



Otorohanga District Council

MINUTES

29 October 2013

OTOROHANGA DISTRICT COUNCIL

29 October 2013

Minutes of the first ordinary meeting of the triennium of the Otorohanga District Council held in the Council Chambers, Maniapoto St, Otorohanga on Tuesday 29 October 2013 commencing at 10.05am.

MINUTES

Minutes are unconfirmed and subject to amendment at the next meeting of Council.

ORDER OF BUSINESS:

ITEM	PRECIS	PAGE
PRESENT		1
IN ATTENDANCE		1
APOLOGIES		1
OPENING PRAYER		1
ITEMS TO BE CONSIDERED IN GENERAL BUSINESS		1
CONFIRMATION OF MINUTES – 8 OCTOBER 2013		1
REPORTS		1
Item 1	DECLARATIONS BY MAYOR & COUNCILLORS	1
Item 2	APPOINTMENT OF DEPUTY MAYOR	2
Item 3	MAYOR & COUNCILLORS GENERAL EXPLANATION	2
Item 4	APPOINTMENTS TO OTOROHANGA COMMUNITY BOARD	2
Item 5	APPOINTMENT TO KAWHIA COMMUNITY BOARD	3
Item 7	APPOINTMENTS TO ORGANISATIONS & COMMITTEES	3
Item 6	DELEGATIONS FROM OTOROHANGA DISTRICT COUNCIL	4
Item 8	ODC PROPOSED SCHEDULE OF ORDINARY MEETING DATES NOVEMBER 2013 - DECEMBER 2014	5
Item 10	PLANNING REPORT FOR JULY TO SEPTEMBER 2013	5
Item 11	DISTRICT BUILDING CONTROL OFFICERS REPORT FOR 1 JULY TO 30 SEPTEMBER 2013	6
Item 9	DISTRICT LIBRARIANS REPORT FOR JULY TO SEPTEMBER 2013	6
Item 12	REVIEW OF WATER SERVICES BYLAW 2007	6
Item 13	ODC MATTERS REFERRED FROM 8 OCTOBER 2013	7
GENERAL		7
MEETING CLOSURE		10

PRESENT

Mr MM Baxter (Mayor), Crs RA Klos, RM Johnson, KC Phillips, DM Pilkington (Deputy Mayor), RJ Prescott, PD Tindle and AJ Williams.

IN ATTENDANCE

Messrs DC Clibbery (Chief Executive & Engineering Manager), GD Bunn (Finance & Administration Manager), AR Loe (Environmental Services Manager)(attended 10.27am) and CA Tutty (Governance Supervisor).

OPENING PRAYER

The Governance Supervisor read the Opening Prayer.

The Chief Executive declared the meeting open and welcomed those present. He extended a special welcome to newly elected Councillors.

CONFIRMATION OF MINUTES – 8 OCTOBER 2013

Resolved that the minutes of the meeting of the Otorohanga District Council held on 8 October 2013, as previously circulated, be approved as a true and correct record of that meeting.

Cr Phillips / Cr Prescott

MATTERS ARISING

WAIPA RIVER

Cr Phillips referred to the item regarding trees floating down the Waipa River and that it had been agreed this is a Waikato Regional Council (WRC) issue. Cr Phillips reported that the WRC had the trees removed from the river which were then stockpiled on the farmers land. At this time the trees are then the responsibility of the farmer to dispose of. Members were informed that during recent flooding of the Waipa River these trees were taken back into the river and therefore become the responsibility of the WRC. The Chief Executive reported that apparently very few trees floated back into the Waipa River. It is believed the trees in question were the result of forest works in the vicinity of Toa's Bridge. He said the WRC are currently investigating where these trees came from.

AMENDMENT TO LIQUOR CONTROL BYLAW 2007

In reply to Cr Pilkington regarding the resolution in respect to the Amendment to the Liquor Control Bylaw 2007, the Chief Executive advised that the ban period is intended to fully encompass Christmas Eve through to and including Waitangi Day, with a few hours 'buffer' either side.

REPORTS

Item 1 DECLARATIONS BY MAYOR & COUNCILLORS

Discussion

The Mayor read and completed the declaration pursuant to Clause 14 of Schedule 7 of the Local Government Act 2002. The Mayor then assumed the chair.

Each Councillor in turn read and completed a written declaration, pursuant to Clause 14 of Schedule 7 of the Local Government Act 2002.

Item 2 APPOINTMENT OF DEPUTY MAYOR

Discussion

The Chief Executive presented a report informing Members that under Clause 17 of Schedule 7 to the Local Government Act 2002 it requires Council to appoint one Member to be Deputy Mayor. He advised that under Section 41A of the 2012 Amendment to the Local Government Act 2002 has given the Mayor the power to directly appoint the Deputy Mayor. The Chief Executive advised that Mayor Max Baxter has exercised this power and appointed Deborah Mary Pilkington as Deputy Mayor.

His Worship advised that Cr Pilkington has a wealth of experience, dedication and thoroughness and he is extremely proud to have had the opportunity to make this appointment.

Item 3 MAYOR & COUNCILLORS GENERAL EXPLANATION

Discussion

The Chief Executive gave a general explanation to Members of the:

- a. A General Explanation to Elected Members including –
 - i. Local Government Official Information & 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. Role and employment of the Chief Executive
- d. Standing Orders adopted by Council NZS9202.2003
- e. Key Documents and Processes of Council

He said, as Chief Executive, there is a legal requirement for him to cover certain matters.

CONFLICTS OF INTEREST

The Chief Executive informed Members that they must be careful that they maintain a clear separation between their personal interests and their duties as an Elected Member. The Finance & Administration Manager advised that it will be necessary for each Councillor to sign a Declaration of Interest which will become public information.

AGENDA

Cr Pilkington expressed the opinion that should the District Council Agenda not be sent to Members by the Tuesday before the meeting, then this provides a catalyst for the Agenda to be emailed to Members.

Resolved

That the Chief Executive's report on Mayor & Councillors General Explanation be received.

His Worship / Cr Pilkington

Item 4 APPOINTMENTS TO OTOROHANGA COMMUNITY BOARD

Discussion

The Chief Executive presented a report informing Members that under Section 19F of the Local Electoral Act 2001 it authorises Council to appoint Councillors to Community Boards.

Resolved

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

Cr Pilkington / Cr Johnson

Item 5 APPOINTMENT TO KAWHIA COMMUNITY BOARD

Discussion

The Chief Executive informed Members that under Section 19F of the Local Electoral Act 2001 it authorises Council to appoint Councillors to Community Boards.

The Chief Executive advised that the Kawhia Community Board had requested that it be able to select the Council representative on the Board. He said it is necessary that this Councillor is from the Ward the Community Board is situated in.

Resolved

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

Cr Phillips / Cr Prescott

Item 7 APPOINTMENTS TO ORGANISATIONS & COMMITTEES

Discussion

The Chief Executive presented a report advising that decisions are required regarding the establishment of internal decision making bodies of Council and also the appointments to those bodies and various other external committees and organisations.

OTOROHANGA COMMUNITY BOARD

The Chief Executive explained to Members that as Cr Tindle had stood and was successful for both Council and the Otorohanga Community Board, he is then appointed back to the Board thus allowing Mr Dave Williams to move up as the fourth elected member of the Otorohanga Community Board

Resolved

That the following appointments be made

1. That Dave Williams be deemed to have been elected as the fourth elected member of the Otorohanga Community Board.
2. Organisations & Committees
 - a. Conduct Review Committee Mayor, Deputy Mayor and Cr Prescott
 - b. Chief Executive's Review/Remuneration Committee Mayor, Deputy-Mayor, Cr Phillips
 - c. Hearings Committee On a case-by-case basis - Mayor, Deputy-Mayor, Ward Councillor(s)
 - d. Sport NZ - Rural Travel Fund Mayor, Cr Pilkington, Sport Waikato Representative
 - e. Creative Communities New Zealand Cr Klos, Cr Tindle and Community Representatives

- | | | |
|----|--|---|
| f. | Housing for the Elderly Committee:
(Otorohanga Community Board Committee) | Cr Prescott, Cr Tindle |
| g. | Local Government New Zealand – Zone 2 | Mayor (Delegate), Deputy Mayor
(Alternate) |
| h. | Otorohanga District Development Board | Cr Pilkington |
| i. | Waikato Regional Council – Regional
Transport Committee | Mayor (Delegate), Deputy Mayor
(Alternate) |
| j. | Waikato Regional Airport Company Limited | Mayor |
| k. | Waikeria Prison / Community Liaison Group | Cr Klos, Cr Prescott |
| l. | Beattie Community Trust | Cr Johnson |
| m. | Waikato Civil Defence & Emergency
Management Joint Committee | Mayor (Delegate), Cr Prescott & Cr
Tindle (First & Second Alternate) |
| n. | Waipa Catchment Liaison Sub-committee | Cr Johnson |
| o. | Rural Water Supply Committees (Arohena,
Ranginui, Tihiroa, Waipa) | Ward Councillor |
| p. | Council Youth Advocate | Mayor |
| q. | North King Country Development Trust | Mayor, Cr Phillips |
| r. | Waikato Regional Policy Statement
Combined Council's Joint Working Party | Mayor, Cr Johnson |
| s. | Upper Waikato River Settlement Joint
Management Agreement (Raukawa Iwi) | Mayor, Cr Klos |
| t. | Waipa River Settlement Joint Management
Agreement (Maniapoto Iwi) | Mayor |
| u. | West Coast Zone Committee | Cr Pilkington |

Cr Phillips / Cr Johnson

Item 6 DELEGATIONS FROM OTOROHANGA DISTRICT COUNCIL

Discussion

The Chief Executive presented a report informing Members that Council is required to delegate specific responsibilities to the Community Boards.

Resolved

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
- Security patrols; and
- Housing for the elderly; and
- Community property; and

- Cemeteries.

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.

Cr Prescott / Cr Johnson

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

Discussion

The Chief Executive presented a report on a proposed schedule of ordinary meeting dates for the period November 2013 to December 2014.

Cr Phillips suggested rather than providing the proposed dates that Council elect to meet on either the second or third Tuesday of each month. The Chief Executive replied that once Council comes into January 2014 the meeting dates as proposed, are the third Tuesday in the month.

Resolved

That 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 monthly schedule -

19 November 2013, 9.00am	17 June 2014 (Adopt Draft Annual Plan)
17 December 2013	15 July 2014
21 January 2014	19 August 2014
18 February 2014	16 September 2014
18 March 2014 (Estimates Workshop)	21 October 2014
15 April 2014 (Draft Annual Plan)	18 November 2014
20 May 2014	16 December 2014

TIME: **10.00am**

VENUE: Council Chambers

Cr Williams / Cr Klos

Item 10 PLANNING REPORT FOR JULY TO SEPTEMBER 2013

Discussion

The Environmental Services Manager presented a report on the Resource Consents granted under Delegated Authority for the period July to September 2013.

RESOURCE CONSENT DECISION – RM130016

The Environmental Services Manager circulated a Resource Consent decision under the Resource Management Act 1991 in respect to application RM 130016 – Brian & Gretta Withers. He reported that following receipt of the information from NZ Transport Agency (NZTA), the Hearings Committee confirmed its decision to grant consent to Brian & Gretta Withers to establish and operate a quarry at Awatane Road. He said advice from NZTA stated –

'It has been assessed that the mitigation measures are suitable for the proposed application at this environment....'.

Resolved

That

1. The Planning Report for July to September 2013 be received.

Cr Pilkington / Cr Johnson

2. The Resource Consent decision of the Hearings Committee in respect to application RM130016 – Brian & Gretta Withers be received.

Cr Prescott / His Worship

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

Discussion

The Environmental Services Manager summarised the District Building Control Officer's report for July to September 2013.

With regard to the 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, the Environmental Services Manager confirmed that, at the present time, no existing Council staff hold these mandatory qualifications. Cr Pilkington expressed the opinion that this is another cost which will end up on the building owner.

Resolved

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

Cr Pilkington / Cr Phillips

Item 9 DISTRICT LIBRARIANS REPORT FOR JULY TO SEPTEMBER 2013

Discussion

The District Librarian attended the meeting and presented her quarterly report for the period July to September 2013. Cr Pilkington referred to the very successful programmes introduced into the Library and queried whether these translate to non-library users becoming library members. The District Librarian replied that there is a different number of parents which come each week however, it is hoped that by word of mouth others will participate and that in the future the programme will attract new library members. Cr Pilkington commended the Library staff on their combined participation and involvement with the Otorohanga College Staff.

Resolved

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

Cr Tindle / Cr Pilkington

Item 12 REVIEW OF WATER SERVICES BYLAW 2007

Discussion

The Engineering Manager presented a report advising that Council is required to review its Water Services Bylaw. He said the report reviews the performance of the existing Bylaw and recommends that the Bylaw remains in force without change. The Engineering Manager said that the current Bylaw has functioned very well and provides a commonsense approach. He said the

Bylaw was to be reviewed five years from when it was put in place however, this date has now passed but the Bylaw is still operational and can be reviewed and a new Bylaw put in place.

Cr Pilkington referred to the proposed recommendation in particular to item 2 and queried why the word 'significant' is inserted prior to 'change'. She expressed the opinion that as no change is proposed then why include the word 'significant'. In reply to Cr Phillips regarding why the Bylaw was introduced, the Engineering Manager replied that the Waikato Regional Council had introduced a Bylaw requiring all communities to have a Consent to Discharge Stormwater from the community into the river. He said Council had no means of control as to what went into the stormwater system.

Resolved

That

1. The Engineering Manager's report be received.

Cr Tindle / Cr Phillips

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 replaced by an Otorohanga District Council Water Services Bylaw 2014, with identical content.

His Worship / Cr Tindle

Item 13 ODC MATTERS REFERRED FROM 8 OCTOBER 2013

Discussion

The Governance Supervisor took Members through Matters Referred.

KAWHIA WHARF & PONTOON

The Engineering Manager provided Cr Pilkington with a list of the work that was to take place on the Kawhia wharf and pontoon.

ROAD RESERVE – MAIHIIHI ROAD

The Engineering Manager advised that staff had not explored the options to remove a gum tree on road reserve along Maihihi Road as this was actually carried out by The Lines Company.

PAVEMENT FAILURE – HONIKIWI ROAD

The Engineering Manager confirmed that staff have been requested to look at a section of pavement failure 300m off the second summit on Honikiwi Road.

It was agreed that all items be deleted from Matters Referred.

GENERAL

UNWANTED CATS

Cr Johnson advised he had received a call from a ratepayer regarding the dumping of unwanted cats in the rural area which impacts on the wildlife. He said this is an ongoing problem for the WRC and queried whether this Council could do anything. The Environmental Services Manager replied that funding for this purpose has not been budgeted for and that unwanted cats do become an issue particularly within the Community.

RAILWAY EVENT

Cr Prescott reported on a call he had received from a local resident requesting a possible road closure of Wahanui Crescent on 1 December 2013 in support of the 150 year celebration of Kiwi Rail. Cr Pilkington reported that to date there has been no confirmation of the event nor whether any trains will be stopping in Otorohanga. It was agreed that Council wait until further information is received.

MOWING OF ROAD VERGES

Cr Prescott referred to a property on the corner Phillips & Merrin Avenue which is unkept by the owner and now two goats are grazing the area.

KAKAMUTU ROAD FOOTPATH

Cr Phillips extended congratulations to staff involved in the Kakamutu Road footpath upgrade.

RANGIATEA ROAD

Cr Phillips highlighted the breakup of seal on part of Rangiatea Road. The Engineering Manager replied this is to be looked into by staff.

ROAD MARKER PEGS

Cr Phillips queried why the Contractor needs to spray such a large area around road marker pegs. The Engineering Manager advised that the Contractor who carries out the roadside mowing is also responsible for the spraying therefore, in creating larger sprayed areas around markers pegs, this makes the mowing easier. It was also questioned whether road marker pegs are required at all. The Engineering Manager agreed to look into this.

LUNCHEON ADJOURNMENT

Council adjourned for lunch at 12.45pm and resumed at 1.14pm.

The Engineering Manager reported that during the lunch break he had spoken to Council's Roothing Manager regarding road marker pegs and that there is no specific requirement to have them but there is a standard for roads which is dependent on the amount of traffic, which Council has tried to be compliant with. The Engineering Manager reported that nationally there are discussions on the uniform standards for roads.

DISTRICT PLAN

Cr Phillips referred to the District Plan Review and queried whether an evaluation of this should be undertaken to ascertain whether Council could do better. The Environmental Services Manager advised that the next stage in the process if the Landscape section had been resolved, would be to adopt the Plan as the final Operative Plan, but as this has taken so long it may be necessary to go to an intermediate step and adopt a References Version, which would refer to all the sections that are operative and the ones that are not.

The Environmental Services Manager advised that while an evaluation could be carried out, when it comes to the next review in five or ten year's time, there will have been a change of staff and Councillors. He said there is a statutory requirement for Council to do a Section 32 report which evaluates the effectiveness of the Plan. His Worship expressed the opinion that a substantial amount has been learnt in retrospect certainly regarding the matter of consultation. Cr Pilkington said there could be merit in some form of debrief session in an effort to explain matters that the Environmental Services Manager has talked about. She said there are a number of disaffected land owners who feel they have not been included. Cr Klos said she can concur with Cr Pilkington's comments as she has inherited some very aggrieved land owners who want to meet with her and tell her their story.

The Chief Executive expressed the opinion that should a review be carried out, Council would be somewhat limited in what it could say. He said it has been documented on what went well and what did not go so well. The Environmental Services Manager advised that extensive consultation had been undertaken however, this is a very structured process.

Cr Pilkington said that should the process be explained to the affected parties in a workshop situation then this may 'mend a few fences'.

Cr Pilkington expressed concern in regard to outstanding landscapes and what is going to happen when there is a National Policy Statement and its implications. The Environmental Services Manager suggested that Council wait until the new maps are circulated as the matter is still subject to mediation however, Council is working towards a good result. Cr Phillips expressed the opinion that it would be useful to have a debrief on the process to ascertain whether things could have been carried out differently.

ANNUAL SPRING FLING – KAWHIA

Cr Pilkington reported on the sixth annual Spring Fling event held last weekend in Kawhia and said this comprised of a high standard of art with very good attendance and sales.

OTOROHANGA DISTRICT MAP

Cr Pilkington along with Crs Klos and Tindle requested a hard copy of the Otorohanga District desk map.

OTOROHANGA BUSINESS GROUP ELECTION MEETING

Cr Klos reported she attended an election meeting whereat only one person spoke of the District. She said this Council has a very big district and should be considered as a whole not just what affects the Otorohanga Community. Cr Klos said it is her intention to foster the District as a whole.

CR WILLIAMS

Cr Williams thanked Councillors and staff for welcoming her to the meeting and reported that she holds a full-time working position and along with her husband, farms at Tihiroa.

LOCAL ALCOHOL POLICY (LAP)

The Environmental Services Manager reported that the provisional LAP has been completed and will be made available to Councillors and Submitters with a covering letter. He said it is the intention not to take the Policy to the next step until after Waitangi Day 2014.

YELLOW BRISTLE GRASS

The Engineering Manager reported that a Contractor has been instructed to spray Yellow Bristle Grass along roadsides particularly in the central areas of the District and out towards Harbour Road.

ELECTRICITY SUPPLY

The Chief Executive referred to Council's Contract with King Country Energy (KCE) for the supply of electricity which expires in December 2013. He said, to date little progress has been made for the supply of electricity under the All of Government Procurement (AOG) however, an offer has been received from KCE representing a 15-17.5 percent reduction in the unit rate for what Council is currently paying. He said this will equate to a \$25 – 30,000 saving per annum.

POPULATION HEALTH

The Governance Supervisor presented a letter received from Population Health requesting an opportunity to present to the new Councillors on the important role of Local Government in

influencing health outcomes. He said this could be included in their orientation or perhaps later when they have a better grasp of their new roles and responsibilities. The Governance Supervisor further reported that Population Health is the arm of the Waikato District Health Board primarily responsible for their work to improve health and reduce inequalities in health outcomes. It was agreed that an invitation be extended to Population Health to make a presentation to Council early in the new year.

COUNCILLORS REMUNERATION

The Finance & Administration Manager advised that it will be necessary for new Councillors to advise payroll staff of bank account details, IRD number and distance from home to Council. Mileage will be reimbursed at 77c per kilometre for anything over the 30km limit. The Finance & Administration Manager referred to ACC levies and advised that this is not deducted from Councillors remuneration, this is a matter that they need to attend to themselves.

DISTRICT RE-VALUATION

The Finance & Administration Manager informed Members that Quotable Value has recently undertaken a re-valuation of the District, the result of which will be presented to Council at its next meeting.

MEETING CLOSED

The meeting concluded at 1.55pm.

MAYOR:

DATE: 19 November 2013