that the proposed activity may have on me/us, when considering the application, in accordance with Section 104(3)(b) of the Resource Management Act 1991.
5. Further, I/we understand that at any time before the final decision is made on the application, I/we may give notice in writing to the Council that this approval is withdrawn, in accordance with Section 104(4) of the Resource Management Act 1991.

Heather Bennie
(Signature)

23/7/2006
(Date)

NOTE: IF YOU DO NOT UNDERSTAND WHAT THIS FORM IS, OR DETAILS ABOUT THE APPLICATION ASSOCIATED WITH THIS FORM, DO NOT SIGN IT. IF YOU HAVE ANY QUESTIONS PLEASE CONTACT THE RANGITIKEI DISTRICT COUNCIL, 46 HIGH STREET, MARTON. TEL: 06 327 8174; FAX: 06 327 6970

	Written Approval of Affected Persons Section 95, Resource Management Act 1991	<div style="border: 2px solid red; padding: 5px; text-align: center;"> RECEIVED 03 MAR 2015 To: File: Doc: </div>	Ref: R-Form AP
			Version: 1 Issued: 6 January 2015 Rangitikei District Council 46 High Street Private Bag 1102 Marton 4741 Phone: (0800) 422 522

SECTION 1	
Applicant Details	
Applicant name:	Hain Dickie & Maureen Jacobsen.
Address of proposed activity:	210 Brandon Road Bulls.
Description of proposed activity:	To Build a Dwelling.

SECTION 2	
Affected Persons	
Full name(s):	Ausskirk Holdings Ltd
Address:	
Phone No - Landline:	06327 6569
Daytime:	
Fax:	0632768568
Postcode:	
Mobile:	
After hours:	
Email:	
Owner/Occupier status:	<input checked="" type="checkbox"/> Owner <i>Director</i> <input type="checkbox"/> Occupier
In most cases the Council will require the approval of the legal owners and the occupiers of the affected property You should only sign below if you support or have no opposition to approval of the application for resource consent you have been asked to consider.	
1	I/We have been given details of the full and final proposal, including the plans to which I/we are giving approval.
2	I/We agree that we have signed the plans shown to us relating to this application.
3	I/We understand that by giving my/our written approval, the Council cannot take into account any actual or potential effects of the activity on my/our property when considering this application. The fact that any such effects may occur shall not be relevant grounds on which the Council may refuse to grant its consent to the application.
4	Further, I/we understand that we may give notice in writing to the Council withdrawing this approval under Section 104(4) of the Resource Management Act 1991 at any time before the application is finalised.

SECTION 3	
Signature	
Name:	<i>Francis Kiwin</i>
Name:	<i>Director</i>
Signature:	<i>Francis Kiwin Director Ausskirk Holdings Ltd</i>
Date:	

SECTION 4	
Privacy Information	
The information you have provided will be stored on a public register and held by Rangitikei District Council. Under the Privacy Act 1993, you have the right to see and correct personal information Rangitikei District Council holds about you.	

If you would like further information regarding the implications of signing this form, please contact the planner at Rangitikei District Council
--

Rangitikei District Council

Postal Address: Private Bag 1102, Marton Street Address: 46 High Street, Marton

Phone: 06 327 0099 Freephone: 0800 422 522 Fax: 06 327 6970

Email: info@rangitikei.govt.nz Website: www.rangitikei.govt.nz



RESOURCE MANAGEMENT ACT 1991

NOTICE OF WRITTEN APPROVAL BY A PERSON AFFECTED BY AN APPLICATION FOR RESOURCE CONSENT

You should sign this form only if you **support or have no opposition** to the approval of the Resource Consent to which this application refers. If you do not understand this process, please seek advice immediately. Signing this form has implications for the way that Council will process the application for resource consent.

Resource Consent Number Application Dickie Jacobsen

I/We, the undersigned being the
(Tick one category box only)

☐ Sole Owner

☐ Joint Owners
(all owners required)

☐ Occupier(s)
(long-term tenants)

☒ Directors
(all directors required)

☐ Trustees
(all trustees required)

Of the property situated at (physical address or legal description) Brandon Hall occupied by DH Dickie Jacobsen CT

Have considered the proposal by (full name of applicants) David Hain Dickie and Maureen Jacobsen

Described as follows (type and description of proposed activity) To erect a dwelling to be used as a domestic residence conform our consent to such activity. We support same notwithstanding the dwelling is close to Heather Bennies House in fact 35 Metres from her house.

(Information on areas of non-complying aspects)

On the following property (physical address of application site) The attached Diagram shows the location of the proposed Dwelling and is Marked "A"

I/We declare that I/we have read and understand the information provided and have sighted and signed the attached plans and supporting information for all aspects of the activity described (title, dates and numbers)

Relates to the land within CT The diagram Wellings

I/We declare that my/our property (tick where applicable) ☒ is ☐ is not ☐ currently the subject of a sale and purchase agreement.

223347
(Wellings & Regis)

The District Plan

The District Plan is a document that guides the way Rangitikei District is developed. It seeks to control any negative effects of development by giving every property in the District a zone. Each zone has different rules about the type of building, subdivision or land use that can occur in that area.

What is Resource Consent

People who wish to build or use a property in a way that does not comply with the rules in the District Plan, require special permission from the Council to do so. This is known as Resource Consent. If they obtain resource consent, they are able to build or use the property according to that consent. They do not have to comply with the District Plan. This process is set down in the Resource Management Act 1991.

Council will consider an application for resource consent in one of three ways—

- 1 Publicly-notified applications – allowing the public involvement by any person
- 2 Limited-notified applications – allowing involvement by a limited number of people
- 3 Non-notified applications – these often involve some input into the process by a limited number of people

Why is your written approval required?

For a non-notified application, the Resource Management Act requires that the proposed activity should have no more than minor effects on the environment. And written approval must be obtained from every person the Council considers may be adversely affected.

The applicants are responsible for consulting with the persons identified as being affected.

If you are asked to give your written approval, then Council considers you may be adversely affected by the proposed activity. You now have the opportunity to consider the particular proposal and decide for yourself whether you are adversely affected or the degree to which you may be adversely affected.

What should you do if you are asked to sign an affected person's approval form?

Before giving your written approval to the applicants' proposal as part of their application for resource consent—

- 1 Ask the applicants (or their representative) to explain the proposal clearly and fully to you
- 2 Study the application and the associated plans of the proposed activity and make sure you understand the effects of the proposal. If there are no plans available at this stage, you may wish to wait until they are available. Ask for time to consider the documents if you think you need it.
- 3 Decide whether the proposal will adversely affect you or your property. You are entitled to ask the applicants for more information. You should make a decision about whether you will sign the form as promptly as you can.

You may suggest amendments that you consider would reduce the effects of the proposal on you. If you do this, you should only sign the amended version of the proposal.

The applicants will usually submit any written approvals they have obtained to the Council as part of their application.

- 4 If you are satisfied that the proposed activity will not adversely affect you or that the effects are acceptable to you, you can sign the approval form and copies of the associated application plans. Return these to the applicants (or their representative).



28 April 2010

Ref: 050004

H D Dickie
492 Wellington Road
Marton 4741

Dear H D Dickie

I refer to the subdivision lodged with the Rangitikei District Council on the 20th January 2005 and granted on the 16th February 2005.

At the time of processing the application, approval was sought from the adjoining landowner, Heather Bennie, for the construction of a dwelling within 200 metres of their existing dwelling. As the section 224 Certificate was issued on the 3rd March 2005, the written approval given by H Bennie is valid until a dwelling is constructed on the site.

Yours faithfully

Vanessa Norwood
Consents Planner

3rd February 2015

David Hain – Dickie

210 Brandon Hall Road

BULLS

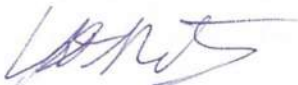
Tena koe David

Re. Resource Consent to build a dwelling on 210 Brandon Hall Road

In response to consultation carried out by the applicant with myself on behalf of Te Runanga o Ngati Apa we are satisfied that the development does not have any adverse effects on sites of significance to hapu of Ngati Apa or any significant water ways.

We are therefore able to support the application proceeding through the consent process.

Heoi ano



Chris Shenton


Kaitiaki Taiao / GM Lands & Environment

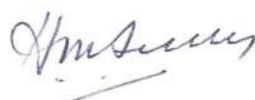
Riverside Agricultural Ltd
23 Twiss Road
RD1
Bulls 4894

4 February 2015

TO WHOM IT MAY CONCERN

With reference to the Resource Consent to erect a building at 210 Brandon Hall Road, Bulls, by Haine Dickie and Maureen Jacobson, we the undersigned have been consulted and support the application through the consent process.


John R Keay


Helen M Scully

12/02/2015

Mr. John Bligh

Trickers Road

Bulls.

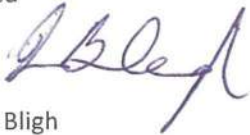
To whom it may concern

In reference to Hain Dickie & Maureen Jacobsen, Resource Consent application to build a house at 210 Brandon Hall Road.

As a neighbor of Hain & Maureen's via rental of property bordering their property I would like to whole heartedly endorse their application for Resource Consent.

I have inspected the site and have perused the site plan which I have signed without hesitation.

Signed

A handwritten signature in blue ink, appearing to read 'J Bligh', with a stylized flourish at the end.

John Bligh

Ausskok Holdings Limited

C/- P O BOX 113, MARTON

TEL: (06) 327 6569 FAX: (06) 327 6568

fri@fritwiss.co.nz

2 March 2015

Rangitikei District Council
Private Bag 1102
MARTON, 4741

Dear Sir/Madam


**RE: H DICKIE & M JACOBSEN - APPLICATION TO ERECT DWELLING ON THEIR
LAND JOINTLY OWNED AT BRANDON HALL ROAD.**

The applicants are in the process of erecting a dwelling in respect of their property at Brandon Hall Road. They have my total support and any progress is desirable.

Hain Dickie advised me that a number of trees on my property (up to 10) will need to be removed as per his site safe plan and I am happy and agree to this and there will be no replanting within 30 metres of the boundary for that area. Also we consent to the erection of the house within 20 metres of the boundary.

Please take this letter to support a positive commitment to progress in the Rangitikei Region.

Yours sincerely
Francis Twiss
Director of Ausskok Holdings Ltd





COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952



R.W. Muir
Registrar-General
of Land

Search Copy

Identifier **651667**
Land Registration District **Wellington**
Date Issued **09 May 2014**

Prior References
469149

Estate Fee Simple
Area 8.0006 hectares more or less
Legal Description Lot 1 Deposited Plan 474514
Proprietors
Ausskok Holdings Limited

Interests

Appurtenant hereto is a right of way created by Easement Instrument 8214863.2 - 13.7.2009 at 11:10 am
The easement created by Easement Instrument 8214863.2 is subject to Section 243(a) Resource Management Act 1991
Appurtenant hereto is a right of way created by Easement Instrument 9697393.2 - 9.5.2014 at 12:26 pm
The easement created by Easement Instrument 9697393.2 is subject to Section 243(a) Resource Management Act 1991



Written Approval of Affected Persons
Section 95, Resource Management Act 1991

Ref: R-Form AP

Version: 1

Issued: 6 January 2015

Rangitikei District Council
46 High Street
Private Bag 1102
Marton 4741
Phone: (0800) 422 522

SECTION 1

Applicant Details

Applicant name:	Daryl Klein Dickie and Mauseen Jacobsen
Address of proposed activity:	Brandon Hall Road
Description of proposed activity:	To erect a house property on their property at Brandon Hall within 100m of their Neighbour House

SECTION 2

Affected Persons

Full name(s):	Ausskok Holdings Limited		
Address:	C- FR Twinsto Street Mart		
Phone No - Landline:	06327 6569	Postcode:	
Daytime:		Mobile:	
Fax:	06327 6568	After hours:	06327 8289
		Email:	
Owner/Occupier status:	<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Occupier	

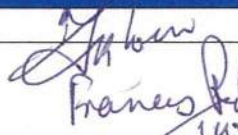
In most cases the Council will require the approval of the legal owners and the occupiers of the affected property

You should only sign below if you **support** or have **no opposition** to approval of the application for resource consent you have been asked to consider.

- 1 I/We have been given details of the full and final proposal, including the plans to which I/we are giving approval.
- 2 I/We agree that we have signed the plans shown to us relating to this application.
- 3 I/We understand that by giving my/our written approval, the Council cannot take into account any actual or potential effects of the activity on my/our property when considering this application. The fact that any such effects may occur shall not be relevant grounds on which the Council may refuse to grant its consent to the application.
- 4 Further, I/we understand that we may give notice in writing to the Council withdrawing this approval under Section 104(4) of the Resource Management Act 1991 at any time before the application is finalised.

SECTION 3

Signature

Name:		Name:		Date:	
Signature:	Frances Peden 15/1/15	Signature:	Farmland Adjacent to Applicant 3-2-2015		

Director of Neighbour Ausskok Holdings Ltd

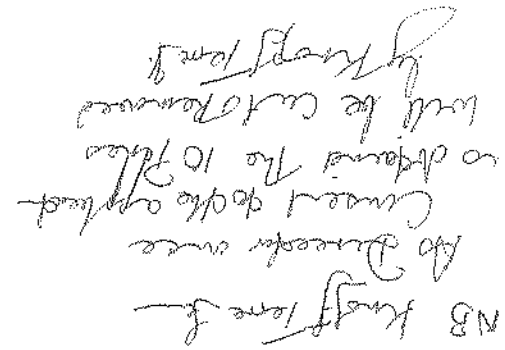
SECTION 4

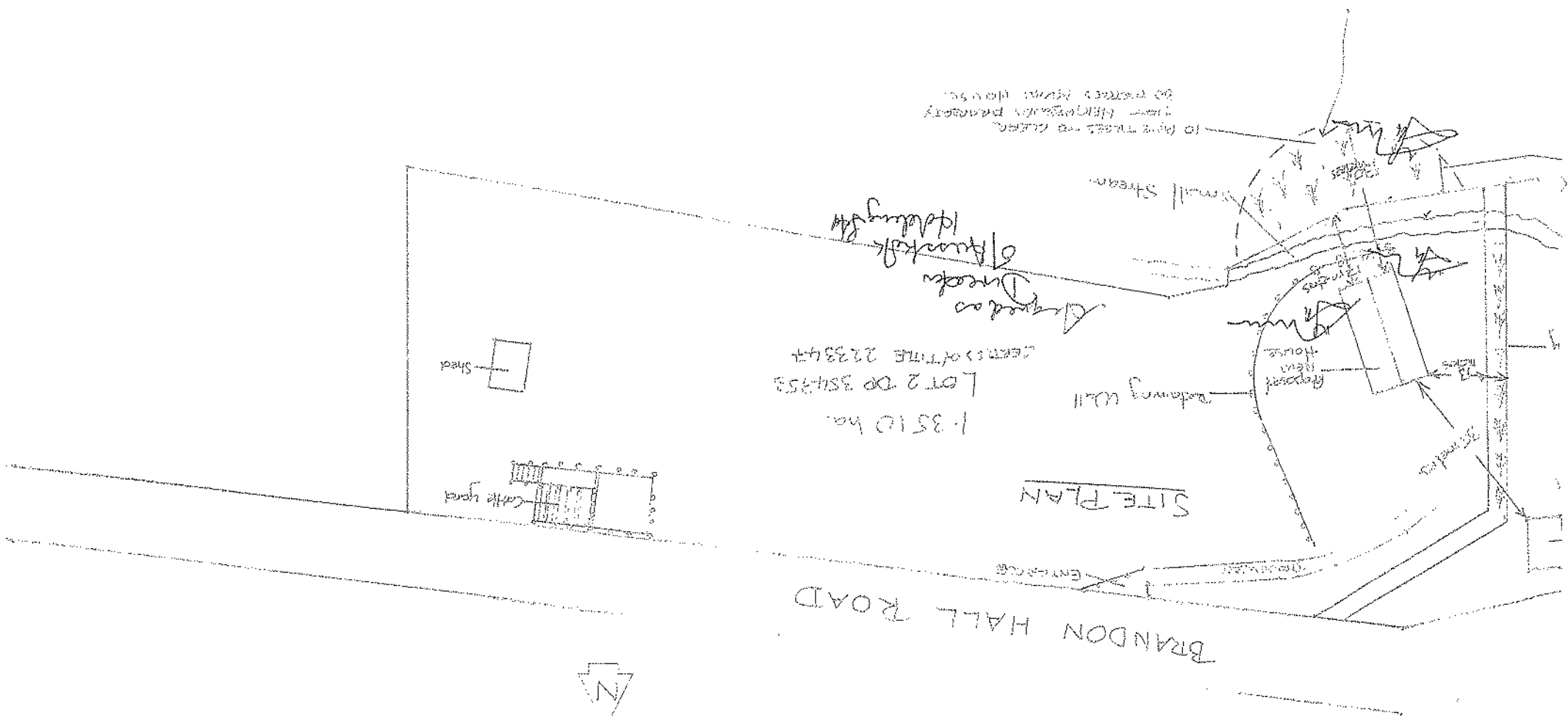
Privacy Information

The information you have provided will be stored on a public register and held by Rangitikei District Council. Under the Privacy Act 1993, you have the right to see and correct personal information Rangitikei District Council holds about you.

If you would like further information regarding the implications of signing this form, please contact the planner at Rangitikei District Council







BRANDON HALL ROAD

SITE PLAN

1.3510 ha.
 LOT 2 DP 354753
 DEEDS OF TITLE 223347

Alfred
 Ditch
 of
 Idling
 St

10 feet wide to allow
 for drainage property
 to be used for other
 purposes

Small Stream

House

Retaining Wall

37 meters

37 meters



210 BRANDON HALL ROAD

PROPERTY OF

PROPERTY OF MAUND HAIN THILDE
MAUREEN LOUISE JACOBSEN
210 BRANDON HALL ROAD

BRANDON HALL ROAD

ENTRANCE

SITE PLAN

1.3510 ha.

LOT 2 DP 354753

CERT'S OF TITLE 223347



Signed.
 Ian Keay
 Helen Sully
 as intended parties
 Deborah Whaiti
 Grant Evans
 John Bligh

Appendix 2
Notification Report

Section 95 of the Resource Management Act 1991
Notification Decision

IN THE MATTER Notification decision
 pursuant to section 95A of
 the Resource
 Management Act 1991.

BETWEEN Mr D H Dickie and Ms M C
 Jacobsen
 Applicant

AND Rangitikei District Council
 Consent Authority

CONSENT NO RM 150009

RESOURCE MANAGEMENT ACT 1991

Notification Decision pursuant to Section 95 - RM150009

- 1.1 **For:** The Environmental and Regulatory Services Team Leader
- 1.2 **Report:** Compiled by Katrina Gray, Policy Analyst/Planner
- 1.3 **File:** RM150009
- 1.4 **Applicant:** D H Dickie and M C Jacobsen
- 1.5 **Proposal:** To construct a dwelling within the 100 metre dwelling separation and 20 metre setback rules.
- 1.6 **Location:** 210 Brandon Hall Road
- 1.7 **Legal Description:** Lot 2 DP 354753 (CFR 223347)
- 1.8 **Valuation Reference** 1350021201

2 Planning Framework

- 2.1 **District Plan** This application was assessed against the operative Rangitikei District Plan (as of 3 October 2013).
- 2.2 **Zone** Rural (Planning Map 4)
- 2.3 **Special Notations** Natural Hazard Area 1 (Ground Shaking and Liquefaction)

3 Introduction

- 3.1 Mr Dickie and Ms Jacobsen have lodged a land use consent application to construct a dwelling within the 100 metre dwelling separation and 20 metre boundary setback requirements at 210 Brandon Hall Road, Bulls.
- 3.2 The application was received by Council on 2 March 2015. A site visit was undertaken on 11 March 2015.

4 Site and Surrounding Area

- 4.1 The property, contained in CFR 223347, being Lot 2 DP354753, has an area of approximately 1.351 hectares, the proprietor being David Hain Dickie (1/2 share) and Maureen Collette Jacobsen (1/2 share).
- 4.2 The site is zoned Rural and is accessed via Brandon Hall Road. The site contains an existing shed and cattle yards.
- 4.3 The site is elevated to the west, where the building platform is proposed, then lowers to the east to below road level. There are a number of trees which have been planted on the lower portion of the site. This area has been fenced into smaller lots.

There is a row of trees to the west along the boundary between the adjacent property.

- 4.4 The surrounding environment is mainly rural in nature, with dwellings associated with the rural uses. There is a dwelling on a small sized rural site to the west, a forestry block to the south and east and paddocks to the north on the opposite side of Brandon Hall Road.



Aerial view of the site



View of the proposed building platform looking south-west from the existing entrance.



View of the site looking east from the proposed building platform.

5 Proposal

- 5.1 The applicant proposes to construct a new dwelling on the western portion of the site. The proposed dwelling will be approximately 35 metres from the nearest dwelling. It will also be 13 metres from the western boundary and 17 metres from the southern boundary.

6 Relevant Rules/Status of Application

- 6.1 Under Schedule B7 Residential activities are permitted, so long as they comply with the Permitted Activity Standards. An assessment of the application against these standards is provided below.

B7.1 Building Setbacks	B7.1-1 All buildings, except those used for intensive farming, must not be located any closer than: a) 20 metres from any side or rear boundary; b) 5 metres from any road boundary; c) 10 metres from a boundary with an existing state highway.	Does not comply The proposed dwelling will be located 13 metres from the western boundary and 17 metres from the southern boundary.
B7.2 Maximum Number of Dwellings Per Site	B7.2-1 The number of dwellings must not exceed a maximum of two dwellings per site.	Complies There are no existing dwellings on the site, the proposed dwelling will be the first on the site.
B7.4 Dwelling Separation	B7.4-1 New dwellings must not be located closer than 100 metres from any existing dwelling.	Does not comply The proposed dwelling will be located approximately 35 metres from an existing dwelling on the site to the west of the site.
B7.7 Setback from Rivers, Lakes, Wetlands, and the Coast	B7.7-1 Buildings or structures must not be constructed within: a) 15 metres of a river, lake edge or wetland; b) 350 metres of a mean high water springs along the coast	Complies There are no rivers, lakes or wetlands in the surrounding area.

- 6.2 The proposed subdivision does not comply with all of the Permitted Activity Standards, therefore, it is considered as **Restricted Discretionary**.

7 Notification Assessment

- 7.1 Section 95 of the Resource Management Act 1991 identifies the considerations which the local authority must undertake when deciding the level of notification of a consent application. The relevant sections are attached as Appendix 1.

Section 95A – Public Notification

- 7.2 It is considered that any potential adverse effects of the proposed dwelling are limited to the adjacent land owners. The effects on these parties must be disregarded when deciding whether to publicly notify a resource consent application.
- 7.3 The applicant has not requested public notification and there are no rules or environmental standards which require public notification, therefore, public notification is not required.
- 7.4 Therefore, the adverse effects are considered to be less than minor and public notification is not required in accordance with section 95A of the Act.

Section 95B/E – Limited Notification

- 7.5 It is considered that the properties which the proposed dwelling breaches the dwelling separation and boundary setback requirements are affected parties in relation to this proposal.
- 7.6 The effects of the proposal must be disregarded where the parties have given their written approval. An assessment of the affected parties and whether they have given their written approval is given in the table below.

Address/Legal description	Owner	Written Approval
211 Brandon Hall Road	Heather Jeanette Bennie	Not provided
Lot 1 DP 474514 (CFR 651667)	Ausskok Holdings Limited – Director - Francis Robert Twiss	Provided

- 7.7 The approval of Heather Beannie has not been provided, therefore she should be considered as an affected and notified of the application under Section 95B of the Act.

8 Conclusion

- 8.1 This report has shown that the adverse effects are limited to the properties at 211 Brandon Hall Road and Lot 1 DP 474514 (CFR 651667). Affected party approval has been provided from the director of Lot 1 DP 474514, therefore, the effects on this

person can be disregarded. The owner of 211 Brandon Hall Road has not provided affected party approval, therefore, it is appropriate that they are notified of the consent application.

9 Recommendation

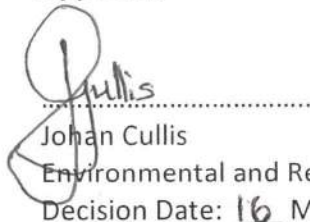
- 9.1 It is recommended that this application, to breach the dwelling separation and boundary setback rules on Rural Zoned Land, at 210 Brandon Hall Road, legally described as Lot 2 DP 354753 (CFR 223347), be **limited notified** under section 95 of the Resource Management Act 1991 to the following party:

Heather Bennie – 211 Brandon Hall Road



Katrina Gray
Policy Analyst/Planner
16 March 2015

Approved



Johan Cullis
Environmental and Regulatory Services Team Leader
Decision Date: 16 March 2015

Appendix 1

Notification requirements under the Resource Management Act 1991

95A Public notification of consent application at consent authority's discretion

- (1) A consent authority may, in its discretion, decide whether to publicly notify an application for a resource consent for an activity.
- (2) Despite subsection (1), a consent authority must publicly notify the application if—
- (a) it decides (under [section 95D](#)) that the activity will have or is likely to have adverse effects on the environment that are more than minor; or
 - (b) the applicant requests public notification of the application; or
 - (c) a rule or national environmental standard requires public notification of the application.
- (3) Despite subsections (1) and (2)(a), a consent authority must not publicly notify the application if—
- (a) a rule or national environmental standard precludes public notification of the application; and
 - (b) subsection (2)(b) does not apply.
- (4) Despite subsection (3), a consent authority may publicly notify an application if it decides that special circumstances exist in relation to the application

95D Consent authority decides if adverse effects likely to be more than minor

A consent authority that is deciding, for the purpose of [section 95A\(2\)\(a\)](#), whether an activity will have or is likely to have adverse effects on the environment that are more than minor—

- (a) must disregard any effects on persons who own or occupy—
 - (i) the land in, on, or over which the activity will occur; or
 - (ii) any land adjacent to that land; and
- (b) may disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect; and
- (c) in the case of a controlled or restricted discretionary activity, must disregard an adverse effect of the activity that does not relate to a matter for which a rule or national environmental standard reserves control or restricts discretion; and
- (d) must disregard trade competition and the effects of trade competition; and
- (e) must disregard any effect on a person who has given written approval to the relevant application

95B Limited notification of consent application

- (1) If a consent authority does not publicly notify an application for a resource consent for an activity, it must decide (under [sections 95E to 95G](#)) whether there is any affected person, affected protected customary rights group, or affected customary marine title group in relation to the activity.
- (2) The consent authority must give limited notification of the application to any affected person unless a rule or national environmental standard precludes limited notification of the application.
- (3) The consent authority must give limited notification of the application to an affected protected customary rights group or affected customary marine title group even if a rule or national environmental standard precludes public or limited notification of the application.
- (4) In subsections (1) and (3), the requirements relating to an affected customary marine title group apply only in the case of applications for accommodated activities.

95E Consent authority decides if person is affected person

- (1) A consent authority must decide that a person is an affected person, in relation to an activity, if the activity's adverse effects on the person are minor or more than minor (but are not less than minor).
- (2) The consent authority, in making its decision,—
- (a) may disregard an adverse effect of the activity on the person if a rule or national environmental standard permits an activity with that effect; and

- (b) in the case of a controlled or restricted discretionary activity, must disregard an adverse effect of the activity on the person that does not relate to a matter for which a rule or national environmental standard reserves control or restricts discretion; and
- (c) must have regard to every relevant statutory acknowledgement made in accordance with an Act specified in Schedule 11.

(3) Despite anything else in this section, the consent authority must decide that a person is not an affected person if—

- (a) the person has given written approval to the activity and has not withdrawn the approval in a written notice received by the authority before the authority has decided whether there are any affected persons; or
- (b) it is unreasonable in the circumstances to seek the person's written approval

Appendix 3

Submission – H Bennie

Rangitikei District Council

Postal Address: Private Bag 1102, Marton 4741

Street Address: 46 High Street, Marton 4710

Phone: 06 327 0099 Freephone: 0800 422 522 Fax: 06 327 6970

Email: info@rangitikei.govt.nz Website: www.rangitikei.govt.nz



Submission on a Resource Consent Application

Pursuant to S96 of the Resource Management Act 1991

To	Rangitikei District Council Environmental and Regulatory Services Private Bag 1102 Marton 4741	Date Received
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RECEIVED

- 7 APR 2015

To

File

Doc

Submitter(s) Details

Full Name

Heather Bennie

Postal Address

211 Brandon Hall Road RD1

Telephone

Work

Home

322 0985

Fax

Mobile

Email

Contact Person

Address

Telephone

(if different from above)

Work

Home

Fax

Mobile

Submission On

Name of Applicant	Mr David Hain Diche Ms Maureen Collette Jacobsen	
Application Ref No		
Site Address/Location	210 Brandon Hall Road bull's	
Type of Resource Consent Applied For	<input type="checkbox"/> Subdivision	<input checked="" type="checkbox"/> Land Use
Brief Description of the Proposed Activity		
for the purpose of preparing a house platform and building on that platform.		
<input type="checkbox"/> I support the application	<input checked="" type="checkbox"/> I oppose the application	

Submission Statement

The particular parts of the application I suppose or oppose, or wish to comment on are:

(Clearly indicate which parts of the application you support or oppose, or wish to have amendments made to)

The signed approval by me was withdrawn just after it was submitted so should be removed from application. As to section 4 advising about the building site, that there are no other building sites is not fact as a cattle yard and shed are built on the east end of the property: (refer to site map). Earth works are proposed as there could be a lot of fill and soil needed just to build up behind the retaining wall details should be given as this could effect the environment and change the aesthetics of the land.

The reasons for making my submission are:

(State in summary the nature of your submission, giving reasons)


The main reason for my submission is to object to the building of a dwelling on 210 Brandon Hall Road within 100 metres of my house and property. This will affect my life style that I worked towards. As I'm in my later years it would be nice to enjoy my privacy and retirement in peace.

I wish the Rangitikei District Council to make the following decision:

(Give details, including the nature of any conditions you would like to see imposed)

I would like the Council to make the decision that the proposed building not be allowed to be built within the 100 metres of my home. I am more than happy if the building is erected over the 100 metres as to the resource management act.

If any building work is to be done, I would like there to be a time restraint on when the builder can start building in the morning and time they finish at night. The time for start I would like imposed is not to start before 9am in the morning and to finish at 5pm at night and no work on weekends.

<input type="checkbox"/>	I do wish to be heard in support of my submission (This means that you can speak at the hearing if one is held)
<input checked="" type="checkbox"/>	I do not wish to be heard in support of my submission (This means that you will not be advised of the date of the hearing and cannot speak at the hearing)
<input type="checkbox"/>	I have served a copy of my submission on the applicant (This is required by section 96(4) of the Resource Management Act 1991)
Signature (Person making submission, or person authorised to sign on behalf of person making submission)	
Date 6/4/2018.	
Important Notice	
<p>It is important that you complete this form fully.</p> <p>If you have any questions about making a submission, or you do not understand part of this form, please contact the Rangitikei District Council – 06 327 0099 or 0800 422 522.</p> <p>This is not a statutory form, but is provided as a guide for people wishing to lodge a submission.</p>	

Heather Bennie
211 Branden Hall Road Rd1

Dated: 6/4/2015

To whom it may concern.

I Heather Bennie here by Withdraw my written approval in accordance with section 104 (4) of the Resource Management act 1991 for the proposed building of a house on 210 Branden Hall Road (Bulls) for Mr David Hain Dickie and Maureen Collette Jacobsen .

(As of this application for land use consent Dated 1 July 2014(date application Received 2/3/2015)),I **NO** longer give my approval as I am **NO** longer happy for the building to be erected within the 100metres of my property.

Signed: Heather Bennie .Dated: 6 . 4 . 2015
Heather Bennie.

Witness: Rebecca . Dated: 6 . 4 . 2015 .

Appendix 4

Consideration of Application – Section 104 of the Resource Management Act 1991

104 Consideration of applications

(1) When considering an application for a resource consent and any submissions received, the consent authority must, subject to [Part 2](#), have regard to—

- (a) any actual and potential effects on the environment of allowing the activity; and
- (b) any relevant provisions of—
 - (i) a national environmental standard:
 - (ii) other regulations:
 - (iii) a national policy statement:
 - (iv) a New Zealand coastal policy statement:
 - (v) a regional policy statement or proposed regional policy statement:
 - (vi) a plan or proposed plan; and
- (c) any other matter the consent authority considers relevant and reasonably necessary to determine the application.

(2) When forming an opinion for the purposes of subsection (1)(a), a consent authority may disregard an adverse effect of the activity on the environment if a national environmental standard or the plan permits an activity with that effect.

(2A) When considering an application affected by [section 124](#) or [165ZH\(1\)\(c\)](#), the consent authority must have regard to the value of the investment of the existing consent holder.

(2B) When considering a resource consent application for an activity in an area within the scope of a planning document prepared by a customary marine title group under [section 85](#) of the Marine and Coastal Area (Takutai Moana) Act 2011, a consent authority must have regard to any resource management matters set out in that planning document.

(2C) Subsection (2B) applies until such time as the regional council, in the case of a consent authority that is a regional council, has completed its obligations in relation to its regional planning documents under [section 93](#) of the Marine and Coastal Area (Takutai Moana) Act 2011.

(3) A consent authority must not,—

- (a) when considering an application, have regard to—
 - (i) trade competition or the effects of trade competition; or
 - (ii) any effect on a person who has given written approval to the application:
- (b) *[Repealed]*
- (c) grant a resource consent contrary to—
 - (i) [section 107](#), [107A](#), or [217](#):
 - (ii) an Order in Council in force under [section 152](#):
 - (iii) any regulations:
 - (iv) wāhi tapu conditions included in a customary marine title order or agreement:
 - (v) [section 55\(2\)](#) of the Marine and Coastal Area (Takutai Moana) Act 2011:
- (d) grant a resource consent if the application should have been notified and was not.

(4) A consent authority considering an application must ignore subsection (3)(a)(ii) if the person withdraws the approval in a written notice received by the consent authority before the date of the hearing, if there is one, or, if there is not, before the application is determined.

(5) A consent authority may grant a resource consent on the basis that the activity is a controlled activity, a restricted discretionary activity, a discretionary activity, or a non-complying activity, regardless of what type of activity the application was expressed to be for.

(6) A consent authority may decline an application for a resource consent on the grounds that it has inadequate information to determine the application.

(7) In making an assessment on the adequacy of the information, the consent authority must have regard to whether any request made of the applicant for further information or reports resulted in further information or any report being available.

Appendix 5

Relevant sections from Part 2

5(2)(a) “sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations”

5(2)(C) “avoiding, remedying or mitigating any adverse effects of activities on the environment”

7(b) “The efficient use and development of natural and physical resources”

7(c) “the maintenance and enhancement of amenity values”

7(f) “the maintenance and enhancement of the quality of the environment”

Attachment 3

Proposed carry-forwards to 2015/16 (for inclusion in final 2015/25 Long Term Plan)

Stormwater

Project	2014/15 budget	Proposed carry-forward to 2015/16	Reason
Reticulation - capital	175,101	14,000	Physical work in hand – may not be completed before end of the year
Reticulation - renewals	544,270	70,000	Physical work in hand – may not be completed before end of the year
Documentation of public and private drains	100,000	100,000	Insufficient staff resource and priority requirements for asset management planning (2015/25 Long Term Plan)
TOTAL	819,371	184,000	

Wastewater

Project	2014/15 budget	Proposed carry-forward to 2015/16	Reason
Reticulation - capital	455,000	90,000	Physical work in hand – may not be completed before end of the year
Reticulation – renewals	432,652	115,000 ¹	Physical work in hand – may not be completed before end of the year
Treatment – capital	4,419,491	2,886,807	Bulls - Physical works on hold pending outcome of resource consent renewal. New consent expected to be issued after end of financial year. Marton - Work was put on hold pending investigation into leachate issue.
Treatment - renewals	216,151	115,965	
TOTAL	5,523,294	3,207,772	

Water

Project	2014/15 budget	Proposed carry-forward to 2015/16	Reason
Reticulation - capital	268,395	37,000	Physical work in hand – may not be completed before end of the year
Reticulation - renewals	2,801,683	76,200	Physical work in hand – may not be completed before end of the year

¹ Includes \$60,000 for Goldings Line

Treatment – capital - Mangaweka	40,000	20,000	Design to be finalised and equipment purchased in 2014/15 with construction in 2015/16.
Treatment – capital - Ratana	1,453,647	550,000	Site trials of proposed treatment process were necessary before design could be finalised. Remaining construction in 2015/16.
Treatment – capital – Taihape clarifier	507,356	370,000	Clarifier has been assessed and is at risk of failure during a seismic event. Allow \$300k for new clarifier , \$50k for removal of existing clarifier and \$20k for electrical work. Works planned for 2015/16 to allow procurement efficiencies with Taihape Wastewater Treatment Plant project (\$450k in 2015/16)
Treatment – capital – Taihape wastewater recycle		105,000	Waiting on plans and final design for system. Some money should be spent on construction in 2014/15. Remaining construction in 2015/16.
TOTAL	5,071,081	1,158,200	

Community and leisure assets

Project	2014/15 budget	Proposed carry-forward to 2015/16	Reason
Taihape Pool resurface	20,878	20,878	Filtration and heating upgrades proposed in 2015/16 are better completed before these two projects are undertaken (to avoid some repeat work)
Taihape fans	28,812	28,812	
Bulls courthouse	30,000	30,000	Design and planning of works not yet complete
Mangaweka campground ablution and toilet block upgrade	100,000	95,000	Design and planning of works not yet complete
TOTAL	179,690	174,690	

Roading and footpaths

Nil

Miscellaneous

Project	2014/15 budget	Proposed carry-forward to 2015/16	Reason
Aerial photography	31,591	31,591	New regional imagery planned for 2015/16
PC replacement	35,146	14,106	Further replacements deferred until release of Windows 10 in October 2015
Hardware	26,626	13,582	Ancillaries to support PC upgrades
TOTAL	93,363	59,279	

GRAND TOTAL	11,686,799	4,783,941	
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Attachment 4



REPORT

SUBJECT: Horizons Regional Council – 2015-2025 Long Term Plan '*Shaping our Region's Future*'

TO: Council

FROM: Ceinwyn Bannister, Policy Advisor

DATE: 24 April 2015

FIL: 3-OR-3-12

1 Introduction

- 1.1 The purpose of this report is to provide an overview of key issues identified within the Horizons Regional Council (**Horizons**) 2015-2025 Long Term Plan consultation document to assist Council in formulating its submission. In recent years Horizons has presented to Council an overview of its proposed plan and answered any questions that Councillors may have. This will occur at the meeting on 30 April 2014.

2 Background

- 2.1 Horizons 2015-2025 Long Term Plan consultation document '*Shaping our Region's Future*' along with supporting documentation was released for public consultation on Thursday, 2 April 2015. Public consultation closes Monday, 4 May 2015 with submission hearings scheduled for Monday, 18 to Wednesday, 20 May 2015.
- 2.2 The link to the consultation document is:
<http://www.horizons.govt.nz/assets/2015-LTP/FINAL-CD.pdf>

3 Strategic context

- 3.1 The Horizons region encompasses an area covered by seven district councils. A key component of Council submitting on Horizons' proposed 2015-2025 Long Term Plan is to ensure that the impact of decisions to be made by Elected members of Horizons during deliberations of this 10-Year Plan are not just considered from a regional perspective but also from the localised perspective of how its decisions may potentially impact the Rangitikei people and its environment.
- 3.2 Active participation in the consultation for the proposed 10-Year Plan 2015- ensures that the opinions and perspectives of Council on behalf of, and as advocates for, the people of the Rangitikei District are considered and influences Horizons' long term planning and decision making process.

4 Assessment of options

Horizons has identified six key issues which it believes will have greatest interest to the people living in, and communities located within the Horizons' region. These are outlined below together with possible consideration which Elected Members may wish to raise during the presentation and include in the Council's submission.

- A. Proposed exiting of the Road Safety Activity in Year 2 of the proposed 10 Year Plan as regional councils are not legislatively required to undertake this activity. Exiting the road safety activity will result in a service level reduction as 20 road safety programmes currently undertaken will no longer be run. Horizons commenced this activity in 2003 when central government provided 75% of the activity's funding. However, by 2018 NZTA funding received by Horizons will decrease from 66% to 53% – a 13% reduction. To retain this activity no rate increase is required, however, exiting this activity from Year 2 of the proposed 2015-2025 Long Term Plan will result in a rates saving of \$170,000 per annum.

Possible considerations for Council to raise during the presentation and include in its submission:

What are the implications for the community in losing these programmes? Is there evidence about how the activity by Horizons has led to fewer crashes and safer driving practices? There is no apparent substitute programme from central government.

- B. Changes in how the Animal Health Board is funded. Historically Horizons have contributed 10% of the cost associated with controlling tuberculosis (TB) within the Horizons region. However, last year a new national organisation Operational Solutions for Primary Industries (**OSPRI**) was created to manage inter alia the TBfree New Zealand programme. TBfree New Zealand is a government-industry partnership.¹

In the past, people within the Horizons region who own properties larger than four hectares have contributed to the TB eradication programme through a targeted rate. However, with the launch of OSPRI along with a new TB strategy containing new targets and outcomes such targeted rates will now be discontinued. The termination of this targeted rate will result in a reduced rate

¹ <http://www.ospri.co.nz/Programmes/TBfree.aspx> - FROM THEIR WEBSITE

OSPRI New Zealand (Operational Solutions for Primary Industries) is a not-for-profit limited company, established on 1 July 2013. Its shareholders are DairyNZ, Beef+Lamb New Zealand and Deer Industry New Zealand. TBfree New Zealand Ltd and NAIT Ltd are wholly-owned subsidiaries of OSPRI New Zealand Ltd.

OSPRI's primary role is to help protect and enhance the reputation of New Zealand's primary industries. OSPRI is the result of a merger between the Animal Health Board and NAIT, allowing the two organisations to better meet farmers' needs.

take for Horizons of approximately \$700,000 per annum but it will not impact on the level of service Horizons provides under the TB eradication programme. It is expected that the government-industry partnership of TBfree New Zealand will introduce new funding from different sources for the TB eradication programme e.g. levies and/or further support from central government.

Possible considerations for Council to raise during presentation and include in its submission:

How confident is Horizons that the new funding arrangement will be in place from 1 July 2015 and maintain the present level of service in controlling TB? Is any alternative or supplementary approach available?

- C. Consideration of increased Sustainable Land Use Initiative (SLUI) funding in order to shorten the programme's timeframe for completion. The aim of SLUI is to reduce the level of sediment within the Horizons river systems by approximately 40% by 2032/2033. Horizons is seeking feedback on two options it is considering for this activity:

Option 1: Adjust the current uniform annual charge component of the SLUI funding by inflation. Under this funding model the completion date for the SLUI programme will be unchanged (2032/2033).

Option 2: Increase the uniform annual charge component for funding SLUI by \$2.00 per year plus the cost of inflation for the first three years of the proposed 2015-2025 Long Term Plan in order to provide an increased level of service. This additional money will be spent on undertaking additional SLUI works within the Horizons region and result in a further 600 hectares of susceptible land having erosion control measures in place by Year 3 of the 2015-2025 Long Term Plan, and bring forward the SLUI programme completion date by six years to 2026/2027.

Possible considerations for Council to raise during presentation and include in its submission:

How confident is Horizons that there will be sufficient interest in participating in the programme and that there is adequate capacity to support that increased activity? What is the risk that the government's Hill Country Erosion Fund will be less supportive during the next 10-15 years?

- D. Horizons is proposing to increase its level of knowledge through improved monitoring of water quality and quantity and upgrading its regional flood plain and earthquake risk assessment. The availability of this information will assist Horizons in making decisions on proposed land use development within the Horizons' region. Increasing the monitoring of the quality and quantity of water

the data will enable Horizons to improve its data on groundwater, coastal lakes and estuaries and algae growth within the Horizons' region which will be of assistance when it is required to balance environmental impacts against proposed economic developments. 70% of the increased monitoring costs will be funded by the Water Quality and Quantity Rate whilst the remaining 30% will be funded through section 36 charges paid for by water consent holders.

It is also proposed that holders of discharge consents pay 30% of the increased water quality and quantity monitoring costs, however these costs will be mitigated by proposed changes to the charges structure within the Horizons Revenue and Financing Policy with larger consent holders paying a higher proportion of the costs. Where additional monitoring is required above and below the discharge e.g. a sewerage treatment plant, Horizons is proposing that the discharge consent holder should pay 50% of the additional monitoring costs – an increase of 20%.

Horizons is also proposing a \$1.48 million upgrade of its hazard management data by digitally mapping 1,000 square kilometres of flood plain which is under pressure for economic and residential development. The hazard management upgrade will also include updating earthquake risk assessments for the region. \$670,000 will be funded by redirecting Council officer time, the remainder will be funded through the general rate for the first seven years of the proposed 2015-2025 Long Term Plan. Year 1 will cost \$50,000, Year 2 will cost \$70,000 and Year 3 will cost \$84,000.

Potential considerations for Council to raise during presentation and include in its submission:

How did Horizons decide on the sharing of costs between different consent holders and all ratepayers? What consideration has there been (or intended to be) on consent holders doing self-monitoring (and reporting)?

- E. Horizons is proposing to commence harvesting the spring growth of weeds from Lake Horowhenua on an annual basis from September to November as this has been identified as a key action necessary in order to improve the lakes water quality. As weeds within the lake grow they absorb nutrients and when they die these weeds cause toxic conditions for aquatic life within the lake. 20% of the costs for this activity will be funded by the Water Quality and Quantity Rate which is payable by all ratepayers within the Horizons' region.

Potential considerations for Council to raise during presentation and include in its submission

What is the rationale behind having all ratepayers contribute to improving the quality of water quality in Lake Horowhenua?

- F. Proposal to increase the level of service for the Palmerston North Bus Network through increasing the frequency of buses and extending late night services until 11pm. This proposal has no implications re costs for Rangitikei district ratepayers as this increased level of service will be funded through fares, NZ Transport Agency, Massey University, UCOL, and a targeted rate for Palmerston North ratepayers.

6. Other issues for consideration

- i. *Council request that Horizons fund the implementation in full of the recommendations contained within the soon-to-be completed Regional Growth Study and Agribusiness Strategy, along with the associated implementation plan of the opportunities identified from the growth study and putting them into practice.*
- ii. *Specific funding for identification of contaminated sites within the region, and technical support for territorial authorities for when contaminated land sites are identified.*

Under section 30(1)(ca) of the Resource Management Act regional councils are responsible for investigating land for the purpose of identifying and monitoring contaminated sites. Territorial Authorities are then responsible for managing the uses of this land under section 31(1)(b) of the Act.

The need for good information on Contaminated Sites has been highlighted recently in the National Environmental Standard for Assessing and Managing Contaminants in Soil to protect Human Health (**NES Soil**). The NES Soil is intended to ensure that new development does not occur on sites that could create health risks to future land owners. However in order to determine whether or not a site is contaminated the RMA relies to a large extent on the information contained within territorial authority files and Horizons' Contaminated Sites database. Where there is no information indicating that a site may be contaminated within these records then development on contaminated sites can occur. While Council's files will contain some information on activities that could have caused soil contamination, many activities that potentially may cause soil contamination have never required building or resource and therefore there will be no record of the activity on Council files e.g. sheep dips, market garden land, storing of chemicals on farms.

For Rangitikei (like other rural councils), the main activities which may pose a risk with respect to contaminated land are proposed new subdivisions and new dwellings on rural land, especially land that has historically been market garden land. Typically, there is generally little or no information on either Council files or the Horizons database to give Council guidance on these types of sites. Without good quality information there is a risk that development will occur on land where there may potentially be a contamination risk.

Furthermore, there may be sites where information which the Council holds is ambiguous i.e. it may indicate that historically there may have been an activity which could have caused contamination. However, often this is not conclusive, and this puts Council in a position where:

- Council must determine that there is insufficient information and therefore further investigation will be required. This could result in a proposed development not proceeding due to potential contamination issues and the resulting mitigation works; and / or
- Council will require applicants to undertake soil testing.

It is crucial that the Contaminated Land Database continues to be developed so that over time territorial authorities will be able to access the data and make an informed determination as to whether there is a risk associated with a site, and whether further testing of the site will be necessary to determine its level of contamination (if any). Increased comprehensiveness of this database will ensure that applicants have a more complete picture as to the 'health' of the land for their proposed development from the outset and would ensure Horizons fulfils its responsibilities in terms of identification of Contaminated Sites under the Resource Management Act.

Employing a dedicated FTE at Horizons in this area would minimise the risk of development on contaminated sites, and

- help the region build up expertise and credibility
- improve knowledge of soil types and uses causing contamination
- lead to processing improvements, and
- enable more consistent answers to queries across the region.

5 Recommendations

- 5.1 That the report "Horizons Regional Council 2015-25 Long term Plan '*Shaping our future*'" be received.
- 5.2 That a submission to Horizons Regional Council 2015-25 Long term Plan be prepared for consideration by the Mayor, Deputy Mayor and Chief Executive, taking into account the discussion of issues during the presentation on '*Shaping our region's future*'

Ceinwyn Bannister
Policy Advisor

Attachment 5

REPORT

SUBJECT: Future funding for youth development in Rangitikei 2015/16

TO: Council

FROM: Denise Servante, Strategy and Community Planning Manager

DATE: 17 April 2015

FILE: 4-EN-12-3

1 Background

1.1 Council's Youth Policy currently states its intent:

"To create a family-friendly District which is a great place to raise a family, where children and young people are valued for their contribution to the community and are given an experience of childhood and adolescence that they will want for their own children in due course."

1.2 The focus for Council's youth development programme and Youth Action Plan has therefore been to create a connectedness to the District with the 12-18 age group, and a particular focus on high school-age young people.

1.3 The Youth Action Plan 2012/13 included four events and a contribution towards a youth engagement process, primarily used to support the Marton Youth Club during its formative year. The programme was funded jointly by Council (\$10,000) and a grant from the Ministry for Youth Development (\$15,000)

1.4 The Youth Action Plan 2013/14 included two events in Bulls, five events in Marton, one event in Taihape and two district-wide events – another Youth Forum and a Rangitikei's Got Talent final. The programme was funded chiefly through the Ministry for Youth Development (\$32,000) with project costs contributed by Whanganui Community Foundation and Te Punanga Haumarū.

1.5 The Youth Action Plan 2014/15 included four civic projects linked to the Town Centre Planning process in Bulls, Marton and Taihape. Funding of \$20,000 was secured from the Ministry for Youth Development for the project costs.

1.6 An application has been submitted to the Ministry for Youth Development for funding for the Youth Action Plan 2015/16. This again builds on previous Action Plans in that it aims to facilitate the participation of young people in the implementation of the Town Centre Plans in the coming year. The participation will be facilitated through the Marton Youth Club, the Taihape Youth Hutt and the Bulls and District Community Trust. The application is for \$60,000. The outcome will be advised in early June 2015.

- 1.7 In addition to supporting a Youth Action Plan for the past three years, Council has also tried to support youth development processes in Marton, Bulls and Taihape. It has contributed \$9,000 per year to this¹ and the Ministry for Youth Development has contributed \$8,000 in 2013/14 and \$6,000 in 2014/15. Taihape Community Board contributed \$1,000 in 2013/14.
- 1.8 With additional funding secured from a number of sources, chiefly, the DIA Community Development Scheme, Te Punanga Haumaru and Lottery funds, Council has contracted with HYPE Academy to manage the Marton Youth Club (after school, Saturdays and school holidays) since June 2011, contracted with Bulls and District Community Trust to undertake youth development work with young people in Bulls and District-wide, and contracted with HYPE Academy to re-establish the Taihape Youth Hutt for two days a week after school and during school holidays (since June 2014).
- 1.9 Since mid-late 2012, Council has been developing the Marton Community Charter for Young People. This identifies the core services that the community believes are necessary to provide “the best experience of whanau/ family life in New Zealand”. The Marton Youth Club is one of these services as a safe space to “hang out” and as a cornerstone for the delivery of a range of services for young people as part of a one stop shop².
- 1.10 Council’s focus has been on working with MSD to establish a more sustainable approach to funding. MSD is the natural major partner as the key funding body nationally for community services of this nature. Another natural partner could be local businesses, particularly if there are youth support services focussing on employment opportunities. Again, this latter service is currently provided through Work and Income, a department of MSD.
- 1.11 However, progress has been slow and available project money is depleted. Council will need to make a call about the continued level of its support for the two youth clubs (Marton and Taihape). This report outlines the options for Council to aid its decision-making.

2 Current situation – existing funding

- 2.1 The annual cost of these services is \$36,000 for the Marton Youth Club and \$19,500 for the Taihape Youth Hutt. In addition, Council has been providing the venue and running costs in both Marton and Taihape. HYPE Academy is currently contracted up to the end of April, by which point, the youth development budget will be in deficit by \$7,500.

¹ This provision remains in the draft 2015-25 LTP

² MSD and other health and social welfare departments, such as the Ministry of Education and the Ministry of Health organisations can support youth facilities that offer direct delivery of welfare services. Local examples are the Youth Services Trust in Whanganui and the Youth One Stop Shop (YOSS) in Palmerston North.

- 2.2 The Youth Action Plan 2014/15 has two projects outstanding: one in Taihape and one District-wide. There is \$10,000 available through MYD for these projects. In Taihape there is a project to develop a mural at the Town Hall to complement the place-making that has already been undertaken. The young people involved in the District-wide programme have suggested a District-wide health expo. Progress on both these projects has been slow. A key factor is the under-resourcing of youth development support to facilitate the process³.
- 2.3 HYPE Academy has undertaken to deliver a District-wide health expo during Youth Week in May and to provide additional support to the project in Taihape to ensure that it is completed. This would enable Council to allocate the outstanding \$10,000 to youth development (less the actual costs incurred by the project which are estimated to be \$3,000). If this were applied to maintain the services at Marton Youth Club and Taihape Youth Hutt, then the deficit at year end would increase from \$7,500 to \$8,850. However, this can be managed within the District Promotions budget because last December's Path to Well-being Conference cost less than budgeted.

3 Current situation – future funding

- 3.1 Sustaining youth club services is extremely problematic when relying on government and philanthropic funding. There has been no interest in funding ongoing costs of the youth clubs from major philanthropic trusts such as the Todd Foundation and the Tindall Foundation.
- 3.2 There have been diminishing returns from other funders such as Lottery and Whanganui Community Foundation. These sources of operational funding are interested in innovation or new services but there is still no satisfactory route to “mainstream” the services that prove their value in a pilot phase. This has been Council's focus in working through the MSD Community Investment model. The website states:

“With Community Investment comes a new way of thinking and a new way of working. This change brings together what was Family and Community Services’ and Child Youth and Family’s funding and contracting functions along with the service development work in the areas of social change, and programme development and delivery.

“Community Investment will support a more flexible and joined-up approach to the way we work with you and your communities. It will allow us to increase our focus on relationships with our NGO partners providing them the support they need to put the client at the centre of what they do. This will be reflected in funding decisions that are

³ The funding request to MYD sought \$24,000 for youth development and \$6,000 was expressly granted. However, the four civic projects were allocated \$20,000 in project costs and there is no prohibition on these funds being used to support youth development provided that the funded outcomes are achieved.

coordinated, integrated and targeted according to need. Flexibility will ensure we work differently in different communities, achieving the best possible outcomes.”⁴

- 3.3 Council’s discussions with MSD have been within the context of the Marton Community Charter for Young People. This has been developed in conjunction with local stakeholders.

4 Current situation – Marton Community Charter for Young People

- 4.1 The initial focus was to secure a Social Sector Trial for Marton. These trials are pilots in (now) 16 areas of New Zealand, supported at the national, regional and local level by the Ministries of Education, Health, Justice, Social Development and the New Zealand Police. The website states:

“The Social Sector Trials are a social change model focused on improving outcomes by testing an alternative approach to social service delivery in communities. The approach is centred around a community member or non-governmental organisation, who shapes cross-agency resources with local organisations and government agencies to deliver more collaborative, directed and effective social services”⁵

- 4.2 Local stakeholders were encouraged to seek Social Sector Trial status by senior MSD officials. The process required that a local action plan was developed for consideration and so the Marton Community Charter for Young People was developed. However, nothing has eventuated thus far. The existing pilots have been extended to June 2016 and there is no indication that the government is looking to announce new pilots⁶...
- 4.3 In essence, the Marton Community Charter for Young People aims to develop a structure within which funding decisions can be “coordinated, integrated and targeted according to need (ensuring) we work differently in different communities achieving the best possible outcome”⁷. The Charter is overseen by a Board comprising the Council, Te Runanga o Ngati Apa, MP Ian McKelvie’s office and the Whanganui District Health Board.

⁴ <http://www.familyservices.govt.nz/working-with-us/news-room/latest-news/2014/community-investment.html>

⁵ <https://www.msd.govt.nz/about-msd-and-our-work/work-programmes/initiatives/social-sector-trials/index.html>

⁶ Nonetheless, the Chief Executive and His Worship the Mayor continue to raise this issue with Ministry officials and politicians.

⁷ <http://www.familyservices.govt.nz/working-with-us/news-room/latest-news/2014/community-investment.html>

- 4.4 To ensure that decisions about future funding can be made without self-interest from agencies holding existing contracts, there are no service delivery agencies on the Board. Service agencies which have been identified as providing core services form an Advisory Group. This Group aims to ensure that communication and coordination between key service delivery agencies to enable the *“more flexible and joined-up approach”* put forward through the Community Investment model.
- 4.5 The Charter identifies three key areas for action:
- Providing effective community leadership (through good governance, and evidenced-based decision-making)
 - Ensuring that the “no wrong door” approach operates between communities, schools and service providers (3 distinct hubs for service delivery with essential, core services provided locally – the ambulance at the bottom of the cliff)
 - Transition from the “deficit model” to sustainable, positive outcomes for whanau/families (projects that move from deficit to growth – the ambulance at the top of the cliff)
- 4.6 The Charter identifies the following key local service delivery agencies:
- Te Kotuku Hauora Ltd
 - Jigsaw Whanganui
 - Marton Youth Club
 - Work and Income
 - Marton Budgeting Service
 - Marton Counselling Centre
 - Marton Library
 - Project Marton
- 4.7 Finally, the Charter identifies the following gaps in existing service provision that meets the needs of the local community:
- Social service researcher
 - Creation of youth roles focused on educational achievement and employment within community
 - Extend youth club role to become an access point for wider services
 - Expand the locations of the youth clubs
 - Samoan/cultural services
 - Marton and Surrounds ICT Hub
 - Housing for young people
 - Provision of community development support

- 4.8 The inaugural, official Board meeting took place on 10 March 2015. The Board agreed that a firm commitment from MSD to the Charter and its processes was required before any further action could be taken. This message was relayed back to MSD and the result is that the regional Lead Advisor from Wellington has been designated to attend Board meetings. He has confirmed that Marton has been identified by MSD as a regional priority and that MSD recognises that it needs to better coordinate its investment across the community.
- 4.9 The unknown is whether MSD's view of the important investment priorities aligns with those currently identified in the Community Charter. However, the key discussion must be to negotiate this and agree where the focus needs to be.
- 4.10 The Board also agreed to seek representation from other departments which have contracting and funding functions in the District, specifically the Ministry of Education and New Zealand Police and both these agencies have confirmed their participation in the next Board meeting (12 May 2015). Clearly, their views of the important investment priorities will also need to be understood.
- 4.11 The business of the next Board meeting will be to consider, amend and adopt a set of agreed investment priorities, establish a working Terms of Reference for the Board and set some key milestones. It is recommended that this work is undertaken before the end of June 2015 to enable a final decision to be made on Council's continued involvement in this initiative.

5 Conclusions

- 5.1 It is feasible for the Marton Youth Club and Taihape Youth Hutt to continue until 3 July 2015 through (i) maximising the grants made by MYD and (ii) accepting that there will be a deficit of \$8,850 which can be covered by the under-expenditure in the Path to Well-being Conference (both part of the District Promotions budget).
- 5.2 By that time, it should be clear to what extent MYD will fund the proposed 2015/16 Youth Action Plan. Even if only 50% of what was requested, this will be sufficient to maintain the present hours and services at the Marton Youth Club and Taihape Youth Hutt until 16 December 2015 (end of term 4). By then it is reasonable to expect certainty on the viability or otherwise of securing long-term funding through the Marton Community Charter for Young People.
- 5.3 It is not intended that Council be the major provider and funder of youth development in the District: the proposed approach is to maximise both the funding opportunities available and increase advocacy to MSD so that the Marton Youth Club and Taihape Youth Hutt are sustainable entities not dependent on ratepayer contributions.

6 Recommendations

- 6.1 That the report, "Future funding for youth development in Rangitikei 2015/16", be received.
- 6.2 That Council agrees to fund the contracts with HYPE Academy to maintain the services to 3 July 2015 including to deliver outcomes required by the MYD funded projects.
- 6.3 That Council requests a further report at its meeting on 26 June 2015 outlining:
- progress made by the Community Charter Board during May/June 2015 in confirming MSD investment, and
 - confirmed funding available for youth development from all other sources for 2015/16.

Denise Servante
Strategy and Community Planning Manager

Attachment 6

REPORT

SUBJECT: Marton Water Treatment Plant Upgrade - progress report and final estimated costs

TO: Council

FROM: Hamish Waugh, General Manager – Infrastructure

DATE: 23 April 2015

FILE: 6-WS-3-6

1 Executive Summary

- 1.1 Marton Water Treatment Plant was built in 1920's. It received up-grades in the 1950's and 1990's but the building and water reservoir remained as constructed in 1920.
- 1.2 Various reports in 2007 and 2009 made recommendations regarding water treatment process upgrades and water storage requirements to ensure compliance with New Zealand Drinking Water Standards and firefighting capability in Marton. As a result of these studies and various council meetings the following budgets were set in September 2011:

Water impound (Dam) management control	\$748,710
Tutaenui production bore and supply lines to the Marton Water Treatment Plant	\$1,003,050*
6ML treated water storage reservoir	\$2,328,750 (civil construction only)
Electrical, control and process upgrades	\$1,194,750
Enclosed treatment plant building	\$992,250
Contingency	\$1,500,000
Total Budget	\$7,767,510

*exclusive of the initial \$200,000 consent and investigation costs.

- 1.3 In 2012 the overall project was running behind due to delays in maintaining the plant operational whilst constructing the new reservoir and building structure, and therefore, to reduce finance costs, it was agreed that the \$1,500,000 contingency would be removed from the carried forward budgets until it was needed. At that time it was envisaged that it was very unlikely that the full contingency would be required.

- 1.4 Over the past year the electrical control systems have been re-installed in the new building, this has enabled improvements to the process control equipment to be made at the same time ahead of programme. These are currently underway with completion expected in 2016. The original budgets did not include for these upgrades.
- 1.5 This report requests capital funds of \$300,000 from the original contingency to complete the fit out of the building, complete paving and landscaping around the plant, finish control equipment installation at the plant and the bore, and the transfer of the control equipment into the new premises.

2 Improvements to Dams

- 2.1 The improvements at the dam have been made, with the tidying up and metalling of the access tracks to ensure all weather access and gorse spraying/mulching of weeds. The ongoing maintenance works are now operational costs. The overall project cost for this to end June 2014 was \$675,000. *In terms of the original project this is now complete.*

3 New Bore

- 3.1 The new bore is mostly complete pending the electrical control installation. Costs to end of June 2014 amounted to \$1,327,250 (inclusive of initial \$200,000 development costs). \$70,000 has been budgeted in the 2015/16 AMP for the pressure testing and disinfection of the pipeline and installation of the electrical and communication works, as this is dependent on completion of the new PLC at the water treatment plant. (Reference AIM report "Tutaenui Road Bore Rising Main to B Dam" dated 21 August 2014).

4 Six Mega Litre Treated Water Storage Reservoir – Contract C919 (Concrete Structures (NZ) Ltd) and Associated Work

- 4.1 Contract C919 'Design Build – Marton Reservoir' commenced on 18 April 2012 with Practical completion achieved on 9 January 2013. This covered the civil works only with control systems and communication linkages with the plant still to be completed.
- 4.2 The total cost for the civil construction of the 6Mltr Treated Water Storage Reservoir was \$1,580,580.37 with another \$100,000 for associated pipework and control equipment. *In terms of the original project this is now complete.*

5 Electrical Controls and Equipment Up-grades - Project PRJ12-01N (Electrical Upgrade)

- 5.1 The completion of both the reservoir and the main building structure has enabled the up-grade of some of the electrical control and process systems. The budget for these works was initially set at \$1,194,750 but the need to maintain the existing system

running until completion of the change-over for each component have meant that this project budget has been exceeded and the works are still in progress.

- 5.2 This is the major source of project expenditure since recent improvements to the wiring regulations have meant that replacement of all cabling has been required for safety.
- 5.3 Whilst the contractors are on site replacing wiring it has made sense to include the process improvements that had been scheduled for 2014-15 albeit that these were outside the original project scope of works.
- 5.4 Since June 2014 approximately \$140,000 has been spent on the electrical/process upgrade, with a further \$188,000 of electrical and process equipment still required for completion.
- 5.5 The electrical contractor is in the process of completing a new main switchroom that will contain switches for the numerous flow meters and dosing systems throughout the plant. He has fed new wires to all equipment and is in the process of removing all the old redundant wiring. The new switches will all be linked back into new remote monitoring equipment to enable plant to fully function at all times. The temporary systems established to enable the plant to function as the new building was erected around them are systematically being replaced by the new wiring and controls.
- 5.6 The total expenditure for 2014/15 is anticipated to be about \$328,000.
- 5.7 Estimated completion of most electrical works is now scheduled to be in June 2015.

**6 Main Building – Contract C927 (KiwiSpan Building)
Contract C926 (Chlorine Room and Workshop)
Contract C964 (Internal Amenities Area)**

- 6.1 Comprehensive design and preliminary site works for the main building commenced in October 2012. Practical completion for the structure was achieved on 15 November 2013.
- 6.2 The total cost for the 'Main Building' shell was \$775,501.37. Works to end of June 2014 included construction of internal partition walls, re-location of building electrical systems (lighting and heating to amenity areas) and some of the internal paving, removal and reinstatement of equipment plinths etc.
- 6.3 The external lighting, fencing, paving and landscaping around the plant and internal handrails and walkways are being completed to suit final building/equipment levels with the overall fit-out and wall linings due to be completed once all the electrical systems are in place. *This is estimated to cost \$92,000.*

Item	September 2011 overall Budget	Costs to July 2014	Costs to complete 2014/16	Total Costs
<i>Improvements to Dams</i>	\$749,000			
Major vegetation clearance, pipe renewals and access tracks		\$675,000	\$0	\$675,000
New Bore ¹ (remaining works programmed in 2015/16)	\$1,003,000	\$1,127,000	\$70,000	\$1,197,000
<i>Water Storage</i>	\$2,329,000			\$1,681,000
Main reservoir shell		\$1,581,000	\$0	
Associated pipework and control equipment		\$100,000	\$0	
<i>Electrical and Process</i>				\$2,108,000
Replacement of wiring	\$1,195,000	\$1,250,000		
Temporary duplication of equipment (process equipment capital works)		\$530,000	\$128,000	
(2013-14 carry-over)			\$40,000	
(2014-15 Budgeted renewals)	\$160,000		\$160,000	
<i>Up-grade of building</i>	\$992,000			\$1,052,000
Building shell		\$775,000		
Survey costs, paving, landscaping and fit-out (room linings and electrical works)		\$185,000	\$92,000	
Contingency	\$1,500,000	\$0	\$0	\$0
Total	\$7,928,000	\$6,223,000	\$490,000	\$6,713,000

¹ Note that when this budget was set the initial investigation costs of \$200,000 were excluded.

7 Current Budgets

- 7.1 The original overall project had a budget of \$6,267,000 and a contingency over and above this of \$1,500,000. This year's capital budgets for the Marton WTP amounted to \$160k for capital renewals relating to process equipment and \$40,000 carry over from 2013/14 for completion of these capital up-grades.
- 7.2 Costs to end of June 2014 amounted to \$6,223,000. Estimated expenditure since July 2014 to complete the project and this year's renewals is estimated to be \$490,000 giving a total budget cost of \$6,703,000.
- 7.3 The budget requirement for completion amounts to between \$250,000 - \$300,000 (less than a fifth of the original contingency).

8 Conclusions

- 8.1 The above projects have taken longer to complete than initially envisaged due to the requirement to keep the plant operating at full capacity throughout the construction period.
- 8.2 The total costs for the overall project are within budget and scheduled process renewals have been possible while the electrical contractors are on site.
- 8.3 The initial unspent project contingency of \$1,500,000 be noted and the additional capital funds to complete the project be taken in the context of this initial project contingency.

9 Recommendations

- 9.1 That the report 'Marton Water Treatment Plant Upgrade – progress report and final estimated costs' be received.
- 9.2 That additional capital funds of **\$300,000** be approved in the 2014/15 financial year to complete the remaining project works at the Marton Water Treatment Plant and Tutaenui bore.

Hamish Waugh
General Manager – Infrastructure

Attachment 7



Rangitikei
UNDEFEATED...

REPORT

SUBJECT: **Final Budgetary Requirements for Contract C955 Tutaenui Rd Trunk Main**

TO: Rangitikei District Council

FROM: Hamish Waugh, General Manager Infrastructure

DATE: 23 April 2015

FILE: 5-CM-1-955

1 Executive Summary

1.1 Purpose of the report

The purpose of this report is to request additional funding for the completion of Contract C955 – Tutaenui Rd Trunk Main (Renewal).

1.2 Key issues

The contract for the replacement of a section of the Marton Trunk Main along Tutaenui Road was awarded to ID Loader Limited in October 2014 with a total value of \$692,909.30 plus GST. The pipework has been commissioned and projected completion costs are slightly higher than initially determined at the time of tender acceptance.

1.3 Major recommendations

To increase the value of C955 – Tutaenui Rd Trunk Main (Renewal) to \$740,000 plus GST from \$692,909.30 plus GST, an increase of \$47,090.70 plus GST to complete the project.

2 Context

2.1 Background

The concrete trunk main along Tutaenui Rd between the WTP and Marton was originally installed in 1952.

This main supplies water to Marton from the WTP and some sections have been replaced over the last 20 years due to the deterioration of the pipeline.

The initial pipe location works, undertaken at the commencement of the physical works to confirm the alignment, revealed that the pipe was in worse condition than originally thought. The pipe alignment needed to be shifted to ensure that the risk of failure to the existing pipe was minimised. The decision was taken to relocate the alignment to the opposite side of Tutaenui Road.

This has resulted in the amount required to complete the works exceeding the contingency amount set aside at the time of tender acceptance.

The new pipeline has been commissioned and has resulted in an estimated water saving through the cessation of leakage in the old pipeline of 240 m³/day. This is significant in the context of the Marton water supply which has an average daily demand of 3,400 m³/day.

2.2 Long Term Plan (LTP)

Funding has been allocated for this project in the 2012-22 LTP as part of the water treatment and reticulation renewal programme in Marton.

The budgeted provision for water treatment and reticulation renewals in the current financial year is \$1,036,000.

The proposed pipeline renewal is consistent with the LTP.

2.3 Significance

The proposal does not trigger the significance thresholds as the impact on Council's direction in terms of its strategic objectives, the change from Council's current level of service, the level of public impact and or/interest and the impact on Council's capability (non-cost), to continue to provide existing services are all assessed as medium to low.

2.4 Maori consultation

Community views have not been explored in this report.

The water supply renewals budget has been consulted on through the process associated with the adoption of the LTP.

2.5 Legal issues

Nil.

2.6 Approach

Community views have not been explored in this report.

The water supply renewals budget has been consulted on through the process associated with the adoption of the LTP.

3 Analysis

3.1 Costs

The estimated final cost for the project is \$740,000.00 with the only outstanding cost yet to be incurred is the cost to reseal the road shoulder.

The cost will be met from within the existing budgeted provision of \$1,036,000 for water treatment and reticulation renewals in Marton.

The following points are noted:

- The second lowest tender received in October 2014 was \$61,986.73 higher than the successful tender.
- The Engineer's Estimate for this project was \$820,000.

Therefore it is noted that the project will be completed within the figures used for internal budgetary purposes.

The major extra costs incurred are as follows:

- Extra physical investigation costs
- Extra fittings costs due to the alignment change
- Extra connection costs due to the need to cross the Tutaenui Road at each end and the extra complexity of these connections
- Extra road reinstatement costs due to a larger area of sealing required

4 Conclusions

The need to relocate the pipeline to a new alignment resulted in additional project costs being incurred. This expenditure is within the existing budgetary provisions for water treatment and reticulation renewals.

4.1 Impact on Council policy

Nil.

4.2 Impact on taking a sustainable development approach

The reduction in leakage observed (240 m³/ day) following the renewal of the Trunk Main is a great outcome and supports the sustainable management of the Matron Water resource.

4.3 Issues for Maori

Nil.

5 Recommendation

- 5.1 That the report 'Final Budgetary Requirements for Contract C955 Tutaenui Rd Trunk Main' be received.
- 5.2 That Council approve the increase in the value of C955 – Tutaenui Rd Trunk Main (Renewal), to \$740,000 plus GST, an increase of \$47,090.70 plus GST to be funded from the existing 2014/15 water treatment and reticulation renewals budget.

Hamish Waugh
General Manager – Infrastructure

Attachment 8

MEMORANDUM

TO: Council

FROM: Samantha Whitcombe

DATE: 24 April 2015

SUBJECT: **Submissions to the draft Dangerous and Insanitary Buildings Policy**

FILE: 3-PY-1-24

1 Summary

- 1.1 At its meeting on 26 February 2015, Council approved the draft Dangerous and Insanitary Buildings Policy for public consultation during the period 2 March 2015 to 2 April 2015. A copy of the draft Policy is attached as Appendix 1.
- 1.2 During this period two submissions were received. These are attached as Appendix 2.
- 1.3 Neither submitter indicated a desire to speak to their submission, therefore no oral hearings will be held.
- 1.4 Neither requested a change to the draft Policy, therefore it is recommended that Council adopts the draft Policy without amendment.

2 Consultation Process

- 2.1 To give effect to any amendments desired by Council with respect to this policy, Council must follow the special consultative procedure as set out in section 83 of the Local Government Act 2002.
- 2.2 An Engagement Plan, Statement of Proposal, Summary of Information and Submission form were developed for this Policy, and were adopted by Council for public consultation on 26 February 2015.
- 2.3 The submission form did not ask specific questions of submitters, it merely asked for their comments on the draft Policy.

3 Submissions

- 3.1 Two submissions were received during the consultation period.
- 3.2 The first submission was received from a local builder. The submission requested that those persons delegated the authority to inspect a dangerous building or dam, would have the correct qualifications to carry out these inspections. Council confirms that it does not delegate authority to anyone not appropriately qualified.

- 3.3 The second submission was received from the Marton Community Committee. The submission wished to support the proposed amendments to the Policy.

4 Recommendations

- 4.1 That the memorandum 'Submissions to the draft Dangerous and Insanitary Buildings Policy' be received.
- 4.2 That the draft Dangerous and Insanitary Buildings Policy be adopted [without amendment/as amended] to come into effect from 4 May 2015.
- 4.3 That a response is sent to the submitters thanking them for their submission and informing them of Council's decisions.

Samantha Whitcombe
Governance Administrator

Appendix 1

DANGEROUS AND INSANITARY BUILDING POLICY

Policy Title: DANGEROUS AND INSANITARY BUILDINGS POLICY

Date of Adoption: 25 May 2006

Resolution: 06/RDC/144

Review Date: ~~2011~~2020

Statutory reference for adoption: Building Act 2004 s131

Statutory reference for review: Building Act 2004 s132

Included in the LTCCP: no

Date Amended or Reviewed	Resolution
Reviewed XXXX 2015	

Introduction & Background

Section 131 of the Building Act 2004 ("the Act") requires territorial authorities ("TAs") to ~~adopt~~have a policy on dangerous and insanitary buildings ~~by 31 May 2006~~. Additionally, Council is now also required to take into account affected buildings¹.

One of the key purposes of the Act, as set out in section 3, is to ensure 'people who use buildings can do so safely and without endangering their health.' Section 4 details the principles to be applied in performing functions under the Act and specifically states that TAs must take these principles into account in the adoption and review of their dangerous and insanitary building policies.

The definition of a dangerous building is set out in Section 121 (1) of the Act:

"A building is dangerous for the purposes of this Act if,-

- (a) in the ordinary course of events (excluding the occurrence of an earthquake), the building is likely to cause –*
 - (i) injury or death (whether by collapse or otherwise) to any persons in it or to persons on other property, or*
 - (ii) damage to other property; or*
- (b) in the event of fire, injury or death to any person in the building or to persons on other property is likely ~~because of fire hazard or the occupancy of the building.~~"*

The definition of an insanitary building is set out in Section 123 of the Act:

"A building is insanitary for the purposes of this Act if the building -

- a) is offensive or likely to be injurious to health because-*
 - (i) of how it is situated or constructed; or*
 - (ii) it is in a state of disrepair; or*

¹ [Section 132A Building Act 2004 which came into force on 28 November 2013,](#)

- b) has insufficient or defective provisions against moisture penetration so as to cause dampness in the building; or in any adjoining building; or
- c) does not have a supply of potable water that is adequate for its intended use; or
- d) does not have sanitary facilities that are adequate for its intended use."

The definition of an affected building is set out in Section 121A of the Act:

"A building is an affected building for the purposes of this Act if it is adjacent to, adjoining, or nearby –

- (a) a dangerous building as defined in Section 121; or
- (b) a dangerous dam within the meaning of Section 153."

This ~~policy document was originally sets out the policy proposed to be~~ adopted by Rangitikei District Council ("Council") on 25 May 2006 in accordance with the requirements of the Building Act 2004.

The policy is required to state²:

The approach that the Council will take in performing its functions under the Act;
Council's priorities in performing those functions; and
How the policy will apply to heritage buildings.

In ~~developing reviewing, amending and adopting its Dangerous and Insanitary Buildings~~ this policy, ~~Rangitikei District~~ Council has followed the special consultative procedure set out in Section 83 of the Local Government Act 2002.

~~It is likely that in~~ many, but not all, cases a building is dangerous, affected or insanitary status will not be readily apparent. For that reason, any attempt to identify these buildings proactively is unlikely to be successful unless Council has considerable resources to undertake inspections and evaluations of buildings.

As a consequence, the most likely sources of information concerning dangerous, affected or insanitary buildings ~~continues to will~~ be from building occupants, neighbours, or as the result of an inspection by the police, the fire service or other agencies authorised to inspect buildings. Other sources of information will be known directly by Council, possibly following a significant weather event.

Relying on complaints to provide information concerning potentially dangerous or insanitary buildings ~~is likely to be the only~~ continues to be the most practical way in which Council can identify both these buildings and affected buildings within the district and undertake its statutory responsibilities.

POLICY APPROACH

Policy Principles

Provisions of the Act in regard to dangerous, affected and or insanitary buildings reflect the government's broader concern with the safety of the public in buildings, and with the health

² Sec 131(2) of the Building Act 2004

and safety of people occupying buildings that may be considered to be dangerous, affected or ~~and~~ insanitary. However, Council recognises that public safety must be balanced against the other broader economic issues and in relation to other Council Policy.

~~The Council has noted that the development of a dangerous and insanitary building policy is to be undertaken by TAs independently and has responded accordingly. This policy will be developed after due consultation with Rangitikei District Council ratepayers and stakeholders in accordance with section 83 of the Local Government Act 2002.~~

Overall approach

Sections 124 to 130 of the Act provide the authority necessary for TAs to take action on dangerous, affected or ~~and~~ insanitary buildings and set out how this action is to be taken.

The Council will continue to encourage the public to discuss their development plans with Council and to obtain building consent for work Council deems is necessary prior to any work commencing. This is particularly important in order to avoid creating dangerous ~~and~~ or insanitary conditions that could be injurious to the health of occupants, particularly children and the elderly, or where safety risks are likely to arise from a change in use.

Council has in the past relied upon complaints from various sources to identify dangerous ~~and or~~ insanitary buildings and will continue with this passive approach.

Identifying Dangerous, Affected or ~~and~~ Insanitary Buildings

The Council will:

- Take a passive approach to identification of buildings.
- Actively respond to and investigate all buildings complaints received.
- Identify from these investigations any buildings that are dangerous, affected or insanitary.
- For dangerous buildings, inform the owner(s) and occupier of the building to take action to reduce or remove the danger, as is required by Section 124 and 125 of the Act; (and liaise with the New Zealand Fire Service when Council deems it is appropriate, in accordance with Section 121 (2) of the Act).
- For insanitary buildings, inform the owner(s) of the building to take action to prevent the building from remaining insanitary as is required by Section 124 and 125 of the Act; (and liaise with the Medical Officer of Health when required to assess whether the occupants may be neglected or infirm).
- For affected buildings, inform the owner(s) of the building only when restricting entry to the building.

Assessment criteria

The Council will assess dangerous, affected ~~and or~~ insanitary buildings in accordance with the Act and established case law, as well as the building code:

The Council will:

- Investigate as to whether the building is occupied.
- Assess the use to which the building is put.
- Assess whether the dangerous ~~and or~~ insanitary conditions pose a reasonable probability of danger to occupants or visitors, ~~or~~ to the health of any occupants of the building.
- Upon the determination that a building or dam is dangerous assess whether the dangerous building or dangerous dam pose a reasonable probability of danger to occupants or visitors of any adjacent, adjoining or nearby buildings.

Considerations as to dangerous assessment where a building is either occupied or not may include:

- Structural collapse.
- Loose materials/connections.
- Overcrowding.
- Use which is not fit for purpose.
- Seeking advice from New Zealand Fire Service³ (121(2)(a))

Considerations as to insanitary assessment where a building is occupied may include:

- Adequate sanitary facilities for the use.
- Adequate drinking water.
- Separation of use for kitchen and other sanitary facilities.
- Likelihood of moisture penetration.
- Natural disaster.
- Defects in roof and walls/poor maintenance/occupant misuse.
- The degree to which the building is offensive to adjacent and nearby properties.

A building will be deemed to be an affected building if it is adjacent, adjoining or nearby a building which Council has assessed as being a dangerous building or a dam which Horizons Regional Council has by writing notified Council that it is deemed to be a dangerous dam pursuant to section 153 of the Act (Meaning of dangerous dam).

Taking Action

In accordance with sSection 124 and sSection 125 of the Act the Council will:

- Advise and liaise with the owner(s) of buildings identified as being dangerous, affected or insanitary.
- As a consequence of a building or dam being identified as dangerous consider whether any buildings should be regarded as being an affected building for the purposes of the Act.
- May request a written report on the dangerous building from the New Zealand Fire Service; ~~(dangerous building).~~

If found to be dangerous or insanitary:

³ Sec 121(2)(a) Building Act 2004

- Attach written notice to the building requiring work to be carried out on the building, within a time stated in the notice being not less than 10 days, to reduce or remove the danger.
- Give copies of the notice to the building owner, occupier, and every person who has an interest in the land, or is claiming an interest in the land, as well as the ~~New Zealand Historic Places Trust~~ [Heritage New Zealand Pouhere Taonga](#), if the building is a heritage building.
- Contact the owner at the expiry of the time period set down in the notice in order to gain access to the building to ascertain whether the notice has been complied with.
- Where the danger is the result of non-consented building work, Council will formally request the owner(s) to provide an explanation as to how the work occurred and who carried it out and under whose instructions; (and apply for a Certificate of Acceptance if applicable).
- Pursue enforcement action under the Act if the requirements of the notice are not met within a reasonable period of time as well as any other non-compliance matters.

Where Council has determined under section 121A of the Act that a building is an "affected building" Council may do any or all of the following:

- Erect a hoarding or put up a fence around the building;
- Attach a notice warning people not to approach the building;
- Issue a written notice restricting entry to the affected building for particular purposes or to particular groups of people for a maximum period of 30 days. Such notice may be reissued once for a further 30 days.

If the building is considered to be immediately dangerous or insanitary the Council ~~will~~may

- Cause any action to be taken to remove that danger or insanitary condition (this may include prohibiting persons using or occupying the building and demolition of all or part of the building); and
- Take action to recover costs from the owner(s) if the Council must undertake works to remove the danger, or insanitary condition
- The owner(s) will also be informed that the amount recoverable by ~~Rangitikei District~~ Council will become a charge on the land on which the building is situated.

All owners have a right of appeal as defined in the Act, which can include applying to the Department of Building and Housing for a determination under ~~s~~[Section 177\(e\)](#) of the Act.

Interaction between the Dangerous and Insanitary Buildings policy and related sections of the Act

Section 41: Building consent not required in certain cases

In cases where a building is assessed as being immediately dangerous or insanitary the Council may not require prior building consent to be obtained for any building work required so as to remove the danger~~ous~~ or insanitary condition immediately. However, where Council has issued a notice under section 125(1) of the Act it must advise the owner

of the building if a building consent will be required prior to the owner commencing any remedial works to the building.

Prior to the lodging of a building consent application for the work required under the notice any action being taken it is imperative that building owners discuss any works with the Council. In those circumstances where Council has not required a building consent to be issued prior to the commencement of the remedial works required by the notice the building owner will still be required to, and then subsequently apply for the building consent a certificate of compliance as required by the Act. within 10 days of the initial assessment.

Record Keeping

Any buildings identified as being dangerous or insanitary will have a requisition placed on the property file for the property on which the building is situated until the danger or insanitary condition is remedied.

A note will be placed on the property file of an affected building until such time as the dangerous condition of the adjacent, adjoining or nearby building or dam have been rectified.

In addition, the following information will be placed on the LIM:

- Notice issued that the building is dangerous, ~~or~~ insanitary or is an affected building.
- Copy of letter to owner(s), occupier and any other person that the building is dangerous, ~~or~~ insanitary or is an affected building.
- Copy of the notice given under section 124(1) that identifies the work to be carried out on the building and the timeframe given to reduce or remove the danger or insanitary condition.

Economic impact of policy

Due to the low number of dangerous, affected or ~~and~~ insanitary buildings encountered annually by the Council, the economic impact of this policy is, at this date, considered to be low.

Access to information

Information concerning dangerous, affected or ~~and~~ insanitary buildings will be contained on the relevant LIM, and Council records.

In granting access to information concerning dangerous, affected or insanitary buildings ~~the~~ Council will conform to the requirements of the Local Government Official Information and Meetings Act 1987 and the Local Government Act 2002.

HERITAGE BUILDINGS

No special dispensation will be given to heritage buildings under this policy.

The fact that a building has heritage status does not mean that it can be left in a dangerous or insanitary condition. As per Section 125(2)(f) of the Act a copy of any notice issued under s124 of the Act will be sent to the [New Zealand Historic Places Trust](#) [Heritage New Zealand Pouhere Taonga](#) where a heritage building has been identified as a dangerous, ~~and~~ affected ~~or~~ insanitary building.

PRIORITIES

The Council will give priority to buildings where it has been determined that immediate action is necessary to fix dangerous ~~and~~ or insanitary conditions. Immediate action will be required in those situations to fix those dangerous ~~and~~ or insanitary conditions, such as prohibiting occupation of the property, putting up a hoarding or fence and taking prosecution action where necessary.

Buildings that are determined to be dangerous ~~and~~ or insanitary, but not requiring immediate action to fix those dangerous ~~and~~ or insanitary conditions, will be subject to the minimum timeframes to prevent the building from remaining dangerous ~~and~~ or insanitary (not less than 10 days) as set in Section 124(1)(c) of the Act.

Appendix 2

RECEIVED

24 MAR 2015

To: SW
File: 3-PY-2-1
Doc: 15 0164



Rangitikei
UNUSUALLY...

SUBMISSION FORM

Dangerous and Insanitary Buildings Policy

Please print clearly

Submissions close
12 noon on Thursday
2 April 2015.

Return this form, or send your
written submission to:

Sam Whitcombe
Dangerous and Insanitary Buildings
Policy
Rangitikei District Council
Private Bag 1102
Marton 4741

Email: info@rangitikei.govt.nz

Oral submissions

You may wish to speak in support of
your written submission.

If you wish to speak to your
submission, please tick the box
below.

I wish to speak at:

☐ Marton Council Chambers
Thursday 30 April 2015

Ten minutes are allowed for you to
discuss your views with Elected
Members and to allow them to ask
questions. If you have any special
requirements, or visual or hearing
impairments, please note them here:

Name: NEVILLE J MURPHY

Organisation: (if applicable) BUILDER

Address: 602 GREATFORD RD
R.D 1 BULLS

Phone: (business) 0274482910 (home) 063221665

Email: _____

Please make your comments on the proposed amendments to
the Dangerous and Insanitary Buildings Policy below:

When I am identifying these affected
Buildings I would like to
Point out that the "Council"
have the Proper Persons with
the Proper qualifications to Carry
these dangerous Building or Dam
inspections e.g. Engineers, fire
Service, health officers.
Section 121(2), 124 and 125 of the act
Not Building Inspectors with no qualifica
tion.

Attach additional information or pages if necessary

Signed: N. J. Murphy

Date: 17/3/2015

Thank you for submitting on this proposed policy
and telling us your views.

Privacy Act disclosure: Please be aware when providing personal information that this
submission form is part of the public consultation process. As such, this document will be
copied and made publicly available.

Dangerous and Insanitary Building Policy 2015 - Notice of Consultation



It is a statutory requirement under section 131 of the Building Act 2004 for every Council to have a Dangerous and Insanitary Buildings Policy. Section 132(4) of that Act requires the policy to be reviewed by Council every five years. At its meeting on 26 February 2015, Council adopted the draft policy for public consultation using special consultative procedure as set out in section 83 of the Local Government Act 2002. The main changes from the earlier policy address the new legislative requirement to address "affected" (i.e. neighbouring) buildings and dangerous dams.

Submissions:

Council is interested in knowing the community's views on this proposal and invites written submissions in relation to this draft policy. Submissions must be returned to Council by **12pm (noon) Thursday 2 April, 2015**. You may also lodge a submission electronically [here](#).

A **Submission Hearing** will be held on Thursday 30 April 2015, in the Council Chambers at the Marton Office, 46 High Street, Marton.

[Online Submission Form](#)

[Submission Form](#)

[Summary of Information](#)

[Statement of Proposal](#)

[Draft Dangerous and Insanitary Building Policy 2015](#)

Further enquiries in respect to this proposal may be directed to Samantha Whitcombe, Governance Administrator, on 06 327 0099

Ross McNeil

CHIEF EXECUTIVE

Last Updated on Tuesday, 10 March 2015 10:22

DateSubmitted	1/04/2015
Name	Carolyn Bates
Organisation if applicable	Marton Community Committee
Address	7 Dalrymple Place Marton 4710
Phone Number Day	
Phone Number Evening	(06) 327 8088
Phone Number Cell	
Email	martoncc.cab@gmail.com
Question 1	The Marton Community Committee support the amendments proposed.
Additional Information copy	
Oral Title	
Oral Blurb	
Oral Submission	
Special Requirement	
Queries copy	

Attachment 9

Rangitikei District Council

Finance/Performance Committee Meeting

Minutes – Thursday 26 March 2015 – 9:36 a.m.

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8	Community Initiatives Fund – review of assessment criteria, marking sheets and application forms.....	3
9	Late items	4
10	Future items for the agenda	4
11	Next meeting	4
12	Meeting closed – 10.59 am.....	4

Present:

His Worship the Mayor, Andy Watson
Cr Nigel Belsham
Cr Cath Ash
Cr Tim Harris
Cr Dean McManaway
Cr Soraya Peke-Mason
Cr Ruth Rainey
Cr Lynne Sheridan

In attendance:

Mr Ross McNeil, Chief Executive
Mr Michael Hodder, Community & Regulatory Services Group Manager
Mr George McIrvine, Finance & Business Support Group Manager
Ms Denise Servante, Senior Policy Analyst
Ms Samantha Whitcombe, Governance Administrator

Tabled Documents:

Item 6 Chair's Report
Item 7 Financial Highlights and Commentary to 28 February 2015 (commentary)

1 Welcome

The Chair welcomed everyone to the meeting.

2 Council prayer

Cr Peke-Mason read the Council prayer.

3 Apologies/leave of absence

That the apology for lateness from Cr Harris be received.

Cr Belsham / Cr Ash. Carried

4 Confirmation of order of business

The Chair informed the Committee that there would be no change to the order of business from the set out in the agenda.

5 Confirmation of minutes

Resolved minute number **15/FPE/005** File Ref

That the Minutes of the Finance/Performance Committee meeting held on 26 February 2015 be taken as read and verified as an accurate and correct record of the meeting.

Cr Ash / Cr Sheridan. Carried

6 Chair's report

His Worship the Mayor provided further detail on the item in his report on MP's salaries.

Resolved minute number **15/FPE/006** File Ref **3-CT-14-1**

That the Chair's report to the Finance/Performance Committee meeting on 26 March 2015 be received.

His Worship the Mayor / Cr Sheridan. Carried

7 Financial Highlights and Commentary to 28 February 2015

Mr McIrvine spoke briefly to the report and gave an overview of the commentary provided in the tabled document.

The Committee asked if the unused expenditure within the repairs area of the Cemeteries budget, could be used within the maintenance area of the Cemeteries budget.

The Committee asked that the answers to the questions raised by the Assets/Infrastructure Committee be also made available to that Committee.

Resolved minute number **15/FPE/007** **File Ref**

That the Finance/Performance Committee looks to review the Investment Policy, noting that at present there is more investment in short term loans than the current Policy permits.

His Worship the Mayor / Cr Belsham. Carried

Cr Harris arrived 10.03 am

Resolved minute number **15/FPE/008** **File Ref** **5-FR-4-1**

That the report 'Financial Highlights and Commentary to 28 February 2015' be received.

Cr Belsham / Cr Sheridan. Carried

8 Community Initiatives Fund – review of assessment criteria, marking sheets and application forms

Ms Servante spoke to the report, giving a brief overview of its contents and the appendices.

Discussion was held around the following points:

- Ratepayers support initiatives to promote more business for local retailers.
- Stallholders can be very 'nomadic'; monies spent at these stalls could be taken out of the District.
- There is a need to encourage local retailers to become more involved with local events, especially when held outside normal retail hours.

Resolved minute number **15/FPE/009** **File Ref** **3-GF-8**

That the report "Review of Criteria for the Community Initiatives Fund" be received.

Cr Peke-Mason / Cr Ash. Carried

Resolved minute number **15/FPE/010** **File Ref** **3-GF-8**

That a further report is brought to the Finance/Performance Committee's meeting in April 2015 with proposals for criteria to fund events (new and recurring) in line with the comments in the report "Review of Criteria for the Community Initiatives Fund".

Cr Peke-Mason / Cr Rainey. Carried

9 Late items

Nil

10 Future items for the agenda

Nil

11 Next meeting

Thursday 30 April 2015, 9.30 am

12 Meeting closed – 10.59 am

Confirmed/Chair: _____

Date: _____

Rangitikei District Council

Taihape Community Board Meeting

Minutes – Wednesday 1 April 2015 – 5:38 p.m.

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Present: Mrs Michelle Fannin (Chair)
Ms Gail Larsen
Dr Peter Oliver
Mrs Yvonne Sicely
Cr Richard Aslett
Cr Angus Gordon

Also present: His Worship the Mayor, Andy Watson
Cr Ruth Rainey

In attendance: Mr Michael Hodder, Community & Regulatory Services Group Manager
Mrs Sheryl Srhoj, Administration

Tabled documents: Item 15 Current infrastructure projects/upgrades and other Council activities in the Taihape Ward.

Unconfirmed

1 Apologies

There were no apologies.

2 Public Forum

The Chair welcomed members of the public to the meeting. She advised that Item 8 of the Agenda would be taken now.

8 What's the Plan Rangitikei" – the consultation document on the 2015/25 Long Term Plan

His Worship narrated a PowerPoint presentation on the 2015/25 Long Term Plan and invited members of the public to discuss any issues as they arose.

Issue 2 - Should Council be investing in the rejuvenation of the town centres of Bulls, Marton and Taihape?

Ms Mortland – is it likely that the Bulls proposal be paid off in three years?

His Worship the Mayor - no - it would be loan funded- a term of debt of 30 years, so future generations would have to contribute– due to district infrastructure over 100 years old and now in need of replacement.

Ms Mortland – can we be sure that Taihape will get an upgrade after Bulls.

His Worship the Mayor - there had been no clear answers from Taihape as to what they want- decisions made more difficult due to current earthquake legislation.

Issue 3 - Replacing reticulated water and wastewater schemes for smaller communities

Mr Bonnor - when is the resource consent for Mangaweka's wastewater discharge due to expire.

His Worship the Mayor – 2024. Further discussion on population forecasts – if population drops may be cheaper to provide everybody with a modern sewerage system.

Issue 4 – What should we do with our community facilities?

(a) Swimming pools

Ms Mortland – is it necessary to reroof the Taihape pool.

His Worship the Mayor - Council had been advised that it is necessary, but there may be submissions to say that they didn't want it etc.

(b) Community Housing

His Worship the Mayor discussed the option of other providers taking over the management of community housing.

Cr Rainey – commented that would have a nil effect on rates as it will be funded from depreciation reserves. Ms Mortland noted that \$100,000 over three years was not a lot.

(c) Parks Upgrades

Ms Mortland noted that there was no cost to Council for the upgrade of the Taihape tennis/netball courts – to have Council's support was sufficient enough.

Issue S - Should we increase rates to build a larger Roding Reserve Fund?

His Worship the Mayor explained that the new arrangements for the Funding Assistance Rate means there is likely to be less funding for emergency works – e.g. road drop outs etc.

Further discussion on the proposed rate increases – some will drop- other will increase with Mangaweka and Bulls rate increases due to the third step up on water rates applying – generally the Uniform Annual General Charge to have increased - with lower-value properties having to pay slightly more.

Ageing Bridges

Mr Bonnor – is \$2 million for the replacement of the Mangaweka bridge a bit optimistic. Did Rangitikei District Council receive funds following the change to State Highway 54?

His Worship the Mayor - unsure of the total figure for the bridge replacement (as Manawatu and NZTA were also funding it) – will enquire about whether parcel of money received for bridge.

Mrs Oliver - what is the cost of running a community committee.

His Worship the Mayor - very low administration costs as no Council staff present – now not the time to decide between a Community committee or Community Board – will have a chance when the next representation review comes up again.

Mr Bonnor - requested a more detailed breakdown for rural fire costs – he felt that they did nothing where he lived.

His Worship the Mayor - cost of rural fire not high but is vital as we are in a cropping area- there are more details in document or on website.

There was further discussion on how the public could provide feedback, which included the online submission form or a written submission such as a letter. Both could be done individually or as a group.

His Worship the Mayor stressed that there may be other issues that people could submit on – not just the five issues as discussed. He said it was important to contact a Council representative if further clarification was needed and added that Council was happy to come along and talk to groups.

Cr Rainey added that it would be helpful if people included something that they were happy about along with their submission.

3 Confirmation of order of business

The Chair agreed to take the following items under Late items (Item 17 on the Agenda) on the basis that it had arisen after the Order Paper had been compiled and that a decision was required at this meeting:

Anzac Day

Taihape Good Sorts

4 Members' conflict of interest

Members were reminded of their obligation to declare any conflicts of interest that they may have in respect of the items on this agenda.

5 Minutes of previous meeting

There were two amendments to the Taihape Community Board minutes of 4 February 2015.

Item 21 - Papakai Park

Paragraph 2 to read:

Cr Gordon suggested the Board ask the Manawatu District Council if they are able to provide some information on the services they provide for their remote toilets.

Mr Hodder advised that MDC do not have composting toilets. He added that the cost of a composting toilet was around \$10,000.

Item 10 - Feedback on proposed work programme for Bulls and District Community Trust, Project Marton, Rangitikei Tourism and Taihape Development Trust

Paragraph 3 to read:

Mrs Fannin reported that she was disappointed with the lack of communication from Council IT staff in regards to her request for a 10 km radius map of Taihape Memorial Park which was to be used for further discussions on a cycle trail.

Resolved minute number

15/TCB/025

File Ref

That the Minutes of the Taihape Community Board meeting held on 4 February 2015, as amended, be taken as read and verified as an accurate and correct record of the meeting.

Mrs Fannin/Dr Oliver. Carried

6 Chair's report

The Chair gave a brief verbal report outlining meetings that she had attended and noted that the Loader Drive sign had been placed and the mobility car park installed. She reported that she had received several comments regarding the absence of the Gumboot Day banner. She understood that the engineer's report on the Mt Stewart platform was due soon.

The Chair advised that she was looking forward to attending the Community Boards conference in Waitangi later this month.

Other issues discussed included the lease of shops in Taihape. His Worship the Mayor advised that Council had no role as far as the lease/tenancy of local businesses was concerned. He said that he had tried writing to shop owners regarding their shop frontage but this had been unsuccessful.

The Chair also raised the matter of the access road to the Taihape Kindergarten. His Worship the Mayor reported that he understood that this was not part of Council's roading network. Mr Hodder to ask that the Roding Manager look into this issue.

Dr Oliver asked that Peter Shore keep the Board informed in regards to options for the future development of Memorial Park.

It was suggested that the Chair invite Mr Shore to the Board's meeting.

Resolved minute number **1S/TCB/026** **File Ref**

That the Chair's report to the 1 April 2015 meeting of the Taihape Community Board, as presented, be received.

Cr Aslett/Mrs Fannin. Carried

7 Council decisions on recommendations from the Taihape Community Board

Resolved minute number **1S/TCB/027** **File Ref**

That the report on Council decisions on recommendations from the Taihape Community Board be received.

Mrs Fannin/Ms Larsen. Carried

9 Update on the use of the Small Projects Fund

Mrs Fannin asked that Board members give consideration to suitable projects that could make use of the Small Projects Fund.

10 Requests for service concerning Taihape – January-February 2015

There was some discussion on the process in which overgrown sections are dealt with. His Worship the Mayor advised that, routinely complaints are logged through the RFS system but often Councillors have received a phone call. He said that unless the issue was likely to be a fire hazard there was not much that Council could do about it. In the past they had put contractors in to mow overgrown sections and tried to invoice the owner but this had not been successful.

Cr Gordon suggested that the Board give further consideration to this issue next summer.

Resolved minute number **1S/TCB/02B** **File Ref**

That the report 'Requests for service concerning Taihape – January-February 2015 be received.

Mrs Fannin/Cr Gordon. Carried

11 Taihape Town Centre Planning – Future Development of Memorial Park

Resolved minute number 15/TCB/029 **File Ref**

That the memorandum 'Taihape Town Centre Planning – Future Development of Memorial Park' be received.

Mrs Fannin/Ms Larsen. Carried

12 Youth Hutt report

Resolved minute number 15/TCB/030 **File Ref**

That the Youth Hutt report be received.

Mrs Fannin/Cr Aslett. Carried

13 Current and future position of the Youth Hutt – funding sources

There was some discussion on this item. The Board was keen to see the Taihape Youth Hutt continue.

Mrs Sicely said that one of the reasons why the previous "Hutt" had closed was due to the difficulty in sourcing funds.

The Board discussed the option of getting the children to fundraise but said it was difficult to get parents involved and to help out.

The Board discussed other funding options such as approaching Child, Youth and Family and McDonalds. The Board agreed to leave it up to Ms Servante to make contact with these organisations.

Resolved minute number 15/TCB/031 **File Ref**

That the report 'Current and future position of the Youth Hutt – funding sources' be received.

Mrs Fannin/Cr Gordon. Carried

Resolved minute number 15/TCB/032 **File Ref**

That the Taihape Community Board supports the activities of the Taihape Youth Hutt and wish to see it continue.

Dr Oliver/Cr Aslett. Carried

14 Quarterly report from Taihape Community Development Trust (December 2014)

The Chair reported that the Taihape Community Development Trust was currently working on a new website with help from Lathan Ashton. She said that the Trust would not be organising 'Taihape's Got Talent' this year, but hoped that the Taihape Musicians Club would take over this event. She added that 'The Taihape Hour' had gone into recess due to a drop in numbers.

There was further discussion on Gumboot Day. Although numbers had been down, the Chair reported that this year they had had a lot more local support and she felt that there had been a great atmosphere.

Resolved minute number 15/TCB/033 **File Ref**

That the memorandum 'Quarterly report from Taihape Community Development Trust (December 2014)' be received.

Mrs Fannin/Cr Gordon. Carried

15 Current infrastructure projects/upgrades and other Council activities in the Taihape Ward.

The Chair advised that there had been some confusion following the recent water shut down in Huia Street. Residents were unsure as to what part was to be turned off and the Kohanga Reo reported that they had received their notification too late.

Mr Hodder to ask that the Infrastructure Group Manager follow up with this issue.

Resolved minute number 15/TCB/034 **File Ref**

That the memorandum "Current infrastructure projects/upgrades and other Council activities in the Taihape Ward" be received.

Mrs Fannin/Cr Gordon. Carried

16 Matters arising not elsewhere on the agenda – progress update

Cr Aslett reported that the Gretna Hotel was making available some of its land for use as a park-over for campervans.

Ms Larsen added that the New Zealand Motor Home Association was currently investigating the option of using land in Wren Street owned by Mick Martin.

Resolved minute number 15/TCB/035 **File Ref**

That the report 'Matters arising not elsewhere on the agenda – progress update' be

received.

Mrs Fannin/Cr Aslett. Carried

17 Late items

Anzac Day

The Board was unanimous for purchasing a wreath and placing it on the Cenotaph in order to acknowledge the 100 years of Anzac. This would be funded from the Small Projects Fund.

The Chair to ask that the Executive Officer organise this.

The Chair and Deputy Chair to lay the wreath.

Resolved minute number	15/TCB/036	File Ref
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That the Taihape Community Board use the Small projects Fund to purchase a wreath to commemorate the 100 years of Anzac and that this be placed on the Taihape Cenotaph.

Dr Oliver/Mrs Sicely. Carried

Taihape Good Sorts

The Chair tabled the "Taihape Good Sorts" certificate. The Board agreed that it would be presented twice a year, to keep it special, and that Board itself would make the decision. All members were in favour of Lianne Adams being the first recipient. The certificate to be framed and then presented at her farewell on Saturday 18th April.

His Worship the Mayor spoke on Council's recent decision to provide parks and town maintenance through a mixed delivery arrangement (i.e. internal delivery of mowing, gardens, playgrounds, litter bins and minor maintenance) with contracting out for burials, berm mowing and CBD cleaning, trees and turf renovation. He said that over the next four months Council would be setting up these new arrangements, employing people to work in this area as well as buying equipment etc.

The Board agreed to hold a workshop in order to discuss its submissions for the Long Term Plan.

18 Future items for the agenda

None

19 Date of next meeting

Next meeting to be held on 3 June 2015, starting 5.30 pm.

20 Meeting closed

The meeting closed at 8.15pm.

Confirmed/Chair: _____

Date:

Unconfirmed

Rangitikei District Council

Marton Community Committee Meeting

Order Paper – Wednesday 8 April 2015 – 7:00 p.m.

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12	Small projects grant scheme	4
13	General Business	4
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16	Meeting closed – 9.35 pm	5

Present:

Ms Anne George (Chair)
Ms Carolyn Bates
Ms Jennifer Greener
Mr Nathan Kane
Cr Nigel Belsham
Cr Lynne Sheridan
His Worship the Mayor, Andy Watson

In attendance:

Cr Cath Ash
Mr Michael Hodder, Community & Regulatory Services Group Manager

1 Welcome

The Chair welcomed everyone to the meeting.

2 Apologies

That the apologies for absence from Ms L Duncan, Mr N Kuyper, Ms L Peacock and Ms L Pearson be received.

Ms J Greener / Mr N Kane. Carried

3 Confirmation of minutes

Resolved minute number **15/MCC/034** **File Ref**

That the Minutes of the Marton Community Committee meeting held on 11 March 2015 be taken as read and verified as an accurate and correct record of the meeting.

Ms J Greener / Cr Sheridan. Carried

4 Council decision on recommendations from the Committee

The Committee noted that recommendation **15/MCC/029** was confirmed by Council at its meeting on 26 March 2015.

His Worship the Mayor raised a query from the Chief Executive regarding the funding as part of the travel outside the District.

Resolved minute number **15/MCC/035** **File Ref**

That the Marton Community Committee recommends that Council reimburse the entire cost for bus hire for ANZAC Day activities by the Marton and District Pipe Band, including the portion outside of the District (to and from Halcombe).

Ms C Bates / Ms J Greener. Carried

Mr Robert Gunn (in attendance at the meeting) suggested that, if there was any shortfall, he would be happy to contribute the balance of any outstanding funds needed.

5 “What’s the Plan Rangitikei” – the consultation document on the 2015/25 Long Term Plan

His Worship the Mayor narrated a PowerPoint presentation and answered questions on various topics (including: swimming pools, accommodation, water supply, the Youth Club, the Long Term Plan process and advertising of the Long Term Plan consultation).

Cr Belsham encouraged people to make oral as well as written submissions, and Cr Sheridan explained the changes to rating reflected in the works in the 2015-25 Long Term Plan.

6 Update from the Project Marton Co-ordinator

A verbal update was provided by Cr Ash.

7 Update on the Marton Town Centre Plan Projects March 2015

Resolved minute number 1S/MCC/036 File Ref 1-CP-7-4

That the memorandum 'Update on the Marton Town Centre Plan Projects March 2015' be received.

Cr Sheridan / Mr N Kane. Carried

8 Quarterly report from Project Marton (December 2014)

Resolved minute number 1S/MCC/037 File Ref 3-GF-10

That the memorandum 'Quarterly report from Project Marton (December 2014)' be received.

Mr N Kane / Cr Sheridan. Carried

9 Items noted for inclusion at the previous meeting

Volunteers Night

The Chair will attend the Project Marton meeting to discuss options for a combined event later in 2015.

Marton Street Map

Ms C Bates gave a progress report on contact with Countdown, Broadway. A response from their property team is awaited. She will progress if the response is positive.

10 Council responses to queries raised at the previous meeting

The Committee noted that there were no queries raised at the previous meeting that required a response from Council staff.

11 Current Infrastructure Projects

Resolved minute number **15/MCC/038** **File Ref** **3-CC-1-5**

That the memorandum 'Current Infrastructure projects/upgrades and other Council activities in the Marton Ward' be received.

Mr N Kane / Ms A George. Carried

Cr Sheridan advised that roading projects are ongoing at Makirikiri Road and Wellington Road.

12 Small projects grant scheme

The cost of primer and paint for the tyres at Wilson Park was confirmed as \$179.06.

13 General Business

- Ms L Pearson asked for an update on the pedestrian crossing near Centennial Park.
 - Cr Belsham confirmed it was scheduled for installation before winter.
- Ms C Bates raised concern in requesting information via the after-hours service.
 - His Worship the Mayor recommended speaking with the Chief Executive.
- Ms A George queried the progress of the painting of Maori Carvings in Marton (approved at the June 2014 meeting).
 - Cr Belsham advised he is co-ordinating a team of people to complete the painting.
- Cr Belsham advised the Committee that improvements to the public toilets are being addressed by staff.
- Mr Robert Gunn (in attendance at the meeting) asked what the purpose of the Committee was, how the community knows the Committee exists, how the youth club was funded, and what it cost to run the youth club.
 - Various members provided answers to the questions.

Wilson Park

- Cr Sheridan confirmed that the toilet signs had been installed, and that the volleyball net was ready for installation.
- Ms A George advised the Committee that prices for the hopscotch tiles had not been received yet.

Correspondence

Outgoing:

- Ms C Bates had written to Peter Yortt regarding his proposal to improve the public toilets in Marton.

- Ms C Bates had written to Council regarding payment for the bus hire for the Marton and District Pipe Band for ANZAC Day celebrations.
- The submission to the Dangerous and Insanitary Buildings Policy was completed and submitted by Ms C Bates.

Incoming:

- Nil

Submission to the 2015-25 Long Term Plan

- Ms C Bates will contact those members of the Committee not present at the meeting to co-ordinate a date for an informal meeting to discuss the Committee's submission.

Facebook Advertising

- Ms C Bates will promote the Committee's meetings on several Facebook pages in future.

14 Notification of business for the next meeting

Town Signage on Highways (incorporating international symbols of services available in Marton).

15 Next meeting

Informal meeting to discuss the submission to the 2015-25 Long Term Plan – 29 April 2015

Wednesday 13 May 2015, 7.00 pm

16 Meeting closed – 9.35 pm

Confirmed/Chair: _____

Date: _____

Rangitikei District Council

Huntermville Rural Water Supply Sub-Committee Meeting

Minutes – Monday 13 April 2015 – 3:00 p.m.

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15	Meeting closed – 4.21 pm	4

Present:

Mr Bob Crawford (Chair)
Mr Mark Dawson
Mr Brett Journeaux
Mr John McManaway
Mr Paul Peterson
Mr Sam Weston
Cr Dean McManaway
His Worship the Mayor, Andy Watson

In attendance:

Mr Andrew van Bussel, Operations Manager – Utilities
Mr David Rei Miller, Asset Engineer – Utilities
Mr Ivan O'Reilly, Reticulation Serviceperson
Ms Samantha Whitcombe, Governance Administrator

1 Welcome

The Chair welcomed everyone to the meeting.

2 Apologies

That the apology for absence from B Hughes be received.

Mr J McManaway / Mr M Dawson. Carried

3 Notification of late items

None

4 Confirmation of minutes

Resolved minute number	15/HRWS/008	File Ref
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That the Minutes of the Hunterville Rural Water Scheme meeting held on 9 February 2015 be taken as read and verified as an accurate and correct record of the meeting.

Mr B Journeaux / Mr P Peterson. Carried

5 Matters arising

The Chair informed the Committee that, following the correspondence received at the last meeting from T Jones, her contact details given to a prospective buyer of the units. The buyer is waiting to hear back from the owners.

Mr van Bussel informed the Committee that the bulk txt service discussed at the previous meeting can be done; Council already has the capability. Mr van Bussel undertook to organise the set-up of this service for the Scheme. A letter will be sent with the next round of accounts asking those connected to the Scheme to register their cellphone number with Council to be added to a contact list.

6 Chair's report

The Chair informed the Committee that he had met with Horizons Regional Council, along with Mr van Bussel, at the intake to discuss the issue of erosion that has been raised by the Graces. Discussion centred around whether the Committee would be prepared to commit some funding to fixing the erosion problem at this site. At present, the erosion is not affecting the intake. The Chair suggested that the best course of action was to submit a proposal for the Committee to consider and make a decision around funding on.

Resolved minute number **15/HRWS/009** **File Ref**

That the Chair's verbal report to the Hunterville Rural Water Supply Management Sub-Committee's meeting of 13 April 2015 be received.

Mr B Crawford / Mr P Peterson. Carried

7 Correspondence

Nil

8 Financial report

The Chair informed the Committee that he had spoken to Council's Financial Department about the overdue accounts, and was assured that penalty letters had been sent to each of them and that the next step was to send debt collection notices.

Resolved minute number **15/HRWS/010** **File Ref**

That the Hunterville Rural Water Supply Financial Statement as at 28 February 2015 be received.

Mr B Journeaux / Mr M Dawson. Carried

9 Hunterville Rural Water Supply, Operations report

Mr Miller spoke briefly to the report.

Resolved minute number **15/HRWS/011** **File Ref** **6-WS-3**

That the 'Hunterville Rural Water Supply, Operations report' dated 31 March 2015 be received.

Mr B Journeaux / Mr J McManaway. Carried

10 Update on actions

The Committee noted that there was nothing to report to the Committee from the previous two months.

11 Long Term Plan Consultation

His Worship the Mayor narrated a PowerPoint presentation on the 2015-2025 Long Term Plan.

12 General business

Nil

13 Items for future agenda

Funding upgrades from reserves.

14 Next meeting

Monday 8 June 2015, 3.00 pm

15 Meeting closed – 4.21 pm

Confirmed/Chair: _____

Date: _____

Rangitikei District Council

Te Roopu Ahi Kaa Komiti Meeting

Minutes – Tuesday 14 April 2015 – 11:12 a.m.

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14	“What’s the Plan Rangitikei” – the consultation document on the 2015/25 Long Term Plan	6
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16	Date of next meeting	7
17	Karakia – 1.29 pm	7

Present: Mr Pahia Turia (Chair)
Ms Barbara Ball
Mr Hone Albert
Ms Thomas Curtis
Mr Chris Shenton
Mr Richard Steedman
His Worship the Mayor, Andy Watson
Cr Cath Ash

Also present: Cr Soraya Peke-Mason

In attendance Mr Ross McNeil, Chief Executive
Mr Michael Hodder, Community & Regulatory Services Group Manager
Ms Denise Servante, Senior Policy Analyst
Ms Samantha Whitcombe, Governance Administrator

Tabled documents: **Item 15** Late Item (Review of Heritage Protection Strategy)

1 Karakia/Welcome

Mr R Steedman performed the opening karakia for the meeting.

The Chair welcomed everyone to the meeting, thanking Ngāti Whitikaupeka for hosting it and welcoming John Grant and Hannah O'Donnell, from Te Puni Kokiri, to the meeting.

2 Public forum

Nil

3 Apologies/leave of absence

That the apologies for absence from Mr M Gray, Mr P Richardson, Ms H Benevides, Ms K Hina and Cr Rainey be received.

Mr T Curtis / Mr R Steedman. Carried

4 Whakatau Nga Tuhinga Korero/Confirmation of Minutes

Resolved minute number

15/IWI/007

File Ref

That the Minutes of the Te Roopu Ahi Kaa Komiti meeting held on 10 February 2015 be taken as read and verified as an accurate and correct record of the meeting.

Ms B Ball / Cr Ash. Carried

5 Chair's report

The Chair gave a brief verbal report to the Committee, acknowledging the presence of Councillors and noting the meeting between His Worship the Mayor, Mr R Steedman and Hon. Chris Finlayson (Associate Minister for Māori Development and for Treaty of Waitangi Negotiations).

The Chair informed the Komiti that Ngāti Apa would be hosting the next Iwi Leaders Forum at the Whangaehu marae, 6-8 May 2015.

Resolved minute number

15/IWI/008

File Ref

That the Chair's report to the Te Roopu Ahi Kaa Komiti meeting on 14 April 2015 be received.

Mr P Turia / Mr R Steedman. Carried

6 Council decisions on recommendations from the Komiti

The Komiti noted that recommendation **15/IWI/004** was confirmed by Council at its meeting on 26 February 2015.

7 Update from Council (February/March 2015)

Mr McNeil spoke briefly to the items within the memorandum.

There was some discussion about Council's response to a request to use alternative methods to chemical sprays to control plant pests. The Chair observed that tangata whenua should be concerned about environmental impacts.

Clarification was sought on the management of (and payment for) access to water in the context of the recent strategic water assessment conducted by Council with funding support from the Ministry for Primary Industries. Horizons Regional Council set the limits for the quantity of water which could be extracted; the main cost, however, was in reticulation. The Iwi Leaders Forum is currently looking into this issue.

In noting that the Council would shortly be meeting with representatives of the Rangitikei Guardians on progress with the application from Meridian to extend the lapsing date of the resource consent for Project Central Wind, the Komiti asked that Council meet with Ngāti Tamakopiri and Ngāti Whitikaupeka since they had been involved with the original Meridian Energy resource consent for Project Central Wind, on the progress with the extension application. The Chief Executive undertook that, through Barbara Ball.

Resolved minute number	15/IWI/009	File Ref	3-CT-8-1
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That the report 'Update from Council (February/March 2015)' be received.

Mr P Turia / Mr C Shenton. Carried

8 Māori Community Development Programme – update

Ms Servante provided a verbal update to the Komiti, informing them that reports on the programme will be provided in August and February for their information.

Mr Curtis thanked Council for its support.

Mr P Turia left the room 11.51 am / 11.52 am

9 Update on landlocked land and issues regarding the review of the Te Ture Whenua Māori Act

John Grant, from Te Puni Kokiri, spoke to the Komiti on the issue of landlocked land and the proposed reforms to the Te Ture Whenua Māori Act, acknowledging the historical interest of members of Ngāti Tamakopiri and Ngāti Whitikaupeka.

TPKs understanding of the issue of landlocked land was Māori freehold land or general land owned by Maori with 'no reasonable access to it'. Reasonable access is further defined as 'physical access of the nature and quality that may be reasonably necessary to enable the occupier for the time being of the landlocked land to use and enjoy that land'.

TPK recognises the impact of unsympathetic adjacent landowners in opening up landlocked land and that there are various categories of solutions dependent upon those adjacent landowners (e.g. public or private land, other Māori freehold landowners. In some instances there were informal arrangements which enabled the adjoining owners to take advantage of the situation (e.g. through non-market rate leases of the landlocked land).

A review of Te Tura Whenua Māori Act by an expert panel found serious flaws in the provisions of the Act enabling its purpose. This has led to wholesale review of the Act. Proposed changes are:

- The Māori Land Court would be given rights and jurisdiction under the Property Act (including land “leased” to be in Māori ownership);
- A new dispute resolution service would be established in which the tikanga of the relevant hapu would predominate, with the objective of avoiding the judicial dispute process which tended to damage relationships;
- A new purpose will be established to “Empower and assist owners of Māori land to retain their land for what they determine is its optimum utilisation;
- Principles of the new legislation will be
 - Tikanga Māori guides matters involving Māori land,
 - Māori land endures as taonga tuku iho by virtue of whakapapa, and
 - Owners of Māori land have a right to develop their land and take advantage of opportunities to develop their land
- New provisions would be related to purpose and principles, so any exercise of the provisions would need to work towards the relevant purpose and principle(s). Examples are:
 - Override the provision from the Property Act that purchasers of land must accept the conditions at purchase;
 - Recognise the cultural associations with the land;
 - Enable all appeals to be heard by the Maori Appellant Court rather than the High Court
 - Territorial authorities will be provided with more coercive powers to unlock landlocked land with the cautionary note that relationship issues remain important
- Other issues are:
 - More research is needed since much evidence is currently anecdotal;
 - Resources are needed to help unlock land, such as valuers, lawyers, compensatory payments, fences, roads etc.

Mr Grant informed the Komiti that the government views this issue as important and wants to take time to get the solution right. Minister Te Ururoa Flavell is leading on the Te Tura Whenua Māori Act review with Hon. Christopher Finlayson leading on the landlocked land issue. An exposure draft of the new Act is likely to be available from the end of May for comment prior to being introduced in Parliament in October. Select Committee work will provide a further opportunity for amendments and the legislation is likely to be passed next year.

Minister Finlayson had expressed an interest in visiting the District to see the issue of landlocked land first-hand, and every effort will be made to organise this. Mr Grant also suggested that a meeting be organised with His Worship the Mayor and any Komiti members interested to further discuss the detail of the proposed reforms to the Te Ture Whenua Māori Act.

The Chair thanked Mr Grant for the update provided to the Komiti.

Mr H Albert left the room 12.21 pm / 12.26 pm

10 Fostering collaboration between Iwi and the Council

The Komiti agreed to set up a sub-committee to discuss the finer details of collaboration between Iwi and the Council, and report back to the next meeting. This sub-committee would consist of: Mr P Turia, Mr R Steedman, Mr C Shenton, Mr H Albert, His Worship the Mayor, Cr Ash and Cr Peke-Mason.

11 Taihape Town Centre Planning – Future Development of Memorial Park

The sub-committee set up to discuss collaboration between Iwi and the Council would also discuss the future development of Memorial Park in Taihape, and report back to the next meeting.

12 Events associated with Waitangi Day

The Komiti noted that this topic would form an item for the next meeting.

13 Update on the Path to Well-Being Initiative – April 2015

This item was deferred until the next meeting.

14 “What’s the Plan Rangitikei” – the consultation document on the 2015/25 Long Term Plan

His Worship the Mayor narrated a PowerPoint presentation on the 2015-2025 Long Term Plan and the consultation document “What’s the Plan Rangitikei...?”

Cr Ash left the room 12.58 pm / 1.03 pm

Mr R Steedman left the room 12.58 pm / 1.00 pm

Mr P Turia left the room 12.59 pm / 1.02 pm
Cr Peke-Mason left the room 1.06 pm / 1.09 pm

15 Late items

Review of Heritage Protection Strategy

A memorandum was tabled at the meeting. The Komiti agreed that the sub-committee set up to discuss collaboration between Iwi and the Council would also discuss the review of the Heritage Protection Strategy, and report back to the next meeting.

16 Date of next meeting

Tuesday 9 June 2015, 10.00 am

17 Karakia – 1.29 pm

Confirmed/Chair: _____

Date: _____

Rangitikei District Council

Bulls Community Committee Meeting

Minutes – Tuesday 14 April 2015 – 5:30 p.m.

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16	Meeting closed – 7.55 pm	5

Present:

- Mr Hew Dalrymple (Chair)
- Mr John Guinan
- Mr Brayden Hammond
- Ms Carol Lewis
- Mr Keith Scott
- Ms Heather Thorby
- Cr Tim Harris
- Cr Rebecca McNeil
- His Worship the Mayor, Andy Watson

In attendance:

- Cr Dean McManaway
- Ms Jayme Anderson
- Mr Ross McNeil, Chief Executive

1 Welcome

The Chair welcomed everyone to the meeting.

2 Apologies

That the apologies for absence from Ms J Dunn and Ms S Boxall be received.

Mr H Dalrymple / Mr K Scott. Carried

3 Confirmation of minutes

The Committee held a brief discussion on public toilet facilities in Bulls.

Resolved minute number **15/BCC/015** **File Ref**

That the Minutes of the Bulls Community Committee meeting held on 10 March 2015 be taken as read and verified as an accurate and correct record of the meeting.

Mr K Scott / Mr J Guinan. Carried

4 Election of a Deputy Chair

Resolved minute number **15/BCC/016** **File Ref**

That Ms J Dunn be elected Deputy Chair of the Bulls Community Committee for the remainder of the 2013-2016 triennium.

Mr K Scott / Ms H Thorby. Carried

5 Matters arising

Nil

6 Council decisions on recommendations from the Committee

The Committee noted that recommendation **15/BCC/014** was received by Council at its meeting on 26 March 2015 and the action that has been initiated by staff.

7 Update on the Bulls Town Centre Plan March 2015

The Steering Group 'wound up' at its last meeting. All future work on the Bulls Town Centre Plan will be undertaken by the Bulls Community Committee.

The dead pohutukawa tree is to be removed from the large planter box. Ms H Thorby will action this. The Committee approved an amount of \$20 to purchase soil mix.

Resolved minute number **1S/BCC/017** **File Ref**

That the Bulls Community Committee approves an amount of \$20 for the purchase of soil mix.

Mr B Hammond / Ms H Thorby. Carried

8 Update on the Bulls Wastewater Upgrade Project Focus Group

The Committee noted the update on the Bulls Wastewater Upgrade Project Focus Group.

9 "What's the Plan Rangitikei" – the consultation document on the 2015/25 Long Term Plan

His Worship the Mayor narrated a PowerPoint presentation on the consultation document for the 2015-25 Long Term Plan.

Both the public and the Committee were invited to make individual submissions to the consultation document, and to raise issues not covered on the submission form.

10 Quarterly report from Bulls and District Community Trust (December 2014)

Resolved minute number **1S/BCC/018** **File Ref** **3-GF-10**

That the memorandum 'Quarterly report from Bulls and District Community Trust (December 2014)' be received.

Mr K Scott / Ms C Lewis. Carried

11 Current infrastructure projects/upgrades and other Council activities in the Bulls Ward

The Committee queried the inaction by NZTA and Council's Roading department with the pedestrian crossing on State Highway 1. This is long overdue as it was to be installed in December 2014.

Resolved minute number **15/BCC/019** **File Ref** **3-CC-1-5**

That the memorandum 'Current Infrastructure projects / upgrades and other Council activities in the Bulls Ward' be received.

12 Small projects grant scheme

The Committee noted the balance of the Small Projects Grant Scheme for the Bulls Ward.

13 General business

Ms J Anderson

- Reported on items in the Bulletin and upcoming projects.
- The Committee endorsed the position of Town Community Manager.

P Guertgens

- Gave the Committee an update on the 'Bulls in Bulls' project

Mr B Hammond

- Informed the Committee of the loss of J Bowen as a brigade member and requested that everyone on town clean their letterbox numbers for identification in emergencies.

Ms C Lewis

- New businesses are moving to town.

Cr McManaway

- Commended the Committee on the revitalisation of the community with the completed town projects.

Cr Harris

- Commented on the shortage of Industrial zoned land within Bulls.

Mr K Scott

- Raised the issue of services, litter problems and rubbish collection at the Wallace Development site over the Easter break. The Committee would like to know who is responsible for keeping this area clean and tidy.
- Council and its contractor were commended on the new footpath along State Highway 1.
- An invitation was extended to all Committee members to the opening of the WW1 display at Bulls Museum on 18 April.

Ms H Thorby

- Public feedback has been very positive on the local townscape project.

14 Notification of business for the next meeting

Nil

15 Next meeting

Tuesday 12 May 2015, 5.30 pm

16 Meeting closed – 7.55 pm

Confirmed/Chair: _____

Date: _____

Rangitikei District Council

Assets and Infrastructure Committee Meeting

Minutes – Thursday 9 April 2015 – 9:34 a.m.

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Present: Cr Dean McManaway
Cr Nigel Belsham
Cr Angus Gordon
Cr Mike Jones
Cr Soraya Peke-Mason
Cr Lynne Sheridan
His Worship the Mayor, Andy Watson

In attendance: Cr Cath Ash
Mr Ross McNeil, Chief Executive
Mr Michael Hodder, Community & Regulatory Services Group Manager
Mr George McIrvine, Finance & Business Support Group Manager
Mr Hamish Waugh, Infrastructure Group Manager
Mr Wayne Keightley, Asset Manager - Utilities
Mr Reuben Pokiha – Operations Manager - Roading
Ms Joanna Saywell, Asset Manager – Utilities
Mr Glenn Young, Project Manager – Utilities
Mr David Rei Miller, Asset Engineer – Utilities
Mr Andrew van Bussel, Operations Manager – Utilities
Ms Gaylene Prince, Community & Leisure Services Team Leader
Ms Samantha Whitcombe, Governance Administrator

Tabled Documents: **Item 6** Chair's Report
Item 7 Activity Management Templates (Community & Leisure Assets)

1 Welcome

The Chair welcomed everyone to the meeting.

2 Council prayer

Cr Belsham read the Council prayer.

3 Apologies/leave of absence

That the apology for absence from Cr Rainey be received.

Cr Sheridan / Cr Belsham. Carried

4 Confirmation of order of business

The Chair informed the Committee that item 15 (Mangaweka Camp Ground Ablution Block – progress update) would be dealt with during item 7 (Activity Management Templates) and that a late item on the Hanging Baskets in Broadway, Marton, had been received. This item was proposed as a late item due to the upcoming ANZAC Day celebrations.

Resolved minute number

1S/AIN/018

File Ref

That, taking into account the explanation provided why the item is not on the meeting agenda and why the discussion of the item cannot be delayed until a subsequent meeting, the Hanging Baskets in Broadway, Marton, be dealt with as a late item at this meeting.

His Worship the Mayor / Cr Belsham. Carried

5 Confirmation of minutes

Resolved minute number

1S/AIN/019

File Ref

That the Minutes of the Assets/Infrastructure Committee meeting held on 12 February 2015 be taken as read and verified as an accurate and correct record of the meeting.

Cr Jones / Cr Peke-Mason. Carried

6 Chair's report

The Chair spoke briefly to his report.

Resolved minute number **15/AIN/020** **File Ref** **1-CT-13-1**

That the Chair's report to the Assets/Infrastructure Committee meeting on 9 April 2015 be received.

Cr McManaway / Cr Belsham. Carried

7 Activity management templates

Mr Waugh, Mr Pokiha, Mr Millar, Mr Young and Ms Prince spoke to the various activity management templates for asset-based groups of activities.

The following information was requested for the next meeting:

- A list of sites to be completed within the Footpath renewals activity.
- An update on progress with the carpark at Gumboot Park in Taihape and the pedestrian crossing near Centennial Park, Marton.
- Investigation into placing the recycling bins outside the fence at the Ratana Transfer Station.

The Committee also asked that a letter be sent to Wanganui District Council expressing the Committee's disappointment at not being invited to the blessing of the Wylies Bridge project.

The Committee noted that a report on the investigations into water supply for Dixon Way, Taihape would be provided before the end of June 2015.

Resolved minute number **15/AIN/021** **File Ref** **5-EX-4**

That the non-financial reporting templates for Asset based groups of activities for March 2015 be received.

Cr McManaway / Cr Belsham. Carried

8 Queries Raised at Previous Meeting

Mr Waugh gave a spoke briefly to the memorandum.

Resolved minute number **15/AIN/022** **File Ref** **3-CT-13-4**

That the memorandum 'Queries Raised at Previous Meeting' be received.

Cr Belsham / Cr Gordon. Carried

9 Bonny Glen Leachate Report – Marton WWTP

Mr Waugh introduced John Crawford from Opus International Consultants, who narrated a PowerPoint presentation on the Marton Wastewater Treatment Plant and the effect the acceptance of leachate from the Bonny Glen landfill has on the plant.

The Committee considered a wider consideration was needed, which included community engagement and management and eventual disposal of the sludge in the wastewater ponds.

Resolved minute number 15/AIN/023 **File Ref**

That the report 'Marton WWTP - Bonny Glen Leachate Effects – Options Assessment' be received.

Cr Jones / His Worship the Mayor. Carried

Cr Peke-Mason left Chambers 11.13 am / 11.34 am

Resolved minute number 15/AIN/024 **File Ref**

- 1 That the continued acceptance of Bonny Glen leachate into the Marton Wastewater Treatment system be considered within the context of the Rangitikei District Council Trade Waste Bylaw, and that any proposed arrangements arising from discussions with MidWest Disposals Ltd be discussed with Horizons Regional Council prior to being referred back to Council for consideration and approval.
- 2 That any proposals developed as part of 1 above be considered in the context of an overall plan for the renewal of the Marton Waste Water Treatment Plant consent, which is due to expire in March 2019.
- 3 That the overall plan for the renewal of the Marton Waste Water Treatment Plant consent, including community engagement, be referred to the Assets/Infrastructure Committee for consideration.

His Worship the Mayor / Cr Gordon. Carried

Cr Peke-Mason against

Cr Jones took over as Chair while Cr McManaway left the meeting 11.32 am / 11.34 am

10 Tendering Streetlight Maintenance

Mr Pokiha and Mr Waugh spoke briefly to the report.

The Committee was assured that

- (i) the existing street-lighting contract for the Rangitikei District would be rolled over for twelve months, and
- (ii) Rangitikei District Council would be kept out of the tendering process for street lighting maintenance tender for Manawatu and Horowhenua District Councils.

Resolved minute number

15/AIN/02S

File Ref

6-RT-5-12

That the report "Tendering streetlight maintenance" be received

His Worship the Mayor / Cr Belsham. Carried

His Worship the Mayor left Chambers 11.50 am / 11.55 am

11 Marton Water Treatment Plant Up-grade – Progress Report and Final Estimated Costs

Ms Saywell gave a verbal update to the meeting on the progress with the Marton Water Treatment Plant upgrade and the final estimated costs for the works.

A formal report would be provided for Council's consideration at its meeting on 30 April 2015. A question arose over the amount of contingency approved for the project.

12 Progress with resolving uncertainty over responsibility for Council's stormwater drainage network in urban areas

Mr Miller gave a brief verbal update on the progress with resolving the responsibility issues associated with Council's stormwater drainage network, through close mapping.

13 One Network Road Classification - transition plans

Mr Keightley narrated a PowerPoint presentation on the progress with the One Network Road Classification and the proposed transition plan for implementation. It will be fully in effect from 2018/19.

14 Improving broadband connectivity and mobile coverage in the Rangitikei

The Committee noted that Council would prepare a bid for better connectivity, and asked that the Regional Growth Study be taken into account when preparing the bid.

15 Resource Consent compliance

Ms Saywell spoke briefly to the report, giving a brief overview of the major issues since the last update.

Resolved minute number

15/AIN/026

File Ref

3-CT-13-4

That the report 'Consent Compliance – Jul 2014 to Mar 2015' to the Assets/Infrastructure Committee meeting on 9 April 2015 be received.

His Worship the Mayor / Cr Sheridan. Carried

16 Late items

Hanging Baskets in Broadway, Marton

His Worship the Mayor spoke to the item.

The Hanging Baskets in Broadway, Marton is a project that was implemented by Project Marton. The Lions Club in Marton have subsequently taken over the maintenance of the project with the funds secured by Project Marton. A request has been received for the Lions Club in Marton to formally take over the maintenance of the hanging baskets and a sum from Council be made available to undertake the work.

Resolved minute number

15/AIN/027

File Ref

That the Assets/Infrastructure Committee approves an annual budgetary provision of up to \$1,400 to the Lions Club in Marton, for the on-going maintenance of the hanging baskets in Broadway, Marton.

His Worship the Mayor / Cr McManaway. Carried

17 Future items for the agenda

Nil

18 Next meeting

Thursday 14 May 2015, 9.30 am¹

19 Meeting closed – 12.31 pm

Confirmed/Chair: _____

Date: _____

¹ Subsequently changed to follow Council's meeting that day (deliberations on submissions to the Consultation Document etc.

Rangitikei District Council

Policy and Planning Committee Meeting

Minutes – Thursday 9 April 2015 – 1:10 p.m.

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22	Meeting closed - 4:57 pm	7

Present: Cr Lynne Sheridan (Chair)
Cr Richard Aslett
Cr Cath Ash
Cr Angus Gordon
His Worship the Mayor, Andy Watson

In attendance: Mr Michael Hodder, Community & Regulatory Services Group Manager
Mr Johan Cullis, Environmental & Regulatory Services Team Leader
Ms Denise Servante, Senior Policy Analyst
Ms Katrina Gray, Policy Analyst
Ms Samantha Whitcombe, Governance Administrator

Tabled documents: **Item 9** Activity Management Templates (Community Leadership and Environmental Services)
Item 15 Review of scope of Council's Rates Remission Policy
Item 17 Update on Communications Strategy

1 Welcome

That Chair welcomed everyone to the meeting.

2 Apologies/leave of absence

That the apologies for absence from Cr McNeil and Cr Peke-Mason be received.

His Worship the Mayor / Cr Gordon. Carried

3 Confirmation of order of business

The Chair informed the Committee that there would be no change to the order of business from that set out in the agenda.

4 Confirmation of minutes

Resolved minute number **15/PPL/021** **File Ref**

That the Minutes of the Policy/Planning Committee meeting held on 12 March 2015 be taken as read and verified as an accurate and correct record of the meeting.

Cr Aslett / Cr Ash. Carried

5 Chair's report

The Chair spoke briefly to her report.

Resolved minute number **15/PPL/** **File Ref** **3-CT-15-1**

That the Chair's report to the Policy/Planning Committee meeting on 9 April 2015 be received.

Cr Sheridan / Cr Gordon. Carried

6 Heritage Update from the Deputy Chair

Cr Aslett gave a verbal update from the Rangitikei Heritage group.

The following points were discussed:

- More than 200 copies of the DVD 'Rangitikei Remembers' have been sold to date.
- The weekend of the 16-17th of May is Rangitikei Weekend.
- The inventories are progressing
- There are a number of ANZAC Day commemorations taking place across the District over the coming month.

Resolved minute number **15/PPL/022** **File Ref**

That the report from Rangitikei Heritage be received.

Cr Aslett / Cr Ash. Carried

7 Proposed District Plan Changes – Overview and Issues in the Residential Zone

Ms Gray spoke briefly to the discussion item and facilitated a discussion session on the issues identified within the residential zone.

8 Rules Reduction Feedback

Mr Cullis spoke briefly to the report and gave an overview of the feedback taken from the workshop session at the previous meeting.

The Committee suggested an additional issue to be added to the report on rules relating to the disposal of parcels of land with reserve status.

Resolved minute number **15/PPL/023** **File Ref** **3-OR-3-5**

That the report 'Rules Reduction Feedback' be received.

Cr Gordon / Cr Ash. Carried

9 Activity management templates

Ms Servante spoke briefly to the activity management templates.

Resolved minute number **15/PPL/024** **File Ref** **5-EX-4**

That the activity management templates for Community Well-Being, Community Leadership and Environmental & Regulatory Services for March 2015 be received.

Cr Ash / Cr Gordon. Carried

10 Update on Legislation and Governance issues

Mr Hodder spoke briefly to the report and informed the Committee that at the 30 April 2015 Council meeting, a presentation would be made by Horizons Regional Council on their 2015-2025 Long Term Plan.

Resolved minute number 15/PPL/025 **File Ref** 3-OR-3-5

That the report 'Update on legislation and governance issues' to the Policy/Planning Committee's meeting of 9 April 2015 be received.

Cr Aslett / Cr Sheridan. Carried

11 Quarterly reports from Bulls and District Community Trust, Project Marton, Rangitikei Tourism and Taihape Community Development Trust (December 2014)

Ms Servante spoke briefly to the memorandum.

Resolved minute number 15/PPL/026 **File Ref** 3-GF-10

That the memorandum "Quarterly reports from Bulls and District Community Trust, Project Marton, Rangitikei Tourism and Taihape Community Development Trust (December 2014)" be received.

Cr Ash / Cr Aslett. Carried

12 Review of recent changes to the Building Act: Schedule 1 exemptions

Mr Cullis spoke briefly to the report.

Resolved minute number 15/PPL/027 **File Ref** 2-BC-3

That the report on update to changes of the Building Act 2004 Schedule 1 be received.

Cr Ash / His Worship the Mayor. Carried

Resolved minute number 15/PPL/028 **File Ref**

That the Policy/Planning Committee recommend to Council that, with respect to the discretion available under Schedule 1(2) of the Building Act 2004, all discretionary exemptions are withdrawn but delegated authority is granted to the Environmental And Regulatory Services Team Leader to allow exemptions for temporary structures and engineer-reviewed solutions;

Cr Ash / His Worship the Mayor. Carried

The meeting was adjourned for Afternoon tea 3.22 pm / 3.39 pm

13 Walking / Cycleway along the Rangitikei River

Ms Gray spoke briefly to the memorandum.

The Committee suggested that the report be presented to some of the groups that could be involved with the project (including; Rangitikei Tourism, Destination Manawatu, the Treasured Natural Environment Group, the Enjoying Life in the Rangitikei group, the Rangitikei River User's group), with a progress report to the next meeting.

Resolved minute number **15/PPL/029** **File Ref** **1-CO-4-6**

That the memorandum 'Walking/Cycleway along the Rangitikei River' be received.

Cr Sheridan / Cr Ash. Carried

14 Review of Heritage Protection Strategy

Ms Gray spoke briefly to the report and informed the Committee that the report had been forwarded to the Rangitikei Heritage group for comment.

Resolved minute number **15/PPL/030** **File Ref** **1-CP-5-1**

That the report 'Review of Heritage Protection Strategy' be received.

Cr Sheridan / Cr Aslett. Carried

15 Review of scope of Council's Rates Remission Policy

Mr Hodder spoke to the report, providing the Committee with some background to the proposed review and changes.

The Committee suggested that a list of criteria/attributes similar to the one used in the Policy on the Disposal of Surplus Lands and Buildings could be created for the Rates Remission Policy as well.

Resolved minute number **15/PPL/031** **File Ref** **3-PY-1-18**

That the report 'Review of scope of Council's Rates Remission Policy' be received.

Cr Gordon / Cr Aslett. Carried

16 Update on the 2015-25 Long Term Plan (April 2015)

The Committee noted the update on the 2015-2025 Long Term Plan.

17 Update on Communications Strategy

Resolved minute number 15/PPL/032 File Ref 3-CTY-15-1

That the update on the Communications Strategy to the Policy/Planning Committee's meeting on 9 April 2015 be received.

Cr Aslett / Cr Ash. Carried

18 Update on the Path to Well-Being Initiative and other community development programmes – April 2015

Ms Servante spoke briefly to the memorandum, noting that the meeting of the Buoyant District Economy group on 24 March 2015 was not included in the memorandum.

Resolved minute number 15/PPL/033 File Ref 1-CO-4

That the memorandum 'Update on the Path to Well-Being Initiative and other community development programmes – April 2015' be received.

Cr Gordon / Cr Ash. Carried

19 Late items

Nil

20 Future items for the agenda

Nil

21 Next meeting

Thursday 14 May 2015, 1.00 pm

22 Meeting closed - 4.57 pm

Confirmed/Chair: _____

Date: _____

Rangitikei District Council

Ratana Community Board Meeting

Minutes – Tuesday 21 April 2015 – 6:30 p.m.



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Present:

Ms M Thompson (Chair)
Ms N Rawhiti
Cr Soraya Peke-Mason
His Worship the Mayor, Andy Watson

In attendance:

Mr Ross McNeil, Chief Executive

1 Public forum

Doreen Gardiner and Pai Maraku were present at the meeting. Mrs Gardiner raised the need for improved fencing between the old and new sections of the urupa, and indicated her intention to make a submission to Council. Mr Maraku spoke of the need to improve water quality associated with effluent from the Ratana wastewater treatment plant.

2 Whakamoemiti

Ms N Rawhiti performed the opening Whakamoemiti.

3 Apologies/Leave of absence

That the apologies for absence from Mr B Barlien and Mr T Biddle be received.

Ms N Rawhiti / Cr Peke-Mason . Carried

4 Confirmation of order of business

That, taking into account the explanation provided why the item is not on the meeting agenda and why the discussion of the item cannot be delayed until a subsequent meeting, Te mana o te wai funding opportunities be dealt with as a late item at this meeting.

5 Chair's report

The Chair outlined further discussions within the community regarding the illegal dumping of rubbish outside the transfer station gates. Feedback indicates that the hours of operation should be reviewed, and that more needs to be done to make recycling easier for residents when the transfer station is not open. These identified as matters the Board could consider including in their submission on the Council's draft Long-Term Plan.

Resolved minute number	15/RCB/005	File Ref
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That the Chair's report to the Ratana Community Board's meeting on 21 April 2015 be received.

Ms N Rawhiti / Cr Peke-Mason. Carried

6 Confirmation of minutes

Resolved minute number	15/RCB/006	File Ref
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That the Minutes of the Ratana Community Board meeting held on 17 February 2015 be taken as read and verified as an accurate and correct record of the meeting.

Cr Peke-Mason / Ms M Thompson. Carried

Matters Arising:

Board member N Rawhiti provided an update on administration and management matters relating to the Ratana urupa. It was noted that maintenance standards were high and regular contact was occurring with Council staff to ensure burial services and associated administration were being well coordinated. A request was made to update the community contact number on the sign at the urupa.

7 Council decisions on recommendations from the Board

There were no recommendations from the Board presented to Council's meeting on 26 February 2015.

8 “What’s the Plan Rangitikei” – the consultation document on the 2015/25 Long Term Plan

Mayor Andy Watson gave a present on the draft Long Term Plan and answered questions from Board members and the members of the community present. He encouraged both the Board and members of the public to share their views with Council through a submission.

9 Update on the Housing Development

Members noted that there had been unconfirmed reports of Waipu Trust's funding application having been approved. However, formal notification of this was awaited.

10 Update from Te Roopu Ahi Kaa

Cr Peke-Mason provided a verbal update on the Te Roopu Ahi Kaa meeting held at Whitikaupeka Marae on 14 April.

11 Rātana Water Supply Upgrade

Resolved minute number	15/RCB/007	File Ref	6-WS-3-9
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That the report 'Ratana Water Supply Upgrade' be received.

Cr Peke-Mason / Ms N Rawhiti. Carried

12 Policy on Insanitary and dangerous buildings

The Chief Executive provided an overview of the policy and the proposed changes.

13 Late items

The Chief Executive outlined Te mana o te wai – a Ministry for the Environment funding programme to assist iwi-supported projects aimed at improving water quality. Applications for funding closed with the Ministry on 30 April 2015.

The Board were advised that Council staff had been considering projects across the District that might qualify for funding support, and had discussed these with representatives of Ngati Apa. Nga Pae o Rangitikei would be lodging an application covering several projects aimed at improving water quality in the Rangitikei catchment, including the provision of a land-based disposal option for the upgrade of the Bulls wastewater treatment plant.

The timing of the proposed Ratana wastewater treatment plant upgrade (to accommodate the new housing development) provided an opportunity to seek funding from Te mana o te wai for a land-based disposal option as part of the upgrade. Members were advised that Ngati Apa support for the proposal had been given, and that both Ratana Community Board and Komiti O Nga Rahui – Ratana Communal Board of Trustees endorsement was important. Members agreed that a land-based disposal option would be of significant benefit and endorsed the proposal for Rangitikei District Council to lodge a funding application with the Ministry for the Environment.

14 Next meeting

Tuesday 16 June 2015, 6.30 pm

15 Closing Whakamoemiti 8.05 pm

Mr N Rawhiti performed the closing Whakamoemiti.

Confirmed/Chair: _____

Date: _____