



Otorohanga District Council

MINUTES

30 October 2007

OTOROHANGA DISTRICT COUNCIL

30 October 2007

Minutes of an ordinary meeting of the Otorohanga District Council held in the Council Chambers, Maniapoto St, Otorohanga on Tuesday 30 October 2007 commencing at 10.04am.

MINUTES

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PRESENT

Mr DF Williams (Mayor), Crs SR Adam, S Blackler, WH Earwaker, AL Gower, AG Ormsby, DM Pilkington and RJ Prescott.

IN ATTENDANCE

Messrs JL Pevreal (Chief Executive), DC Clibbery (Engineering Manager), GD Bunn (Finance & Administration Manager), Reginald Proffit (Policy Manager) and Mr CA Tutty (Customer Services Team Leader).

The Chief Executive declared the meeting open and welcomed those present. He wished all Councillors and in particular, new Councillors, all the best and hoped they found their time on Council rewarding and challenging.

OPENING PRAYER

The Chief Executive read the Opening Prayer.

REPORTS

Item-1 DECLARATION BY MAYOR AND COUNCILLORS

Discussion

The Mayor read and completed the Declaration pursuant to Clause 14 of Schedule 7 of the Local Government Act 2002.

The Mayor assumed the chair.

DECLARATION BY COUNCILLORS

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

CONFIRMATION OF MINUTES

The Chief Executive advised, as the minutes of the meeting held 9 October 2007 were the minutes of the last meeting before the election, they have been signed as true and correct by His Worship the Mayor and the Principal Administrative Officer. He said however, Council should resolve to receive the minutes of this meeting.

Resolved that the minutes of the meeting of the Otorohanga District Council held on 9 October 2007, be received.

Cr Earwaker / Cr Gower

POLICY MANAGER

The Policy Manager left the meeting at 10.40am.

Item-2 COUNCILLORS GENERAL EXPLANATION

Discussion

The Chief Executive gave a general explanation of the Local Government Official Information and Meetings Act 1987, Local Authorities (Members Interests) Act 1968, Crimes Act 1961, Sections 99, 105 and 105A, Secret Commissions Act 1910 and the Securities Act 1978.

ODC CODE OF CONDUCT

Members were circulated with the Otorohanga District Council Code of Conduct for their information. The Chief Executive advised Council is required to adopt a Code of Conduct under the Local Government Act 2002 and for Members to adhere to.

ROLE OF CHIEF EXECUTIVE

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

1. Implementing the decisions of Council
2. Providing advice to the Council and Community Boards
3. Ensuring that all 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
4. Managing activities of the Local Authority effectively and efficiently
5. Maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the Local Authority
6. Providing leadership of the staff of the Local Authority
7. Employing staff on behalf of the Local Authority (including the negotiation of the Terms of Employment for the staff of the Local Authority).

The Chief Executive requested Members, should they have any queries, to approach himself or the divisional Managers.

The Chief Executive then outlined the process to appoint a Chief Executive for completion by 11 August 2008.

STANDING ORDERS

The Chief Executive advised the Standing Orders of Council prescribe the rules for how meetings of Council, Community Boards, Committees and Sub-committees within the District will be conducted. He said, however there are some amendments to the current Standing Orders which will come forward for adoption by Council in the near future.

His Worship advised each Council meeting is commenced with the reading of a prayer, of which each Member takes a turn. He said Council meets every three weeks, always on a Tuesday and that the dress code is formal except for attendance at workshop meetings. His Worship pointed out that his position is referred to as 'His Worship' or 'Mayor' and each Councillor is referred to as 'Cr....' (their surname). His Worship reported this Council has always enjoyed the luxury of unrestricted access to staff however, reminded Members not to take advantage of this. He said the role of Council is governance and the Chief Executive, management. His Worship then referred to the appointment of the Community Board Representatives and advised they have the responsibility of conveying the wishes of Council to the Board and vice versa. He said

the Community Boards are like a defacto Committee of Council. His Worship pointed out those Councillors appointed to the Board serve a dual role.

Cr Earwaker raised the point it is important for Members when considering an issue to look at the whole picture and deal with what is placed before them. Cr Gower said Members may have an argument or disagreement during a meeting however, once the meeting is closed the matter is forgotten.

Item-3 ELECTION OF DEPUTY MAYOR

Discussion

The Chief Executive referred to a report advising that under Clause 17 of Schedule 7 to the Local Government Act 2002 requires Council to elect one Member to be Deputy-Mayor. He said the Schedule specifies two alternative systems of voting, one of which must be adopted by resolution of Council prior to the appointment (including the appointment of Council representatives) being made.

Resolved

That the voting system to be used for the election of Deputy Mayor and for the election or appointment of any other representative of the Otorohanga District Council shall be the System previously used for the election of Deputy Mayor as described below -

- a. Requires that a person is elected or appointed if he or she receives the votes of a majority of the members present and voting; and
- b. Has the following characteristics:—
 - i. there is a first round of voting for all candidates; and
 - ii. if no candidate is successful in that round there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and
 - iii. if no candidate is successful in the second round there is a third, and if necessary subsequent, round of voting from which, each time, the candidate with the fewest votes in the previous round is excluded; and
 - iv. in any round of voting, if two or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot.

Cr Pilkington / Cr Prescott

His Worship nominated Cr Earwaker for the position of Deputy-Mayor. In doing so he thanked Cr Earwaker for his assistance as Deputy-Mayor during the previous term of Council and acknowledged with gratitude, his input.

Cr Gower seconded the motion.

There being no further nominations, Cr Earwaker was declared elected Deputy-Mayor for the ensuing three years.

Cr Earwaker thanked Members for the confidence shown in him and said he enjoyed working for the Otorohanga District Council and was quite happy to be in the second position of Deputy-Mayor

Item-4 APPOINTMENTS TO OTOROHANGA COMMUNITY BOARD

Discussion

Mr Ormsby expressed the need for effective communication between Council and the Board and felt strongly this should happen.

Resolved

That Pursuant to Section 19F of the Local Electoral Act 2001 Andrew Graham Ormsby and Robert James Prescott be appointed to the Otorohanga Community Board.

Cr Earwaker / Cr Blackler

Item-5 APPOINTMENT TO KAWHIA COMMUNITY BOARD

Resolved

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

Cr Earwaker/ Cr Blackler

Item-6 APPOINTMENT OF COMMITTEES

Resolved

That subject to Clause 30 of Schedule 7 to the Local Government Act 2002 Council resolves to appoint the following Committees -

- | | | |
|----|---|---|
| a. | Conduct Review Committee | Mayor, Deputy Mayor and Cr Blackler |
| b. | Kawhia Committee | Mayor, Deputy-Mayor and Cr Pilkington |
| c. | Hearings Committee | Mayor, Deputy-Mayor and Councillor(s) |
| d. | General Manager's Review / Remuneration Committee | Mayor, Deputy-Mayor and Cr Blackler |
| e. | SPARC - Rural Travel Fund | Mayor, Cr Pilkington, Sports Waikato Representative |
| f. | Creative Communities New Zealand Scheme | Mayor, Cr Gower and 3 Community representatives |
| g. | Zero Waste Committee | Cr Gower, 1 Otorohanga Community Board Member and 1 Kawhia Community Board Member |

- | | | |
|----|--|--|
| h. | Interim Otorohanga Domain Reserve Management Committee | Cr Earwaker and Cr Ormsby as Otorohanga Community Board representative |
| i. | Residential Subdivision Committee - 4 Elected Members | Crs Earwaker and Prescott and 2 Community Board Members |

Cr Earwaker / Cr Pilkington

Item-7 APPOINTMENT OF REPRESENTATIVES TO ORGANISATION AND COMMITTEES

Resolved

That

- | | | |
|----|--|--|
| a. | Joint Otorohanga District Council / Otorohanga Community Board Committee
(Otorohanga Community Board Committee) | It was agreed membership of this Committee be established as and when required |
| b. | Housing for the Elderly Committee
(Otorohanga Community Board Committee) | S Blackler and A Ormsby |
| c. | Local Government New Zealand – Zone 2 | Mayor (Delegate)
Deputy Mayor (Alternate) |
| d. | Otorohanga District Development Board: | Cr Pilkington |
| e. | Environment Waikato – Regional Land Transport Committee | Mayor, (Delegate)
Deputy Mayor (Alternate) |
| f. | Waikato Regional Airport Company Limited | Mayor |
| g. | Waikeria Prison / Community Liaison Group: | L Gower and R Prescott |
| h. | Beattie Community Trust comprising: | It was agreed Council not be represented on the Beattie Community Trust |
| j. | Shore Futures | Mayor, Deputy Mayor and Kawhia Ward Member |
| k. | Waipa Catchment Liaison Sub-committee | Cr Blackler |
| l. | Kiwi House Development Committee | Mayor and Chief Executive |
| m. | Rural Water Supply Committees (Arohena, Ranginui, Tihiroa, Waipa) | Ward Member |

Cr Earwaker / Cr Ormsby

- i. Waikato Region Civil Defence Emergency Management Group

Resolved

1. The Mayor be appointed to be Council's representative on the Waikato Region Civil Defence Emergency Management Group;
2. In the absence of the Mayor, a First Alternate (Deputy Mayor) and a Second Alternate (Otorohanga Community Board Member) have delegated authority to act for the Mayor as Councils representative on the Waikato Region Civil Defence Emergency Management Group;
3. Council's representative or alternate representative be granted full delegated authority to commit to action and expenditure on behalf of Otorohanga District Council within approved budgets per Section 7 of the Waikato Region Civil Defence Emergency Management Group constituting agreement.

Cr Prescott / Cr Pilkington

**Item-8 ODC PROPOSED SCHEDULE OF ORDINARY MEETING DATES
NOVEMBER 2007 - DECEMBER 2008**

Discussion

The Chief Executive informed Members it was intended to continue with the three weekly meeting schedule, with meetings commencing at 10.00am.

Resolved

That the Schedule of Meeting Dates for the period November 2007 to December 2008, as detailed below, be approved

20 November 2007	24 June 2008 (Annual Plan, if required)
11 December 2007	8 July 2008
29 January 2008	5 August 2008
19 February 2008	26 August 2008
11 March 2008	16 September 2008
1 April 2008	7 October 2008
22 April 2008 (Draft Annual Plan)	28 October 2008
13 May 2008	18 November 2008
3 June 2008 (Adopt Draft Annual Plan)	9 December 2008

TIME: **10.00am**

VENUE: Board Room

Cr Adam / Cr Blackler

Item-9 ROAD SAFETY COORDINATOR

Discussion

The Engineering Manager presented a report on changes in respect of the arrangements relating to the District's Road Safety Coordinator.

Cr Pilkington expressed some concern that Council has been 'requested' to contribute \$12,500 towards the District Road Safety Coordinator without any input. Members were referred to the Road Safety Programme 2008/2009 and expressed reservations at the major project to provide a District 'on the road' Calendar at a cost of \$22,000. His Worship suggested Council establish a Committee, as should it contribute to the scheme, it wishes to have input into next year's work programme.

It was agreed the matter be deferred and placed on 'Matters Referred', in the meantime His Worship and Council's Engineering Manager have discussions with representatives from LTNZ for report back to Council.

Item-10 APPLICATION FOR TEMPORARY ROAD CLOSURE - NEW YEAR'S EVE & KAWHIA ROWING REGATTA CLUB

Discussion

The Engineering Manager summarised the Engineering Support Officer's report on an application received from the Kawhia Rowing Regatta Club for road closures within the Kawhia Community for the purpose of holding the Kawhia Rowing Regatta and associated activities and, in the interest of public safety, Council closes the road for New Years Eve and combines this with the Regatta Club road closure under a single Road Closure Application.

Resolved

That approval be granted for the following road closures:

Purpose: Kawhia New Year's Eve Celebrations and Rowing Regatta Day

Dates: Monday, 31 December 2007 and Tuesday, 1 January 2008

Details of Closure: **Kawhia New Year's Eve Celebrations**

JERVOIS STREET – from its intersection with Tainui Street to Omimiti Street

OMIMITI STREET – No exit

Period of Closure: 6.00pm to 6.00am

Kawhia Regatta

JERVOIS STREET – from its intersection with Tainui Street to Omimiti Street

OMIMITI STREET – No exit

Period of Closure: 6.00am to 5.00pm

With the following conditions imposed:

1. Council will be responsible for management of the first period of the closure from 6.00pm 31 December 2007 to 6.00am 1 January 2008.

During this first period the road will be completely closed with a water-filled barrier, and residents within the section of closed road will be required to make other prior arrangements if they wish to use a vehicle. Council will be responsible for placing the barrier and signs at the start of the closure.

Emergency access for vehicles will be over the pavement on Jervois Street.

2. The Kawhia Rowing Regatta Club will then be responsible for management of the second period of the closure from 6.00am 1 January 2008 to 5.00pm 1 January 2008.

During this second period the road will be partially closed, with sections of the water-filled barrier removed so that there is controlled access for vehicles associated with the regatta and properties affected by the closure. The Kawhia Rowing Regatta Club will be responsible for removing the barriers and signs at the end of the closure period.

3. During their relevant road closure management periods, Council and the Kawhia Rowing Regatta Club will be responsible for adequate sign posting and policing of the roads to be closed to ensure that no vehicles have access to the closed portion of road, which includes arranging delivery, erection and staffing of all road closure barriers, and the removal thereof after closures.
4. Council will arrange the hire of required barriers and signs, and advertising of the closure in the Waitomo News.
5. The Otorohanga District Council will be responsible for the total costs incurred for the road closure in respect of New Year's Eve and the Rowing Regatta Day, to be funded 50/50 between the Otorohanga District Council and the Kawhia Community Board.
6. No objections are received from the NZ Police Department or Transit NZ.
7. Persons will be allowed through in the event of an emergency.
8. Kawhia Rowing Regatta Club is responsible for obtaining public liability insurance (and paying the cost thereof) to a minimum value of \$2,000,000. This is required to indemnify Council against any damage to property or persons as a result of activities during the road closure period. Council requires that it is held covered under the terms of such policy and accordingly the policy is required to be in both parties' names on the form prescribed by Council.
9. Council will prepare a traffic management plan for the closure that complies with Transit New Zealand's Code of Practice for Temporary Traffic Management.
10. Signs advising of the road closures are to be erected at the start and end of the closed portions of roads and on each intersecting road two weeks prior to the road closure. All signs are to be removed immediately after the closure.
11. Council to obtain signatures of residents and businesses affected, confirming notification that the proposal has been received.

Cr Pilkington / Cr Blackler

Item-11 APPLICATION FOR TEMPORARY ROAD CLOSURE - OTOROHANGA CHRISTMAS PARADE

Discussion

The Engineering Manager summarised the Engineering Support Officer's report on an application received from Inframax Construction Ltd on behalf of the Otorohanga Business Association for various road closures within the Otorohanga Central Business District for the purpose of holding the Otorohanga Christmas Parade and associated events.

Resolved

That approval be granted for the following road closures:

Purpose: Otorohanga Christmas Parade

Date: Friday, 7 December 2007

Details of Closure: **Otorohanga Christmas Parade**

MANIAPOTO STREET / S H 3 – from its intersection with Kakamutu road to its intersection with Te Kanawa Street/S H 31. Includes intersections with Ranfurly, Ballance and Tuhoro Streets.

RANFURLY STREET – from its intersection with Maniapoto Street to its intersection with Cowley Lane.

COWLEY LANE – entire length

WAHANUI CRESCENT – entire length

WHITTINGTON LANE – entire length

PINE STREET – entire length

HUNTER LANE – entire length

Period of Closure: 5.45pm to 8.45pm

Carols by Candlelight

MANIAPOTO STREET / S H 3 – from its intersection with Ballance Street to its intersection with Tuhoro Street.

Period of Closure: 8.30pm to 9.30pm

Detour will be by way of: Kakamutu Road, Turongo Street and Te Kanawa Street/SH31 OR Huiputea Drive.

With the following conditions imposed:

1. No objections are received from the NZ Police Department or Transit NZ.
2. Persons will be allowed through in the event of an emergency.
3. Otorohanga Business Association is to pay for all advertising costs in appropriate newspapers. Public notice advertisements are to be published in the Waitomo News.
4. Otorohanga Business Association is responsible for obtaining public liability insurance (and paying the cost thereof) to a minimum value of \$2,000,000. This is required to indemnify Council against any damage to property or persons as a result of activities during the road closure period. Council requires that it is held covered under the terms of such policy and accordingly the policy is required to be in both parties' names on the form prescribed by Council.
5. Otorohanga Business Association is to comply with the objection provisions contained in the Transport (Vehicular Traffic Road Closure) Regulations 1965.
6. Otorohanga Business Association is to notify the bus and taxi operators of the closures.
7. Otorohanga Business Association is solely responsible for signposting and policing of the roads to be closed and for the detour route. This includes arranging the delivery, erection and staffing of all road closure barriers and the removal thereof after closures.
8. Signs advising of the road closures are to be erected at the start and end of the closed portions of roads and on each intersecting road two weeks prior to the road closure. All signs are to be removed immediately after the closure. An Otorohanga Business Association representative is to meet with Council Engineering Staff regarding the required signs format, size, location and quantity of signs for approval before they are manufactured and erected.

Cr Prescott / Cr Ormsby

Item-12 DISTRICT LIBRARIAN'S REPORT JULY - SEPTEMBER 2007

Discussion

The District Librarian attended the meeting and summarised her report for the period July to September 2007. She reported that Council's Finance & Administration Manager, IT personnel and herself will be meeting with a representative from Dynex regarding the upgrade of the computer system. The Librarian reported that the Library is currently advertising for a part-time position to replace Mrs Mandy Barrett who will be moving with her family to Australia in the New Year. Cr Blackler requested Council's best wishes be conveyed to Mrs Barrett and her family and that she be thanked for her contribution to the activities of the Library.

Resolved

That the District Librarians' quarterly report be received.

Cr Gower / Cr Adam

Item-13 AUDIT HIGHLIGHTS MEMO

Discussion

The District Accountant attended the meeting. The Finance & Administration Manager reported that Council's Auditors, Deloitte, have issued Council with an unqualified Audit Report on its financial statements for the year ending 30 June 2007.

Members requested that the issue regarding Conflicts of Interest, in particular that relating to 'Members Interests', be placed on 'Matters Referred' to allow the Finance & Administration Manager to obtain additional information. The Auditors advised there had been no further progress from Council regarding the development and implementation of a policy which requires a formal register of Members 'Interests'. They acknowledge that Council have decided to formalise this process once the election process is completed.

Resolved

That the Audit Highlights Memorandum be received.

Cr Pilkington / Cr Adam

Item-14 MATTERS REFERRED - 9 OCTOBER 2007

Discussion

The Customer Services Team Leader took Members through the Matters Referred.

HALL LEVIES

The Finance & Administration Manager reported standard letters will be forwarded to those halls for which Council collects rates to ascertain the proposed rates for the forthcoming year. He said consideration will be given as to whether Council wishes to continue to collect the rates on their behalf.

BYLAW - CONTROL OF HORSES

Members were informed the matter to investigate the suggestion to introduce a bylaw to control horses in urban areas was being worked on.

MANIAPOTO STREET WALKWAY PROPOSAL

The Engineering Manager reported Council was still waiting to obtain a maintenance estimate from Mr David Walmsley. It was the ongoing cost in regard to the speaking modules which need to be considered.

IN HOUSE ROADING WORKSHOP

Members were informed a workshop in respect to issues such as grading of unsealed roads will be held following the conclusion of this meeting.

GENERAL

COMMUNITY BRIDGES

Cr Ormsby said it was great to be back as a Member of Council. He then referred to the three major bridges in the Community and queried when they are to be cleaned and graffiti removed. The Engineering Manager replied that Transit have been advised however, he was aware they have other priorities. Cr Ormsby requested the Engineering Manager to remind Transit of the maintenance.

STATE HIGHWAY 3/31

Cr Ormsby referred to a proposal for the premises at the intersection of State Highway 3 and 31 and suggested that consideration be given to this intersection before any development is undertaken. Cr Ormsby requested this item be placed on 'Matters Referred'. The Engineering Manager informed Cr Ormsby that Transit NZ would have to drive any proposal to re-develop this intersection.

MANIAPOTO STREET PAVEMENT

Cr Ormsby queried the life of the pavers in Maniapoto Street and whether these were close to replacement. The Engineering Manager replied there were no plans to replace these pavers and that Council would not consider contributing to the replacement of any pavers outside a particular business unless the pavement was failing. Cr Ormsby was requested to bring this matter back through the Otorohanga Community Board.

RMC - KAWHIA

Cr Pilkington referred to an RMC meeting held at Nga Tai o Kawhia. She said this meeting proved to be a very important communication vehicle between Iwi, Council and the Kawhia Community Board.

COUNCIL TOUR

Following considerable discussion it was agreed a tour of the District for Councillors be held on 12/13 November 2007 commencing from the Council office at 8.30am.

HAMILTON AIRPORT

His Worship referred to a letter received from the Hamilton Airport extending congratulations to the new Councillors and extending an invitation for them to have a tour of the Airport facility.

COUNCIL MEETINGS 20 NOVEMBER AND 11 DECEMBER 2007

His Worship reported he will be unable to be in attendance at the Council meetings to be held 20 November and 11 December 2007.

ZONE 2

His Worship extended an invite to Members to attend the next Zone 2 meeting to be held in the Matamata Piako District Council on 9 November 2007.

OTOROHANGA DISTRICT DEVELOPMENT BOARD

His Worship informed Members that the AGM of the Otorohanga District Development Board is to be held on Wednesday 14 November 2007. He said the ordinary meeting will commence at 9.30am in the Council Chambers, followed by lunch and then the AGM.

RURAL SECTOR

His Worship informed Members of a Rural Sector meeting to be held 22/23 November 2007.

NEWLY ELECTED MEMBER TRAINING

The Chief Executive outlined various timetables for Members to undertake new Elected Member training at various locations during November and December 2007 and January 2008.

RESOURCE MANAGEMENT ACT

The Chief Executive advised training sessions for 'Decision Makers' in respect to the Resource Management Act were being held at various locations during February and March 2008. Following discussion it was agreed His Worship and possibly Crs Pilkington and Blackler attend the training seminar to be held in Taupo 3/4 March 2008.

MEETING CLOSED

The meeting concluded at 12.35pm.

MAYOR:

DATE:

