



Otorohanga District Council

AGENDA

29 October 2013

FIRST MEETING FOLLOWING THE TRIENNIAL ELECTION

Members of the Otorohanga District Council

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

Meeting Secretary: Mr CA Tutty (Governance Supervisor)

OTOROHANGA DISTRICT COUNCIL

29 October 2013

Notice is hereby given that an ordinary meeting of the Otorohanga District Council will be held in the Council Chambers, Maniapoto St, Otorohanga on Tuesday 29 October 2013 commencing at 10.00am.

21 October 2013

DC Clibbery
CHIEF EXECUTIVE

AGENDA

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PRESENT

IN ATTENDANCE

APOLOGIES

OPENING PRAYER

ITEMS TO BE CONSIDERED IN GENERAL BUSINESS

CONFIRMATION OF MINUTES – 8 OCTOBER 2013

REPORTS

Item 1 DECLARATIONS BY MAYOR & COUNCILLORS

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

From: Chief Executive

Date: 29 October 2013

Report Discussion

Declarations will take the form below:

Declaration by Mayor or Councillor

“I, AB, declare that I will faithfully and impartially, and according to the best of my skill and judgment, execute and perform, in the best interests of [*region or district*], the powers, authorities, and duties vested in, or imposed upon, me as [*mayor or Councillor*] of the [*local authority*] by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act

Dated at [*place*] this [*number*] day of [*month*] [*year*]

Signature:

Signed in the presence of:

CD, [*mayor or chairperson or member or chief executive of local authority*].”

1. DECLARATION BY MAYOR

Oral and written declarations to be made by His Worship the Mayor pursuant to Clause 14 of Schedule 7 of the Local Government Act 2002.

Mayor to assume Chair.

2. DECLARATIONS BY COUNCILLORS

Oral and written declarations to be made by each Councillor pursuant to Clause 14 of Schedule 7 of the Local Government Act 2002.

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Subject: APPOINTMENT OF DEPUTY MAYOR

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

From: Chief Executive

Date: 29 October 2013

Executive Summary

Clause 17 of Schedule 7 to the Local Government Act 2002 requires Council to appoint one member to be Deputy Mayor.

Staff Recommendation

That the report be received.

Report Discussion

Clause 17 of Schedule 7 to the Local Government Act 2002 requires that every Council shall appoint a Deputy Mayor.

Section 41A of the 2012 amendment to the LGA has given the Mayor the power to directly appoint the Deputy Mayor.

Otorohanga District Council's Mayor has exercised this power, and appointed Deborah Mary Pilkington as Deputy Mayor.

Since this appointment is an executive decision of the Mayor alone, no supporting resolution of Council is considered to be required. This report serves only as a formal record of the appointment.

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Item 3 MAYOR & COUNCILLORS GENERAL EXPLANATION

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

From: Chief Executive

Date: 29 October 2013

Report Discussion

A general explanation to be given of the:

- a. A General Explanation to Elected Members, including
 - i. Local Government Official Information and Meetings Act 1987;
 - ii. Local Authorities (Members Interests) Act 1968;
 - iii. Crimes Act 1961, Sections 99, 105 and 105A;
 - iv. Secret Commissions Act 1910;
 - v. Securities Act 1978;
- b. The Otorohanga District Council Code of Conduct;
- c. The role and employment of the Chief Executive.
- d. Standing Orders adopted by Council NZS9202.2003
- e. Key documents and processes of Council

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Attachments

- a. General Explanation to Elected Members
- b. Code of Conduct
- c. Role and employment of Chief Executive
- d. Standing Orders and meeting process issues
- e. Key Documents and Processes of Council

GENERAL EXPLANATION TO ELECTED MEMBERS OF CERTAIN STATUTES

Local Government Official Information and Meetings Act 1987

This Act was passed in 1987 to provide for the availability to the public of official information held by local authorities to promote the open and public transaction of business at meetings of local authorities, to provide access to such information, and to protect official information to the extent consistent with the public interest and the preservation of personal privacy.

The general principle is that information held by local authorities is to be made available unless there is a good reason for withholding it. Good reason for withholding such information exists where the giving of the information would be likely to prejudice the maintenance of the law, and the right to a fair trial, or to endanger the safety of any person, or where it is necessary to:

- protect privacy of natural persons;
- protect trade secrets or the commercial position of the person who supplied or is the subject of the information;
- avoid serious offence to tikanga Maori, or to avoid disclosure of the location of waahi tapu, in the case of various applications under the Resource Management Act 1991;
- protect information which is the subject of an obligation of confidence;
- avoid prejudice to measures protecting the health or safety of members of the public;
- maintain the effective conduct of public affairs through the free and frank expression of opinions, or through the protection of members, officers, and employees of any local authority from improper pressure or harassment;
- maintain legal professional privilege;
- enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities;
- enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations;
- prevent the disclosure or use of official information for improper gain or improper advantage.

Any person may request information to be made available, and the decision must generally be made within twenty working days. A refusal to provide information may be appealed against to the Ombudsman. The Ombudsman's recommendation becomes binding unless the local authority decides otherwise.

It is also the duty of every local authority to publish and annually update a list of information about itself, its committees, its management structure, functions, meetings, documents, policy manuals and bylaws.

Meetings are to be publicly notified, and are to be open to the public unless there is a good reason for withholding information. Agendas are to be made available. The minutes of any meeting (not being a meeting or part of a meeting from which the public was excluded) are to be available for inspection by the public.

The Act also prescribes a procedure for obtaining detailed information about land (a Land Information Memorandum).

Local Authorities (Members Interests) Act 1968

Any member of a local authority is not to vote on or take part in the discussion of any matter where that person has a direct or indirect pecuniary interest.

Where an incorporated company has a pecuniary interest in any matter before a local authority, a member of the local authority is deemed to have a pecuniary interest if:

- that person or his or her spouse own 10% or more of the capital of the company; or
- the member or his or her spouse is a member of the company, and either of them is the general manager (similar positions in a controlling company have the same effect);

There are various exceptions to this rule, including the following matters:

- any payment to a member where it is legally payable and the amount has already been fixed;
- any contract of insurance insuring members against personal accident;
- an election or appointment of a member to any office;
- a formal resolution to seal or complete a contract in accordance with a resolution already adopted;
- matters relating to a district scheme under the Resource Management Act;
- schemes under the Soil Conservation and Rivers Act;
- matters under the Public Works Act;

Any breach of the rule is an offence, which may be punished, a fine not exceeding \$100.00.

This Act also provides that no person is to be elected as a member of a local authority or appointed to be a committee if he or she has contracts with the local authority exceeding \$25,000.00 per annum.

Crimes Act 1961

It is a crime for any official to accept, or offer to accept any bribe for himself or herself or any other person in respect of any Act done or omitted by that person in an official capacity.

It is also a crime for any official to corruptly use information acquired in his official capacity to obtain, directly or indirectly, any pecuniary advantage.

These crimes carry a maximum sentence of seven years imprisonment, and so are seriously regarded.

A bribe is defined as meaning "any money, valuable consideration, office, or employment, or any benefit, whether direct or indirect:.

It is also a crime for any one to offer a bribe with intent to influence any official. The maximum sentence for this crime is three years imprisonment.

Secret Commissions Act 1910

It is also a criminal offence to give or receive, or solicit any gift or consideration of any kind as an inducement or reward for doing or forbearing to do anything on behalf of a principal.

For the purposes of this Act, a member of a local authority is its agent. This Act applies equally to officers and members of local authorities. The maximum penalty is two years imprisonment or a fine not exceeding \$1,000.00.

Securities Act 1978

This statute regulates the offering of any securities (which includes a wide range of investments) to the public. Offers to the public must generally be in the form of a prospectus with prescribed information.



ELECTED MEMBERS

CODE OF CONDUCT

PART ONE: INTRODUCTION

Schedule 7 of the Local Government Act 2002 (the Act) requires each local authority to adopt a Code of Conduct. Once adopted, all elected members are required to comply with the code.

This Code of Conduct provides guidance on the standards of behaviour that are expected from the Mayor and elected members of the Otorohanga District Council. The code applies to elected members in their dealings with:

- each other;
- the Chief Executive;
- all staff employed by the Chief Executive on behalf of the Council;
- the media; and
- the general public.

This code also applies to members of the Otorohanga and Kawhia Community Boards.

The objective of the code is to enhance:

- the effectiveness of the Council as the autonomous local authority with statutory responsibilities for the good local government of the Otorohanga District;
- the credibility and accountability of the Council within its community; and
- mutual trust, respect and tolerance between the elected members as a group and between the elected members and management.

This Code of Conduct seeks to achieve its objectives by recording:

- an agreed statement of roles and responsibilities (recorded in Part Two of this code);
- agreed general principles of conduct (recorded in Part Three of this code); and
- specific codes of conduct applying to particular circumstances or matters (also recorded in Part Three of this code).

Elected members are primarily accountable to the electors of the district through the democratic process. However members must note that the Auditor-General may hold them to account for unlawful actions or expenditure or for breaches of the Local Authorities (Members' Interests) Act 1968.

The Code of Conduct that follows is based on the following general principles of good governance:

- ✓ Public Interest: Members should serve only the interests of the district as a whole and should never improperly confer an advantage or disadvantage on any one person.
- ✓ Honesty and Integrity: Members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.
- ✓ Objectivity: Members should make decisions on merit including making appointments, awarding contracts, or recommending individuals for rewards or benefits. Elected members should also note that, once elected, their primary duty is to the interests of the entire district, not the ward that elected them.
- ✓ Accountability: Members should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should cooperate fully and honestly with the scrutiny appropriate to their particular office.

- ✓ Openness: Members should be as open as possible about their actions and those of the Council, and should be prepared to justify their actions.
- ✓ Personal Judgement: Members can and will take account of the views of others, but should reach their own conclusions on the issues before them, and act in accordance with those conclusions.
- ✓ Respect for Others: Members should promote equality by not discriminating unlawfully against any person and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or any disability. They should respect the impartiality and integrity of Council staff.
- ✓ Duty to Uphold the Law: Members should uphold the law, and on all occasions act in accordance with the trust the public places in them.
- ✓ Stewardship: Members must ensure that the Council uses resources prudently and for lawful purposes, and that the Council maintains sufficient resources to meet its statutory obligations.
- ✓ Leadership: Members should promote and support these proposals by example, and should always endeavour to act in the best interests of the community.

PART TWO: ROLES AND RESPONSIBILITIES

This part of the code describes the roles and responsibilities of elected members, the additional roles of the Mayor and Deputy Mayor, and the role of the Chief Executive.

Elected Members

Elected members, acting as the Council, are responsible for:

- the development and adoption of Council policy;
- monitoring the performance of the Council against its stated objectives and policies;
- prudent stewardship of Council resources;
- employment of the Chief Executive;
- representing the interests of the residents and ratepayers of the Otorohanga District Council.

Unless otherwise provided in the Local Government Act 2002 or in standing orders, the Council can only act by majority decisions at meetings. Each member has one vote. No individual member (including the Mayor) has authority to act on behalf of the Council, unless the Council has expressly delegated such authority.

Mayor

The Mayor is elected by the district as a whole and as one of the elected members shares the same responsibilities as other members of Council. The Mayor also has the following roles:

- Presiding member at Council meetings. The Mayor is responsible for ensuring the orderly conduct of business during meetings (as determined in standing orders);
- Advocating on behalf of the community. This role may involve promoting the community and representing its interests. Such advocacy will be most effective where it is carried out with the knowledge and support of the Council;
- Acting as ceremonial head of Council;
- Providing leadership and feedback to other elected members; and the people of the District

- As a Justice of the Peace (while the Mayor holds office).

The Mayor is a member of each committee of a territorial authority.

The 2012 amendment to the Local Government Act have given Mayors the following additional powers:

- To appoint the Deputy Mayor
- To establish committees of Council and appoint the chairs of such committees
- To lead the development of the territorial authority's plans (including the long-term plan and the annual plan), policies, and budgets for consideration by the members of the territorial authority

The Mayor must follow the same rules as other elected members regarding making public statements and committing the Council to particular courses of action, unless acting in accordance with the rules for media contact on behalf of the Council under a delegation of authority from the Council.

Deputy Mayor

The Deputy Mayor exercises the same roles as other elected members, but if the Mayor is absent or incapacitated the Deputy Mayor must assume all of the Mayor's responsibilities and duties, and may exercise the powers of the Mayor (as summarised above, but excluding those added by the 2012 amendment). The Deputy Mayor may be removed from office by resolution of Council.

The Deputy Mayor may be appointed by the Mayor or (if the Mayor declines to make such an appointment) elected by the members of Council, at the first meeting of the Council.

Chief Executive

The Chief Executive is appointed by the Council in accordance with Section 42 of the Local Government Act 2002. The Chief Executive is responsible for implementing and managing the Council's policies and objectives within the budgetary constraints established by the Council. In terms of section 42 of the Act, the responsibilities of the Chief Executive are:

- Implementing the decisions of the Council;
- Providing advice to the Council and community boards;
- Ensuring that all of the responsibilities, duties and powers delegated to the Chief Executive or to any person employed by the Chief Executive, or imposed or conferred by any Act, regulation or bylaw are properly performed or exercised;
- Managing the activities of the local authority effectively and efficiently;
- Maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority;
- Providing leadership for the staff of the local authority; and
- Employing staff on behalf of the local authority (including negotiation of the terms of employment for the staff of the local authority) in accordance with any remuneration and employment policy.

Under section 42 of the Local Government Act 2002 the Chief Executive employs all other staff on behalf of the local authority.

The Chief Executive can be appointed by Council for a term of not more than 5 years. The position of Chief Executive must be advertised at the end of the term, but subject to a satisfactory review of the Chief Executive's performance undertaken not less than 6 months

before the end of that term a further single employment term of not more than 2 years may be granted without advertising.

Council's current Chief Executive was appointed to a 4 year term that ends on 30 June 2015. It will therefore be necessary for Council to give consideration to future employment of a Chief Executive in early 2015.

PART THREE: RELATIONSHIPS AND BEHAVIOURS

This part of the code sets out the Council's agreed standards of behaviour. Some of the matters described in this part of the Code reflect other legislation such as the Local Authorities (Members' Interests) Act 1968. The majority of the Code is material that the Council has decided to include of its own initiative.

Relationships with Other Members

Successful teamwork is a critical element in the success of any democratically elected organisation. No team will be effective unless mutual respect exists between members. With this in mind elected members will conduct their dealings with each other in ways that:

- maintain public confidence in the office to which they have been elected;
- are open and honest;
- focus on issues rather than personalities; and
- avoid aggressive, offensive or abusive conduct.

Relationships with Staff

The effective performance of Council also requires a high level of cooperation and mutual respect between elected members and staff. To ensure that level of cooperation and trust is maintained, elected members will:

- recognise that the Chief Executive is the employer (on behalf of Council) of all Council employees, and as such only the Chief Executive may hire, dismiss, instruct or censure an employee;
- make themselves aware of the obligations that the Council and the Chief Executive have as employers and observe those requirements at all times;
- treat all employees with courtesy and respect (including the avoidance of aggressive, offensive or abusive conduct towards employees);
- observe any guidelines that the Chief Executive puts in place regarding contact with employees;
- not do anything which compromises, or could be seen as compromising, the impartiality of an employee;
- avoid publicly criticising any employee in any way, but especially in ways that reflect on the competence and integrity of the employee; and
- raise concerns about employees only with the Chief Executive, and concerns about the Chief Executive only with the Mayor or the Chief Executive Performance Review Committee.

Elected members should be aware that failure to observe this portion of the Code of Conduct could compromise the Council's obligations to act as a good employer and may expose the Council to civil litigation and audit sanctions.

Relationships with the Community

Effective Council decision-making depends on productive relationships between elected members and the community at large.

Members should ensure that individual citizens are accorded respect in their dealings with the Council, have their concerns listened to, and deliberated on in accordance with the requirements of the Act

Members should act in a manner that encourages and values community involvement in local democracy.

Contact with the Media

The media plays an important part in local democracy. In order to fulfil this role the media needs access to accurate and timely information about the affairs of Council. From time to time individual members will be approached to comment on a particular issue either on behalf of Council, or as an elected member in their own right. This part of the code deals with the rights and duties of Councillors when speaking to the media on behalf of Council, or in their own right.

The following rules apply for media contact on *behalf of Council*:

- The Mayor is the first point of contact for the official view on any issue. Where the Mayor is absent, any matters will be referred to the Deputy Mayor. The Chief Executive Officer may be the first point of contact for general information.
- The Mayor may refer any matter to the Chief Executive for their comment.
- No other member may comment on behalf of Council without having first obtained the approval of the Mayor.

Elected members are free to express a *personal* view in the media, at any time, provided the following rules are observed:

- Media comments must not state or imply that they represent the views of Council.
- Where an elected member is making a statement that is contrary to a Council decision or Council policy, the member must not state or imply that his or her statements represent a majority view.
- Media comments must observe the other requirements of the Code of Conduct, e.g. not disclose confidential information, or compromise the impartiality or integrity of staff.

Confidential Information

In the course of their duties members will occasionally receive information that may need to be treated as confidential. This will generally be information that is either commercially sensitive or is personal to a particular individual or organisation.

Elected members must not use or disclose confidential information for any purpose other than the purpose for which the information was supplied to the elected member.

Elected members should be aware that failure to observe these provisions could impede the performance of Council by inhibiting information flows and undermining public confidence in the Council. Failure to observe these provisions may also expose Council to prosecution under the Privacy Act 1993 and/or civil litigation.

Conflicts of Interest

Elected members must be careful that they maintain a clear separation between their personal interests and their duties as an elected member. This is to ensure that people who fill positions of authority carry on their duties free from bias (whether real or perceived). Members therefore need to familiarise themselves with the provisions of the Local

Authorities (Members' Interests) Act 1968 which concerns financial interests, and with other legal requirements concerning non-financial conflicts of interest.

The Act provides that an elected member is disqualified from office, or from election to office, if that member is concerned or interested in contracts under which payments made by or on behalf of the local authority exceed \$25,000 in any financial year.

Additionally, elected members are prohibited from participating in any Council discussion or vote on any matter in which they have a pecuniary interest, other than an interest in common with the general public. The same rules also apply where the member's spouse contracts with the authority or has a pecuniary interest. Members must declare their interests at Council meetings where matters in which they have a pecuniary interest arise.

Members shall annually make a general declaration of interest as soon as practicable after becoming aware of any such interests. These declarations are recorded in a register of interests maintained by Council. The declaration must notify the Council of the nature and extent of any interest, including:

- any employment, trade or profession carried on by the member or the member's spouse for profit or gain;
- any company, trust, partnership etc for which the member or their spouse is a director, partner, trustee or beneficiary;
- the address of any land in which the member has a beneficial interest and which is in the Otorohanga District;
- the address of any land where the landlord is the Otorohanga District Council and:
 - the member or their spouse is a tenant, or
 - the land is tenanted by a firm in which the member or spouse is a partner, or a company of which the member or spouse is a director, or a trust of which the member or spouse is a trustee or beneficiary;
- any other matters which the public might reasonably regard as likely to influence the member's actions during the course of their duties as a member.

If the member is in any doubt as to whether or not a particular course of action (including a decision to take no action) raises a conflict of interest, then the member should seek guidance from the Chief Executive *immediately*.

Members may also contact the Audit Office for guidance as to whether that member has a pecuniary interest. If there is a pecuniary interest, the member may seek an exemption to allow that member to participate or vote on a particular issue in which they may have a pecuniary interest. The latter must be done before the discussion or vote. The Chief Executive must also seek approval from the Audit Office for contractual payments to members, their spouses or their companies that exceed the \$25,000 annual limit.

Failure to observe the requirements of the Local Authorities (Members' Interests) Act 1968 could potentially invalidate the particular decision made, or the action taken, by Council. Failure to observe these requirements could also leave the elected member open to prosecution under the Local Authorities (Members' Interests) Act 1968. In the event of a conviction elected members can be ousted from office.

Standing Orders

Elected members must adhere to any standing orders adopted by Council under the Local Government Act 2002. These standing orders are subject to the same legal requirements as a Code of Conduct with regard to their adoption and amendment.

Ethics

Otorohanga District Council seeks to promote the highest standards of ethical conduct amongst its elected members. Accordingly, elected members will:

- Claim only for legitimate expenses as laid down by any determination of the Remuneration Authority then in force, and any lawful policy of Council developed in accordance with that determination.
- Not influence, or attempt to influence, any Council employee to take actions that may benefit the member, or the member's family or business interests.
- Not use Council resources for personal business (including campaigning).
- Not solicit, demand, or request any gift, reward or benefit by virtue of their position.
- Notify the Chief Executive if any gifts are accepted.
- Where a gift to the value of **\$500** or more is offered to a member, immediately disclose this to the Chief Executive for inclusion in the publicly available register of interests.

Disqualification of Members from Office

Elected members are automatically disqualified from office if they are convicted of a criminal offence punishable by two or more years imprisonment, if they cease to lose their status as an elector or if they have been found to have breached certain sections of the Local Authorities (Members' Interests) Act 1968.

Under the Local Government Act 2002, local authorities, when adopting a Code of Conduct, must consider whether or not they will require members to declare whether they are an undischarged bankrupt. This Council believes that bankruptcy does raise questions about the soundness of a person's financial management skills and their judgment in general. The Council therefore requires elected members who are declared bankrupt to notify the Chief Executive as soon as practicable after being declared bankrupt.

PART FOUR: COMPLIANCE AND REVIEW

This part deals with ensuring that elected members adhere to the Code of Conduct and mechanisms for the review of the Code of Conduct.

Compliance

Elected members are bound to comply with the provisions of this Code of Conduct (Local Government Act 2002, Schedule 7, section 15(4)).

Members are also bound by the Local Government Act 2002, the Local Authorities (Members' Interests) Act 1968, the Local Government Official Information and Meetings Act 1987, the Secret Commissions Act 1910, the Crimes Act 1961 and the Securities Act 1978. The Chief Executive will ensure that an explanation of these Acts is made at the first meeting after each triennial election and that copies of these Acts are freely available to elected members. Short explanations of the obligations that each of these has with respect to conduct of elected members is attached in the Appendix to this code.

Compliance will be monitored by a Conduct Review Committee, comprising of the Mayor, Deputy Mayor and Councillor. This committee will be constituted at the first meeting after the triennial elections.

All alleged breaches of the code will be reported to the above committee. Any allegation of a breach of a Code of Conduct must be in writing, make a specific allegation of a breach of the Code of Conduct, and provide corroborating evidence.

The committee will investigate the alleged breach and prepare a report for the consideration of Council. Before beginning any investigation, the committee will notify the elected member(s) in

writing of the complaint and explain when and how they will get the opportunity to put their version of events.

The Council will consider the report in open meeting of Council, except where the alleged breach relates to the misuse of confidential information or could impinge on the privacy of a member of staff or of the general public.

Responses to Breaches of the Code

The exact nature of the action the Council may take depends on the nature of the breach and whether there are statutory provisions dealing with the breach.

Where there are statutory provisions:

- breaches relating to members' interests render members liable for prosecution by the Auditor-General under the Local Authority (Member's Interests) Act 1968.
- breaches which result in the Council suffering financial loss or damage may be reported on by the Auditor-General under the Local Government Act 2002, which may result in the member having to make good the loss or damage.
- breaches relating to the commission of a criminal offence may leave the elected member liable for criminal prosecution.

In these cases the Council may refer an issue to the relevant body, any member of the public may make a complaint, or the body itself may take action of its own initiative.

Where there are no statutory provisions, the Council may take the following action:

- censure;
- removal of the elected member from Council committees and/or other representative bodies;
- dismissal of the elected member from the position as Deputy Mayor.

A decision to apply one or more of these actions requires a Council resolution to that effect.

Review

Once adopted, a Code of Conduct continues in force until amended by the Council. The code can be amended at any time but cannot be revoked unless the Council replaces it with another code. Once adopted, amendments to the Code of Conduct require a resolution supported by 75 per cent or more of the members of the Council present.

Council will formally review the code as soon as practicable after the beginning of each triennium.

APPENDIX TO THE CODE: LEGISLATION BEARING ON THE ROLE AND CONDUCT OF ELECTED MEMBERS

This is a summary of the legislation requirements that have some bearing on the duties and conduct of elected members.

Local Authority (Members' Interests) Act 1968

This Act regulates situations where a members' personal interests impinge, or could be seen as impinging, on their duties as an elected member.

The Act provides that an elected member is disqualified from office if that member is concerned or interested in contracts under which payments made by or on behalf of the local authority exceed \$25,000 in any financial year.

Additionally, elected members are prohibited from participating in any Council discussion or voting on any matter in which they have a pecuniary interest, other than an interest in common with the general public. The same rules also apply where the member's spouse contracts with the authority or has a pecuniary interest.

Members may contact the Audit Office for guidance as to whether that member has a pecuniary interest, and if so, may seek an exemption to allow them to participate or vote on a particular issue. The latter must be done before the discussion or vote. The Chief Executive must also seek approval from the Audit Office for contractual payments to members, their spouses or their companies that exceed the \$25,000 annual limit.

Failure to observe these requirements could leave the elected member open to prosecution under the Local Authority (Members' Interests) Act 1968. In the event of a conviction elected members can be ousted from office.

Local Government Official Information and Meetings Act 1987

The Local Government Official Information and Meetings Act 1987 sets out a list of meeting procedures and requirements. Of particular importance for the roles and conduct of elected members is the fact that the chair has the responsibility to maintain order at meetings, but all elected members should accept a personal responsibility to maintain acceptable standards of address and debate. No elected member should:

- create a disturbance or a distraction while another elected member is speaking;
- be disrespectful when they refer to each other or other people; or
- use offensive language about the Council, other elected members, any employee of the Council or any member of the public.

Secret Commissions Act 1910

Under this Act it is unlawful for an elected member (or officer) to advise anyone to enter into a contract with a third person and receive a gift or reward from that third person as a result, or to present false receipts to Council.

If convicted of any offence under this Act a person can be imprisoned for up to 2 years, or fined up to \$1000, or both. A conviction would trigger the ouster provisions of the Local Government Act 2002.

Crimes Act 1961

Under this Act it is unlawful for an elected member (or officer) to:

- accept or solicit for themselves (or anyone else) any gift or reward for acting or not acting in relation to the business of Council; or

- use information gained in the course of their duties for their, or another persons, monetary gain or advantage.

These offences are punishable by a term of imprisonment of 7 years or more. Elected members convicted of these offences will also be automatically ousted from office.

Securities Act 1978

The Securities Act 1978 essentially places elected members in the same position as company directors whenever Council offers stock to the public. Elected members may be personally liable if investment documents such as a prospectus contain untrue statements and may be liable for criminal prosecution if the requirements of the Act are not met.

STANDING ORDERS AND MEETING PROCESS ISSUES

Council's Standing Orders describe the rules for how meetings of Council, Community Boards, Committees and Sub-Committees are conducted. At the meeting of Council on 29 January 2008, Council resolved as follows:

That the New Zealand Standard Model Standing Orders NZS 9202:2003 as amended at 1 March 2006 are adopted as the Council's Standing Orders, as from 1 March 2008, and shall apply to all meetings of the Council, its committees and sub-committees, and Community Boards subject to Cl. 2.5.1 (2) (b) and 3.14.2 (b) of the model being amended as follows –

“in the case of equality of votes the Chairperson has the casting vote”

Whilst the Standing Orders provide a formal structure that can be called upon where necessary, in practice, and in the interests of effective decision making, meetings of Council and the other elected bodies are typically conducted in a less formal, but nevertheless well controlled manner.

In recent times the following key guidelines have also been adopted by Council and the Boards in relation to meeting issues:

- Agendas for meetings will be sent out to members no earlier than 7 days prior to the meeting. Should the preparation of the agenda be late (which will be avoided if at all possible) then a copy of the agenda will be emailed to members where possible.
- Members are to read the meeting agenda prior to the meeting and should they have any significant issues or questions regarding the content of the report, then these should be raised with the relevant staff member(s) prior to the meeting.
- The existing standing orders set a time limit of 6 hours for the duration of all formal meetings, but a limit of 2 hours is proposed for Community Board meetings though the Chairman or Mayor may extend the time beyond this by means of a formal resolution.
- No time limit is placed on speakers at a meeting however the Chair is to be aware of the discussion and to ensure members stay with the topic being discussed, and that the discussion is effectively managed towards reaching a decision or other appropriate conclusion.
- A guideline time limit for staff presentations of reports at formal meetings shall be 5 minutes (based on the assumption that members have read the report) but presentations of around 10 minutes may be satisfactory where the issue under discussion is complex. Presentations in excess of 15 minutes are generally unacceptable, and matters requiring such extended staff presentations should instead be presented in workshop or committee situations.
- A resolution during the public part of a formal meeting shall be required to introduce any major items to be dealt with by resolution, if they are not on the agenda. The presiding member must give reason why the item is not on the agenda and why discussion cannot be delayed until the next meeting.
- A request for a deputation or presentation at a meeting must be lodged with the Chief Executive at least two working days before a meeting, and be approved by the presiding member. Not more than two members of a deputation may address the meeting - limit of 10 minutes in total.
- There is an expectation that matters brought up by members in general business are appropriate in that they do not relate to personal matters, or matters that might otherwise have been better resolved with staff outside of the meeting.
- A detailed minute taking style, which records the discussion underlying decisions, will be maintained.

KEY DOCUMENTS AND PROCESSES OF COUNCIL

The following is a summary of existing Council documents or processes with which Councillors are likely to be engaged:

Long Term Plan (LTP)

This is the most significant document of Council. The LTP covers at least 10 years and identifies desired community outcomes - the things the community considers are important for its well-being describes Council's intended contribution to those outcomes - the activities the local authority will engage in (and why) and how those activities will be funded. The LTP is reviewed and prepared every three years.

The LTP is subject to public consultation and an extensive (and expensive) audit process. The LTP must meet a broad range of requirements imposed by the Local Government Act and auditor interpretation of that Act, that are intended to promote effectiveness, accountability and transparency in local government. It also includes a number of technically detailed policies that Council is required to adopt.

Unfortunately the extent and prescriptive nature of these requirements makes the LTP a substantial - for ODC more than 300 page - document that is very difficult for the casual reader to digest. Councils are also required to produce a summary of the full LTP document, which is intended to be more accessible for the general public.

The current LTP is in effect from the Period between July 2012 and June 2015. The process to review the LTP is ongoing, but is likely to substantially accelerate during the 12 to 15 months before June 2015.

Annual Plan

The Annual Plan is a document which is prepared in each of the years between LTPs. It sets out the budget for the year, and the sources of funding for the year. It would normally be expected that the annual plan follows the relevant year in the LTP relatively closely.

Issues in respect of the 'reader friendliness' of this document are similar to those for the LTP. The annual plan is completed in the last quarter of the financial year.

Annual Report

The annual report is an annual statement to the community of what was spent and the progress that was made over the year toward the outcomes identified in the Long-Term Plan and Annual Plan. The annual report is typically completed in September.

District Plan

The District Plan provides objectives, policies and methods to achieve management of the effects cause by the use and development of natural and physical resources, in order to carry out the purpose of the Resource Management Act 1991 (RMA), which is to ensure sustainable management of natural and physical resources while avoiding, remedying or mitigating adverse environmental effects and providing for the well being of communities.

District plans are required to be reviewed every 10 years. The associated review process is a substantial exercise requiring extensive information gathering and consultation with potentially affected parties.

Council's first District Plan under the RMA was made operative in 1999, and a process to review the Plan commenced in late 2006. A new Proposed District Plan was released in September 2010, and submissions on this proposed plan are currently being received. It is envisaged that a new plan will become operative in 2012.

Asset Management Plans (AMPs)

Technical documents which underpin the LTP by identifying the physical assets required by the LTP activities, and indicating how these assets will be provided, renewed, maintained, managed and funded to provide the target levels of service, taking account of potential changes in demand for these activities and level of service expectations.

There is currently no legal obligation for local authorities to have AMP's but it is considered good practice to have such plans for the major activities of Council.

ODC currently maintains AMPs for its Roading and Water Services (water supply, wastewater, stormwater and flood protection) activities. These documents are updated as required, but with particular emphasis on updating prior to LTP review.

Solid Waste Management Plan

Outlines how Council will conduct activities to manage solid waste within the District, including waste disposal, recycling and re-use activities. Updating requirements are as for the Asset Management Plans.

Governance Statement

Outlines how Council makes decisions and promotes local democracy. Describes how Council communicates, cooperates and consults with the District's residents.

Is required to be updated within 6 months after each triennial election. An updated document will therefore be presented to Council in the near future.

Policy and Delegations Manual

This document has two purposes, these being:

1. To list and provide some description of the policies the policies adopted by Council.
2. To outline how responsibilities, duties or powers are delegated by Council to specific staff or committees on its behalf. For practical reasons it is appropriate for Council to delegate its authority to act in relation to many matters to the staff of Council.

The Policy and Delegations manual is revised from time to time to reflect changes in policy, organisational structure and associated procedures. All changes to the manual require the formal approval of Council.

Bylaws

Bylaws are locally applicable regulations that are made by Council for the following purposes.

- Protecting the public from nuisance
- Protecting, promoting and maintaining public health and safety
- Minimising the potential for offensive behaviour in public places

Otorohanga District Council has a small number of Bylaws, which include:

- Trade Waste Bylaw 2000
- Traffic Bylaw 2005
- Dog Control Bylaw 2004
- Stock Movement Bylaw 2006
- Liquor Bylaw 2007
- Water Services Bylaw 2007
- Stock Keeping Bylaw 2009

Bylaws must be periodically reviewed to assess if they are still appropriate. Council's bylaws are subject to an initial review after 5 years, and a 10 year review cycle thereafter. The Stock

Movement and Water Services Bylaws are currently overdue for review, and these reviews will commence now.

Budget Estimates

A budget estimates process is conducted each year (with Council involvement typically in February or March) to set budgets for the forthcoming financial year, and to revise (where appropriate) budgets for the following 9 years, to create a 10 year set of budget estimates that will align with the LTP and Annual Plan.

The budget estimates process will establish rates levels for the following year.

Manual of Tenders & Purchasing Procedures

This outlines the processes to be followed by council in respect of contracts and other purchases of goods or services.

Management Accounts

Management accounts indicate the current financial position of Council, its year to date expenditure on its various activities, and associated revenues. Management accounts are prepared on a quarterly basis.

Funding Policy Review

This is a process to identify the most appropriate means by which each of the activities (or services) of Council will be funded. Within this process questions asked include:

- How are the benefits of the activity distributed between particular 'private' service users and the general public?
- How directly should costs be attributed?
- To what extent should costs be met by a particular community?
- Will a funding model based on the assessed distribution of benefits create unacceptable unfairness or inequity?
- To what extent should general rates, targeted rates or uniform annual charges be incorporated in a funding 'mix'?

This process is carried out three yearly in conjunction with the LTP.

Council's current practice is to conduct such reviews in accordance with a three step process that was originally (but is no longer) a statutory requirement.

In the first step of this process a set of economic principles are established that link funding mechanisms to the groups or individuals that benefit from a service. In the second stage Council has the opportunity to apply a number of considerations to this process to ensure the decisions that are made are fair and equitable. The final stage of the process selects the funding tool that most efficiently and effectively achieves the desired allocation

Representation Review

The form of elected representation within the District (including definitions of wards and communities and any subdivisions thereof and associated levels of representation) must be reviewed for every second triennial election.

This process is conducted by Council but is subject to public consultation, and was last completed in October 2012 in preparation for the 2013 triennial elections. It is possible that a further representation review may need to be carried out prior to 2016 triennial election if the results of the recent census show that ward populations are significantly different to the population estimates on which the 2012 review was based.

Item 4 APPOINTMENTS TO OTOROHANGA COMMUNITY BOARD

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

From: Chief Executive

Date: 29 October 2013

Executive Summary

Section 19F of the Local Electoral Act 2001 authorises Council to appoint Councillors to Community Boards.

Staff Recommendation

It is recommended that:

Pursuant to Section 19F of the Local Electoral Act 2001 Philip Daryl Tindle and Robert James Prescott be appointed to the Otorohanga Community Board.

Report Discussion

The Act also requires that the appointees be Ward Members from the Ward in which the Community is located.

DC Clibbery
CHIEF EXECUTIVE

Item 5 APPOINTMENT TO KAWHIA COMMUNITY BOARD

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

From: Chief Executive

Date: 29 October 2013

Executive Summary

Section 19F of the Local Electoral Act 2001 authorises Council to appoint Councillors to Community Boards.

Staff Recommendation

It is recommended that:

Pursuant to Section 19F of the Local Electoral Act 2001 Deborah Mary Pilkington be appointed to the Kawhia Community Board.

Report Discussion

The Act also requires that the appointees be Ward Members from the Ward in which the Community is located.

DC Clibbery
CHIEF EXECUTIVE

Item 6 DELEGATIONS FROM OTOROHANGA DISTRICT COUNCIL

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

From: Chief Executive

Date: 29 October 2013

Executive Summary

Council is required to delegate specific responsibilities to the Community Boards.

Staff Recommendation

It is recommended that:

Pursuant to Clause 32 of Schedule Seven to the Local Government Act 2002 the Otorohanga District Council hereby delegates to the Otorohanga and Kawhia Community Boards, in respect of their community, all of Council's functions, duties and powers relating to:

- Refuse collection and disposal; and
- Water supply operation and maintenance; and
- Sewerage treatment and reticulation; and
- Flood protection; and
- Storm water drainage; and
- Swimming Pools; and
- Security patrols; and
- Housing for the elderly; and
- Community property; and
- Medical centres.

The above delegations are subject to the following conditions:

1. The respective Community Account not going into a financial deficit situation without the prior approval of Council.
2. Full allowance having been made for any proposed expenditure in the estimates approved by Council.
3. Compliance with relevant policies or directions specified by Council.

Report Discussion

Introduction

The role of Community Boards is stated in Section 52 of the Local Government Act 2002, as follows:

- a. Represent, and act as an advocate for the interests of its Community; and
 - b. Consider and report on all matters referred to it by the Territorial Authority, or any matter of interest or concern to the Community Board; and
 - c. Maintain an overview of services provided by the Territorial Authority within the Community; and
 - d. Prepare an annual submission to the Territorial Authority for expenditure within the Community; and
-

- e. Communicate with Community organisations and special interest groups within the Community; and
- f. Undertake any other responsibilities that are delegated to it by the Territorial Authority.

A Community Board is not a Committee of Council, but only has the powers that are delegated to it by the Council. A Community Board may not acquire, hold, or dispose of property; appoint, suspend, or remove staff; make a rate; make a bylaw; borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Plan; adopt a Long Term Plan, Annual Plan, or Annual Report; appoint a Chief Executive; or adopt policies required to be adopted and consulted on under this Act in association with the Long Term Plan or developed for the purpose of the local Governance Statement.

Functions and Duties of Community Boards

Otorohanga District Council is very unusual amongst local authorities in that it has made very high levels of delegations to its Community Boards, which in effect give those Boards very significant control over the delivery of Council services in their communities.

This contrasts with the situation in many other Councils where Community Boards function as conduits for communication between their communities and Council, but have little authority to make decisions.

The presented recommendation represents a continuation of the previous practice of Council to give extensive delegations to the Boards.

DC Clibbery
CHIEF EXECUTIVE

- | | | |
|----|---|---------------------------------------|
| p. | Council Youth Advocate | One Member or another approved person |
| q. | North King country Development Trust | Mayor |
| r. | Waikato Regional Policy Statement
Combined Council's Joint Working Party | One Member |
| s. | Upper Waikato River Settlement Joint
Management Agreement (Raukawa Iwi) | Mayor |
| t. | Waipa River Settlement Joint Management
Agreement (Maniapoto Iwi) | Mayor |

Discussion

Clause 41A of the Local Government Act ('LGA') 2002 (introduced through the 2012 amendment) allows the Mayor to establish such committees, sub-committees, joint committees or other subordinate decision-making bodies of Council as he or she considers appropriate, and appoint the Chairs of those committees which are entirely under the control of Council (which excludes Community Boards).

Alternatively, if the Mayor chooses not to exercise the powers under clause 41A, Council may collectively determine which internal decision making bodies are established, and the Chairs of those bodies, in accordance with clause 30 of Schedule 7 of the LGA.

Furthermore the Council may, in accordance with Clause 50B of the LGA, appoint members to Community Boards, in addition to those elected to these bodies.

It has been the previous practice of Council to appoint the ward Councillors for the Otorohanga and Kawhia Communities as members of the respective Community Boards. This year one of the Otorohanga Ward Councillors (Phil Tindle) was also successful in the election for one of the four elected places on the Otorohanga Community Board. In such a case the previous practice has been to consider the fifth highest polling candidate for the Board to also be elected, so that the total number of Board members is maintained. In this case the fifth highest polling candidate is Dave Williams, and hence it is proposed that he is deemed to be elected to the Board.

DC Clibbery
CHIEF EXECUTIVE

**Item 8 ODC PROPOSED SCHEDULE OF ORDINARY MEETING DATES
NOVEMBER 2013 - DECEMBER 2014**

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

From: Chief Executive

Date: 29 October 2013

Executive Summary

Proposed Schedule of Ordinary Meeting Dates for the period November 2013 - December 2014 are listed below.

Staff Recommendation

It is recommended that:

One of the presented schedules of dates for ordinary meetings of Otorohanga District Council for the period November 2013 to December 2014, with any required amendments, be approved in accordance with Clause 19 of the Seventh Schedule of the Local Government Act 2002.

Report Discussion

Since 2000 Council has conducted its ordinary meetings on Tuesdays every third week. Prior to this meetings were held every second week.

The current frequency of routine meetings of Council is relatively high. Two or three years ago an informal survey was conducted of council meeting intervals. This indicated that nearly all councils have ordinary meetings at not less than 4-weekly intervals, and some councils have intervals of 6 weeks, though the councils with the much longer intervals often also make extensive use of internal committees.

In recent times ODC has been operating in a 'business as usual' mode, with a resultant reduction of the volume of decisions required by Council. Many minor matters that were in the past (ie pre 2000) referred to Council are now managed by staff under authority delegated to them.

That Council has made unusually broad delegations to the two Community Boards also undoubtedly has an effect in reducing the volume of business that might otherwise be handled by Council.

The net result of this is that during the last term of Council some meeting agendas were not very full. Over the past 18 months the average 'working' duration of formal Council meetings (excluding workshops) has been just under three hours, with a few meetings little more than an hour long. Though workshops are often conducted following meetings, the total length of the 'working day' is still seldom longer than 5 hours (including lunch but excluding travel).

This has raised the question of whether the frequency of council meetings should be reduced, perhaps to 4-weekly intervals.

Based on the recent volume of Council business such an increase of meeting intervals would extend the average 'working day' for ordinary meetings by about 1 hour.

The advantages of increasing the intervals between meetings are believed to include the following:

- Reduced administrative effort. Each meeting requires effort to be invested in some 'fixed' tasks such as preparing and distributing the agenda and producing and checking minutes. By reducing the number of meetings the overall volume of this work will also be reduced. With the current three week cycle there is also often little effective gap between the end of the work around one meeting (production of final minutes etc) and the start of preparation for the next meeting. This near constant involvement in meeting related activity sometimes makes it difficult for staff who are not exclusively devoted to governance support to effectively undertake their other duties.
- Reduced time commitments for Councillors, particularly those councillors residing in the more remote areas, who have significant travelling times.
- May contribute towards effective conduct of meetings; a full agenda is likely to encourage prompt and efficient progress through the business.

There are not expected to be many significant disadvantages associated with a slight increase of meeting intervals, but one that may arise is extended periods between the stages of consultative processes, such as those conducted under section 83 of the Local Government Act., which require a consultation period of not less than 1 month.

In a case where a month long consultation period is initiated immediately after a Council meeting, it is currently possible, with 3 week meeting intervals to bring the results of that consultation back to Council within 6 weeks, whereas under 4 weekly meeting intervals a further delay of 2 weeks will be created.

Many Councils with longer routine meeting intervals do however have occasional additional meetings included in their schedules, for matters such as the development and adoption of the annual plan and report, to overcome the types of delays described above.

Waitomo District Council takes such an approach, with routine monthly meetings that were, during the last year, augmented by three other meetings for particular purposes.

Attached are two potential schedules of meetings, one based on 3 week intervals and the other on 4 week intervals, for Council's consideration.

Pursuant to Clause 19 of the Seventh Schedule to the Local Government Act 2002, I hereby give notice of the time and date for the ordinary meetings of the Otorohanga District Council on a **3 weekly** schedule -

19 November 2013	17 June 2014 (Annual Plan, if required)
10 December 2013	8 July 2014
21 January 2014	29 July 2014
11 February 2014	19 August 2014
4 March 2014	9 September 2014
25 March 2014 (Estimates Workshop)	30 September 2014
15 April 2014 (Draft Annual Plan)	21 October 2014
6 May 2014	11 November 2014
27 May 2014 (Adopt Draft Annual Plan)	2 December 2014

TIME: **10.00am**

VENUE: Council Chambers

Pursuant to Clause 19 of the Seventh Schedule to the Local Government Act 2002, I hereby give notice of the time and date for the ordinary meetings of the Otorohanga District Council on a **4 weekly** schedule -

19 November 2013

17 December 2013

21 January 2014

18 February 2014

18 March 2014 (Estimates Workshop)

15 April 2014 (Draft Annual Plan)

20 May 2014

17 June 2014 (Adopt Draft Annual Plan)

15 July 2014

19 August 2014

16 September 2014

21 October 2014

18 November 2014

16 December 2014

TIME: **10.00am**

VENUE: Council Chambers

DC Clibbery
CHIEF EXECUTIVE

Item 9 DISTRICT LIBRARIANS REPORT FOR JULY TO SEPTEMBER 2013

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

From: District Librarian

Date: 29 October 2013

Relevant Community Outcomes

- Ensure services and facilities meet the needs of the Community
 - Foster an involved and engaged Community
-

Executive Summary

Library staff have been working on two new initiatives over the past quarter: Wriggle & Rhyme and Turn the Page. Staff from both the public and college libraries attended a Children and Teens' conference in Rotorua. A very popular puppet theatre performance for children was held during the October school holidays.

Staff Recommendation

It is recommended that:

That the District Librarian's Quarterly report for the period July to September 2013 be received.

Report Discussion

Wriggle & Rhyme

Our Wriggle & Rhyme music and movement sessions have been held on Friday mornings in the Library throughout Term Three. Library staff who are presenting the programme have found it to be a very rewarding experience – participant numbers have varied between six and sixteen young children each week, with accompanying caregivers.

Jennifer Todd-Howard, the new Under Five Advisor for Sport Waikato, visited our library on 20 September to evaluate the presentation. She offered advice on aspects of the presentation that could be improved during Term Four.

Library staff have been pleased to welcome new parents into the library to join in this programme – which hopefully provides them with a positive introduction to the services we offer.

Weekly Wriggle & Rhyme sessions will be held on Friday mornings throughout Term Four.

“Turn the Page” to Mental Health & Wellness Project

Along with personnel from the Otorohanga Support House, I attended the launch function for this project at WINTEC on 27 September.

Public libraries in the Waikato region have worked with Progress to Health in Hamilton on this mental health and wellness initiative. Collections of recommended books are now available in our libraries, to be used as a self-help resource for people experiencing mild to moderate mental health issues, their friends, family and whanau.

We will continue to work with Progress to Health and local social and health service providers to promote usage of the resources, with the aim of helping to remove the stigma surrounding mental illness in our communities.

Toro Pikopiko Puppetry

On Tuesday 8 October, Toro Pikopiko Puppet Theatre held a performance for local children at the St John's Ambulance Hall.

The puppet theatre attracted a large turnout (around 70 children, plus parents, grandparents and early-childhood teachers). We were pleased to welcome groups from Hopscotch Preschool and Annie's Early Learning centre.

An interactive, bilingual hour included a performance of "Apo the Greedy Taniwha", had the audience on their feet participating in a lively "Numba Haka", and concluded with a literacy-themed story, "The Letterheads".

Several of the early childhood teachers commented that they were very appreciative of the Council sponsoring Toro Pikopiko's visit to Otorohanga.

Children & Teen Librarians' Conference, Rotorua

Library Assistant Sheila Pulham attended this conference at Rotorua on 1 and 2 August, together with Maree Bublitz from the Otorohanga College Library.

Highlights of the conference included presentations by Australian children's authors Mem Fox and Isobelle Carmody, and a talk by Celia Lashlie. Sheila enjoyed workshops on various topics, including designing online library spaces and strengthening relationships between libraries, schools and whanau. Groups discussed the reading with dogs initiative at Flaxmere Library, the Teen Odyssey programme at Tokoroa Library and the Any Questions/Many Answers service. Participants viewed a video presentation from teens who had been interviewed about their opinions of libraries.

Sheila found the conference to be very well organised, and felt that the opportunities provided for networking and exchanging ideas were extremely worthwhile. A closer relationship was fostered between the two Otorohanga librarians and this may lead to greater co-operation on a number of projects to help advance literacy in our community.

Library Usage Statistics

Otorohanga Library – (July to September 2013)

	2013/14	2012/13	Notes
Physical Visits	13,862	14,294	Decrease of 3.0%
Materials Issued	4092	4000	Increase of 2.3%
Digital Downloads	137	33	Increase of 315%
Computer Sessions (APNK)	2,444	2,760	Decrease of 11.4%
Wifi Sessions	2,212	1,350	Increase of 63.9%
Membership registrations	75	72	

Kawhia Library – (July to September 2013)

	2013/14	2012/13	Notes
Materials Issued	562	678	Decrease of 17.1%
Computer sessions (APNK)	108	84	Increase of 28.6%
Wifi sessions	253		Wifi not available 2012/13
Membership registrations	9	2	

Revenue Statistics: 1 July 2013 to 30 September 2013

	YTD Actuals	YTD Actuals 2012/13
Library		
Other Income		
375723670. Interloans	-76.00	-190.00
375723671. Videos	-456.50	-317.00
375723672. Kawhia	0.00	-90.80
375723673. New Rental Fiction	-253.00	-305.00
375723674. CD's	0.00	0.00
375723676. Reserves	-80.30	-76.00
375723677. Sale of Books	-272.61	-483.82
375723678. Lost Books	-114.82	-70.46
375723679. Fines (Overdues)	-1,009.94	-1,297.95
375723680. Photocopies	-515.80	-387.30
375723681. Membership Cards	-265.70	-458.33
375723682. Internet	-5.22	0.00
375723683. Magazines	-62.21	-83.54
375723684. Fax	-26.00	-36.00
375723721. Sundry	0.00	0.00
375723757. Donations	-6.00	-25.00
Other Income	-3,144.10	-3,821.20

Sarah Osborne
DISTRICT LIBRARIAN

Item 10 PLANNING REPORT FOR JULY TO SEPTEMBER 2013

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

From: Environmental Services Manager

Date: 29 October 2013

Relevant Community Outcomes

- Manage the natural and physical environment in a sustainable manner
 - Protect the special character of our harbours and their catchments
 - Recognise the importance of the Districts rural character
-

Executive Summary

Reporting on Resource Consents granted under Delegated Authority for the period 1 July to 30 September 2013.

Staff Recommendation

It is recommended that:

The Planning Report for July to September 2013 be received.

Report Discussion

During this quarter 11 consents (7 Landuse, 4 Subdivision) were granted under Delegated Authority as set out in the table below. These approvals compare with 17 consents (9 Land Use, 8 Subdivision) granted in the same period last year.

Decisions by Ward

	Land Use	Subdivision
Wharepuhunga	1	1
Kio Kio	1	2
Waipa	1	0
Tihiroa	1	1
Otorohanga	2	0
Kawhia	1	0
Total	7	4

AR Loe
ENVIRONMENTAL SERVICES MANAGER

Attachments

- a. Consents issued under Delegated Authority July to September 2013

Resource Consent Decisions - 1/07/13 to 30/09/13

No	Applicant/Location/Proposal	O/S	Decision
130022 3/07/13	Thomson Pastoral Limited 248 Awatane Road Earthworks to establish Dairy Shed, Feed Pad and Effluent Ponds	LU	PRS GDA
130030 25/07/13	Chevron New Zealand 2 Progress Drive Remove and replace fuel storage systems	LU	PRS GDA
130014 30/08/13	Whitehall Fruitpackers 194 Te Kawa Road Frost Fan for Protection of Kiwifruit	LU	PRS GDA
130032 4/09/13	Cazjal Farm Limited 506 Ngaroma Road Earthworks for farm tracks and bridge	LU	ARL GDA
130033 4/09/13	J Ogilvie 480 Lawton Drive Building alterations within the high hazard risk area at Aotea.	LU	PRS GDA
130041 12/09/13	Otorohanga District Council Waipa Esplanade Outline Plan Waiver for Stopbank Improvement Works	LU	ARL GDA
130038 20/09/13	Vodafone New Zealand Limited 92 Paewhenua Road The installation and operation of a telecommunications facility consisting of a 25m high monopole mast and	LU	GDA
Total for L		7	
130028 11/07/13	Pegazuz Limited 115 Mangaorongo Road s125 and s127 variation to RM080021	SB	PRS GDA
130031 31/07/13	Reeve Agri Ltd 224 Haurua Road Create one Additional Lot	SB	PRS GDA
130034 9/09/13	MJ Usmar 3 Puketarata Road Boundary Relocation	SB	PRS GDA
130037 18/09/13	CB Blackwell 71 Wairehi Road Boundary Relocation	SB	PRS GDA
Total for S		4	
Grand Total		11	
11 consents listed			

**Item 11 DISTRICT BUILDING CONTROL OFFICERS REPORT FOR 1 JULY TO 30
SEPTEMBER 2013**

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

From: District Building Control Officer

Date: 29 October 2013

Relevant Community Outcomes

- Ensure services and facilities meet the needs of the Community
-

Executive Summary

A quarterly report on Building Consents granted.

Staff Recommendation

It is recommended that:

The District Building Control Officer's report for July to September 2013 is received.

Report Discussion

The Building Department continues to be busy. Consents are slightly down on the same period last year but the paperwork has increased two fold. Council has to cross the T's and dot the I's to comply with IANZ and the regulations.

All Building Consent Authorities (BCA) are required to meet the criteria and standards in Regulation 18 before 1 December 2013. This means ODC has to apply for a special assessment and provide the required fees and information by 31 October 2013 for Council to remain accredited.

There are changes to Regulation 18 that state all Building Officials will be required to hold or be working towards an appropriate qualification by 1 December 2015. Appropriate qualifications will be defined by Ministry of Building Innovation & Employment and are likely to be:

- Bachelor of Applied technology – Building
- Bachelor of Architecture
- Bachelor of Architectural Studies
- Bachelor of Building Science
- Bachelor of Construction (Construction Management and Construction Economics)
- Bachelor of Engineering
- National Diploma in Building Control Surveying (small buildings)
- National Diploma in Building Control Surveying (medium and large buildings)

The total % of employees that will be required to hold or be working towards a qualification will be staged -

- 1/3 by 1 December 2013
- 2/3 by 1 December 2014
- All by 1 December 2015

Until these changes become Law, IANZ is required to continue assessing BCA's according to the current criteria.

Building Consent Issued 1 July to 30 September 2013		% Change
Total Consents Issued	57	+2%
Includes New Dwellings	3	-70%
And Commercial / Industrial / Cowsheds	12	+600%
Value of Building Work	\$3,657,068	-22%
CCCs Issued	89	+52%
<i>Consents approved over the same period in 2012</i>		
<i>Total Consents Issued</i>	55	
<i>Includes New Dwellings</i>	10	
<i>And Commercial / Industrial / Cowsheds</i>	2	
<i>Value of Building Work</i>	\$4,631,510	
<i>CCCs Issued</i>	52	
Consents Issued by Area		
Rural	41	
Otorohanga	10	
Kawhia / Aotea	6	

G Phillips
DISTRICT BUILDING CONTROL OFFICER

Attachments

- a. Building Consents issued July to September 2013

Location Address	Proposal	
254C Pekanui Road	AMENDMENT: Change of cladding due to builders onsite changes	10,000
1657 SHW 3 Otorohanga Rd	Rebuild Secondhand Garage	6,000
163 Cooper Drive	Demolish Existing Sheds & Carport & Build New	15,000
64 Otewa Road	Build new Commercial building across two titles for Concrete	45,000
5029 SHW 31 Kawhia Rd	Demolish existing dwelling and construct new dwelling with	184,000
248 Awatane Road	Construction of new rotary dairy shed	450,000
2 Progress Drive	Remove existing above ground deisel tank. Install new	50,000
228 Happy Valley Road	Construction of new garage with open lean-to to the northern	20,000
368 Bayley Road	Relocate a second hand building being a dwelling and garage	64,500
1 Clarke Street	Convert existing residential dwelling into to new commerical	120,000
225 Robertson Road	Erect a 27m x 9m Lean to Kitset Goldpine Farm Shed	23,000
167 Paewhenua Road	6 Bail extension Herringbone Farm Dairy	15,000
141 Fairchild Street	Re-instating a previously consented Carport and Utility	35,000
5443 Kawhia Road	Install a multi fuel heater within existing dwelling.	2,000
20 Maniapoto Street	Change Fireplace to new Model. Replacing Showroom Milan Fire	1,000
1119 Bayley Road	Build a shed	10,000
248 Awatane Road	Erection of Calf House	21,000
Symes Road	To Supply & Install Firenzo Forte Flush insert woodfire	3,500
163H Ngahape Road	Install Log Fire into Building currently under construction	10,000
487 Te Tahi Road	Build a 6.00 x 9.00m ² Shed	19,731
451 Tahaia Road	Installation of new inbuilt woodburner existing masonry	4,000
78 Ormsby Road	Install new multi-fuel fire in Lounge	4,000
1571 SHW 3 Otorohanga Rd	Install Wood Fire	4,500
15 Merrin Avenue	Installation of Solid Fuel Heater	4,000
29 Thomson Avenue	Install LTD Wee Rad Wood fire	4,000
192 Mangawhero Road	New Shed - Car Storage	15,000
33 Hinewai Road	To Install Firenzo Forta Flush Fire	4,000
2157 SHW 30 Barryville	New 3 Bedroom Family Home, Study, Separate Laundry, Wetroom	203,133
474 Rosamond Terrace	Relocate second hand two bedroom residential dwelling	50,000
69A Ormsby Road	Installing a New Free Standing Fire Place	8,000
864 Te Kawa Road	Build a Shed	13,000
418 Mangawhero Road	2 Bay Addition to Existing Farm Shed - Fully Enclosed, Gable	106,000
1164 Pokuru Road	Transport New Residential Dwelling to Site, tie downs,	37,000
200 Ngahape Road	Construct New Garage and Hobby Workshop	30,000
1221 Ngaroma Road	Installation of Steel Bridge with Concrete Slab Deck	300,000
25 Main North Road	Installation of a Milan Insert Wood Fire and insert flue kit	4,000
371 Mangauika Road	New 4 Bedroom Brick Residence with attached Double Garaging	490,000
246 248 Awatane Road	Installation of a Stock Underpass	92,000
208 Puketawai Road	11 Bay Cable Roof, Pole Shed	128,000
1190 Pokuru Road	New 27.00 x 9.00m Farm Building	30,000
9 Kakamutu Road	New 3 Bedroom Home, Electric Hot Water Laundry in Double	226,306
229 Barber Road	New Bay Window & 180 PFC Bracing Portal	16,898
506 Ngaroma Road	Bridge	15,000
63 Ngaroma Road	Build a Shed	47,000
1358 Honikiwi Road	New Herringbone Cowshed and Calf Shed	280,000

90 Scott Road	To Supply and Install Jayline SS300 Wood Fire	3,600
Bayley Road	Installation of Swimming Pool	32,000
527 Tainui Street	Installing New Woodburner in Existing Dwelling	3,000
48 Scott Road	New Shed	80,000
128 Hewan Road	Replace Existing Pot Belly with New Woodburner	4,000
301 Puketawai Road	Add Bathroom to Existing Dwelling	10,000
73 Ouruwhero Road	Re-Pile & Re-Level Slumped Floor	10,000
2 William Street	Have a free Standing Wood Fire Fitted	4,000
1030 SHW 3 Otorohanga Rd	Renovations and additions to Existing Dwelling. New Roof to	200,000
62 Phillips Avenue	Installation of a Freestanding Solid Fuel Heater - Woodsman	3,000
80 Te Tahi Road	Repile Dwelling, New Garage	19,900
17 Progress Drive	To Manufacture and Erect Storage Units	67,000
		<u>3,657,068</u>

Item 12 REVIEW OF WATER SERVICES BYLAW 2007

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

From: Engineering Manager

Date: 29 October 2013

Relevant Community Outcomes

- The Otorohanga District is a safe place to live
 - Ensure services and facilities meet the needs of the Community
-

Executive Summary

Council is required to review its Water Services Bylaw. The attached report reviews the performance of the existing Bylaw and recommends that the Bylaw remains in force without change.

Staff Recommendation

It is recommended that:

1. The report be received, and
2. That public consultation, in accordance with the Special Consultative Process of the Local Government Act 2002, be conducted in respect of a proposal that the Otorohanga District Council Water Services Bylaw 2007 be retained without significant change.

Report Discussion

Background

The Water Services Bylaw 2007 was adopted by Council primarily to address two potential gaps in respect of the local regulation of water services, these being:

- The Regional Council's introduction of requirements for comprehensive consents for the discharge of storm water from urban communities created a situation where Council was responsible for the quality of discharges from community storm water systems, but had no practical controls over the materials entering those systems.
- A lack of clarity in respect of the boundaries between the responsibilities of council and property owners in respect of water services infrastructure.

In addition to addressing these two primary issues, the Bylaw also formalised existing practice and policy in respect of:

- Control of discharges to the public sewer system (in conjunction with existing Trade Wastes Bylaw) including restrictions on the discharge of storm water to sewer.
- Definition of extraordinary (metered) water users
- Protection of public water services against damage or interference (included reference to existing policy in respect of building over piped services).
- Maintenance responsibilities for privately owned water services.

All of these matters lie within the range of specific Bylaw making powers granted to local authorities under section 146 (b) of the Local Government Act 2002.

When introduced in 2007 the Bylaw was loosely based upon provisions found in a number of similar Bylaws adopted by other Councils, with the greatest input being from a Bylaw of Ashburton District Council.

In keeping with the general light regulatory approach of Council, the Bylaw is relatively brief and simple.

The ODC Bylaw was amended in 2009 to provide additional tools to help manage peak water demand issues in Kawhia, in particular:

- i. Restricting the use of water during periods of peak demand where the capacity of the relevant water supply may be exceeded, and;
- ii. Preventing inappropriate avoidance or reduction of metered water charges, in particular preventing avoidance of the Peak Season Metered Water Charge that was introduced in Kawhia.
- iii. Allowing metered water charges to be applied to any property which wastes water despite previous requests to cease such wastage.

A copy of the Bylaw is provided under separate cover.

Need For Review

The Local Government Act 2002 requires Council to review a new Bylaw within five years of its adoption. Council must use the special consultative procedure, set out in the Local Government Act, to conduct the review of the Bylaw. Following this initial review, subsequent reviews must only be held every ten years.

The Water Services Bylaw was introduced in 2007. It was amended in 2009, but this amendment did not incorporate the general re-consideration of the Bylaw as a whole that would qualify as a review, and as such a review is now overdue.

The review of the Water Services Bylaw will require the following process:

- Review of the effect of the Bylaw
- Special consultative procedure
- Hearing of submissions
- Confirmation or revision of the Bylaw.

If a review of the Bylaw is not undertaken it will cease to have effect in March 2014.

Effect of Existing Bylaw

The Bylaw has been relatively lightly used since its introduction. It is considered to provide a sensible framework that can if necessary be used as the basis for enforcement if more informal discussion fails to yield a satisfactory result.

There have been no repetitions of the types of unacceptable discharges to storm water within the urban communities that motivated the introduction of the Bylaw in 2007.

The types of water demand related issues that motivated the amendment of the Bylaw in 2009 have also generally not been evident, as the previously envisaged potential growth of the Kawhia community has not occurred, and the construction of the additional water reservoir has also eased the water supply situation for that community.

It is however possible that issues in relation to peak season water supply in Kawhia may arise again in the future, and the provisions of the Bylaw may be needed at that time.

The aspect of the Bylaw that has been probably most actively used is the associated Policy for Building Over Services Reticulation, which has assisted both Council staff and Community Board members to make well-founded decisions relating to such matters.

The Bylaw is not considered to impose any unreasonable restrictions on the rights of individuals. The restrictions that are imposed are intended to prevent the community as a whole being required to pay (in either financial or non-financial terms) for non-essential actions of individuals.

Despite the fact that some of the provisions of the Bylaw have been little used, the associated issues are considered to still be highly relevant, and indeed the significance of issues such as storm water quality and water conservation are only likely to increase in response to initiatives such as the 'Healthy Rivers' project.

There are considered to be few if any negatives associated with having the Bylaw in its current form. Compliance with its provisions has generally been easily achieved with relatively little contention from affected parties.

Potential Alignment with Other Authorities

Consideration has been given to the potential for aligning the content of the Bylaw with similar Bylaws of other neighbouring authorities. An informal discussion with one such neighbour has however indicated that there are significant differences in key issues relating to water services in the two districts that are likely to limit the practicality and potential benefit of such alignment.

In general the discrete nature of Council's water services activities in this district means that there are no 'cross-border' issues. The only place where a council water service crosses a district boundary is at the southern end of the Arohena (Huirimu) Rural Water Scheme where a few connected properties lie within the Waipa District.

In this case however it is believed that the provisions of the Rural Water Scheme Terms and Conditions of Supply are more relevant than the provisions of the water services Bylaw in respect of the types of issues that are likely to arise.

It therefore does not appear worthwhile to pursue issues of inter-council alignment any further.

Summary of Options Considered

There are considered to be two principal options in respect of the

1. Retain the existing Bylaw without any significant change.
2. Retain the Bylaw, but with changes
3. Revoke the Bylaw

Option 2 is not considered to be very practical, since the Bylaw in its current form relates to what is considered a comprehensive range of potential issues in relation to Council's management of water services, and to remove any of the key elements of the Bylaw has potential to compromise this. Similarly there is not believed to be any need to add further provisions to the Bylaw

Option 3, to revoke the Bylaw in its entirety, would return Council to the position it was in prior to 2007. It could be argued that based on the extent of problems that arose prior to 2007 and thereafter the adverse effects of not having the Bylaw would have been limited, and indeed some of these adverse effects would only have manifested themselves in the longer term.

On the other hand it can also be argued that the adverse effects of having the Bylaw in place are even less, and perhaps negligible. There have to date been no issues of significant contention in respect of the Bylaw, and the provisions of the Bylaw are believed to be soundly based on fairness and 'common sense' and that as such it would be difficult for a person to reasonably object to them on a principled basis.

On this basis it is considered that the most appropriate option is 1, to retain the existing Bylaw without any significant change.

Process Matters

Following the Special Consultative Process of the LGA it is necessary to prepare a Statement of Proposal and invite public submissions for a period of not less than one month.

A draft Statement of Proposal is attached, together with a draft public advertisement, to be placed in the Waitomo News and Te Awamutu Courier.

The envisaged schedule for the review is as follows:

- 30 / 31 October 2013: Advertising
- 2 December 2013: Close of Submissions
- Council meeting of December 2013: Complete review (if no submissions):
- Council meeting of December 2013 (if on or after 10 December): Hear submissions & (potentially) complete review

DC Clibbery
ENGINEERING MANAGER

Attachments

- a. Statement of Proposal
- b. Draft Advertisement

Otorohanga District Council

Statement of Proposal

Review of Water Services Bylaw 2007

1. Introduction

Otorohanga District Council adopted a Water Services Bylaw in 2007. The Bylaw was amended in 2009. The Bylaw now needs to be reviewed in accordance with Section 158 of the Local Government Act 2002 (the Act).

This review must take the form of a reconsideration of the issues considered in accordance with Section 155 of the Act when the Bylaw was first made.

The Local Government Act empowers Council to make Bylaws for its district for one or more of the following purposes (Section 145):

- a. Protect the public from nuisance
- b. Protect, promote and maintain public health and safety
- c. Minimise the potential for offensive behaviour in public places.

The making of Bylaws in respect of water supply, wastewater drainage and land drainage are specifically authorised by Section 146 of the Act.

The Local Government Act 2002 also requires Council to consider whether the Water Services Bylaw 2007 is the most appropriate way of addressing those issues associated with water supply, wastewater and storm water drainage, and whether the proposed Bylaw is the most appropriate form of Bylaw and that it does not give rise to any implications under the NZ Bill of Rights Act.

2. Purpose of this Statement of Proposal

The Council must follow the Special Consultative Procedure contained in the Local Government Act for community consultation and comment in respect of the review of the Water Supply Bylaw.

As part of the Special Consultative Procedure the Council must produce a Statement of Proposal, and make it available to the community, which identifies what (if any) changes that are proposed to be made to the Bylaw. This document is the Statement of Proposal. The information contained in this Statement of Proposal has been approved by Council for notification and consultation.

3. Water Services Bylaw 2007

This Bylaw is intended to:

- a. Provide additional controls on discharges to the public stormwater and wastewater (sewerage) systems within the Otorohanga and Kawhia communities with the intention of reducing the potential for adverse environmental effects or ineffective operation of those systems.
- b. Clarify and formalise existing Council practices and policies in respect of public water services (water supply, wastewater and stormwater) and connections to those services within the Otorohanga and Kawhia communities.

The main provisions of the Bylaw can be summarised as follows:

- Control of discharges to the public storm water system;
 - Control of discharges to the public sewer system (in conjunction with existing Trade Wastes Bylaw) including restrictions on the discharge of storm water to sewer;
-

- Definition of boundaries between public and private water services;
- Establishment of conditions relating to private water services reticulation (addressing potential shared ownership issues);
- Establishment of conditions for connections to public water services;
- Definition of extraordinary (metered) water users;
- Protection of public water services from damage or interference;
- Definition of maintenance responsibilities for privately owned water services;
- Measures to prevent circumvention of provisions of other policies and regulations intended to support water conservation.

The Bylaw generally has little effect on pre-existing normal usage of water services within the Otorohanga and Kawhia communities. It is instead focussed on providing a clearer set of rules, and better addressing a small range of unusual circumstances.

4. Proposal

It is proposed that the Water Services Bylaw 2007 is retained without any significant change.

5. Report under Section 155 of the Local Government Act 2002

In proposing a Bylaw Section 155 of the Local Government Act 2002 requires the Council to:

- a. determine whether a Bylaw is the most appropriate way of addressing the "perceived problem", and
- b. if so, determine whether the proposed Bylaw is the most appropriate form of Bylaw, and whether it gives rise to any implications under the New Zealand Bill of Rights Act 1990

Bylaws cannot be inconsistent with the New Zealand Bill of Rights Act.

The perceived problem in this case is that additional requirements in respect of water services have been imposed upon local authorities through regulation under the Resource Management Act, changes to the Local Government Act, (and in future probable changes to the Health Act) without corresponding detailed legislative provisions to enable compliance at the local level.

Amongst these requirements are:

- The need to adequately maintain the quality of water supplied and discharged;
- The need to avoid the wasteful use of water;
- The need for cost effective service provision.

The making of a Bylaw in respect of Water Services is therefore considered necessary to close the regulatory gaps that may exist, to ensure that Council is able to meet its statutory obligations, and can prevent the interests of particular individuals being put ahead of the interests of the community as a whole.

The content of the Bylaw is not dissimilar to that found in similar Bylaws of many other local authorities. Where variations from common practice to exist, they are in response to local problems that are generally accepted, such as the inherent challenges in meeting the peak water demands of the Kawhia Community.

The Bylaw has not been subject to any significant challenges since it was introduced in 2007.

The Bylaw is considered to be consistent with the NZ Bill of Rights Act. It is not considered to impose any unreasonable restrictions on individuals and is not discriminatory.

DC Clibbery
CHIEF EXECUTIVE

Proposed Advertisement

Review of Otorohanga District Council Water Services Bylaw 2007

Otorohanga District Council introduced its Water Service Bylaw in 2007 for the following purposes.

- *To control discharges to public storm water and wastewater systems*
- *To protect public water services from damage and interference*
- *To define public and private responsibilities in respect of water services*
- *To support water conservation measures*

Council is undertaking a review of the Bylaw, and is currently proposing that the Bylaw be retained without any significant change.

A more detailed Statement of Proposal, a copy of the Bylaw and associated information is available from Council on request.

Submissions in respect of the review of the Water Services Bylaw can be made in writing, and should be addressed to

*The Chief Executive
Otorohanga District Council
PO Box 11
OTOROHANGA*

Submissions must be received by Monday 2 December 2013.

Item 13 ODC MATTERS REFERRED FROM 8 OCTOBER 2013

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

From: Governance Supervisor

Date: 29 October 2013

Executive Summary

1. ENGINEERING MANAGER

8 October 2013

- i. To clarify the situation regarding the work that was to take place on the Kawhia wharf and pontoon.
- ii. To explore the options that would have been available when removing a gum tree on Road Reserve along Maihihi Road.
- iii. To arrange for staff to look at a section of pavement failure 300m off the second summit on Honikiwi Road.

**CA Tutty
GOVERNANCE SUPERVISOR**

GENERAL