



Otorohanga District Council

MINUTES

26 January 2010

OTOROHANGA DISTRICT COUNCIL

26 January 2010

Minutes of an ordinary meeting of the Otorohanga District Council held in the Council Chambers, Maniapoto St, Otorohanga on Tuesday 26 January 2010 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 DC Clibbery (Chief Executive), GD Bunn (Finance & Administration Manager), AR Loe (Environmental Services Manager) and CA Tutty (Governance Supervisor).

OPENING PRAYER

His Worship read the Opening Prayer.

CONFIRMATION OF MINUTES - 8 DECEMBER 2009

Resolved that the minutes of the meeting of the Otorohanga District Council held on 8 December 2009 as previously circulated, be approved as a true and correct record of that meeting.

Cr Earwaker / Cr Adam

REPORTS

Item-285 OTOROHANGA COMMUNITY BOARD MINUTES - 12 NOVEMBER & 10 DECEMBER 2009

Discussion

Cr Pilkington referred to the minutes dated 10 December 2009, in particular item 138 Otorohanga Security Patrol Contract, and highlighted the fact that the word 'Contract' in the title had been incorrectly spelt.

Cr Earwaker referred to the Otorohanga Art Centre Trust and queried whether Council had any involvement. His Worship replied Council was not tied into any agreement and that there was no commitment by Council.

Resolved

That the minutes of the meetings of the Otorohanga Community Board held on 12 November and 10 December 2009 be received and the recommendations contained therein adopted.

Cr Prescott / Mr Ormsby

Item-286 KAWHIA COMMUNITY BOARD MINUTES - 27 NOVEMBER 2009

Discussion

Cr Pilkington referred to page 8 of the minutes under 'Accumulation of Rubbish' and advised that the surname 'Toms' should be spelt 'Thom'.

Cr Pilkington also referred to page 7 under 'Community Max Footpath Construction' and advised that in the centre of the paragraph the word 'painting' is incorrectly spelt.

In reply to Cr Earwaker regarding the provision of a Beach Warden, His Worship advised that Council contributes jointly with the Kawhia Community Board to fund this service. He said the service is operated by the Community however, Council contributes on a district-wide basis. Cr

Pilkington suggested this Council should submit to Environment Waikato's (EW) Annual Report stating that they should be very much involved in the provision of this service. The Chief Executive reported that there are very encouraging signals from a local bike dealer for the provision of a suitable quad bike. He said Council has an agreement with a person to provide the Beach Warden service on a temporary basis when the matter of the provision of a bike is resolved.

Resolved

That the minutes of the meeting of the Kawhia Community Board held on 27 November 2009 be received and the recommendations contained therein adopted.

Cr Pilkington / Cr Earwaker

Item-288 DISTRICT PLANNERS REPORT FOR JULY TO DECEMBER 2009

Discussion

The Environmental Services Manager presented the District Planner's report on Resource Consents granted under Delegated Authority for the period 1 July - 31 December 2009.

Resolved

That

1. The District Planner's report for July to December 2009 be received,
2. The Hearings Committee comprised of His Worship the Mayor, Crs Earwaker and Pilkington deliberate on the limited notified Landuse Application for Q de Witt and D West (RM090036) at a Hearing to be held on 16 February 2010.

Cr Adam / Cr Gower

Item-289 BUILDING CONTROL OFFICERS REPORT FOR AUGUST 2009 TO DECEMBER 2009

Discussion

The Environmental Services Manager presented the District Building Control Officer's report for the period 1 August to 24 December 2009.

Resolved

That the District Building Control Officers report be received.

Cr Pilkington / Cr Blackler

Item-290 ENVIRONMENTAL HEALTH OFFICERS REPORT FOR SEPTEMBER TO NOVEMBER 2009

Discussion

The Environmental Services Manager summarised the Environmental Health Officer/Liquor Licensing Inspector's report for the period 1 September to 30 November 2009.

Resolved

That the Environmental Health/Liquor Licensing Inspector's report is received.

Item-291 ROAD LEGALISATION PART HONIKIWI ROAD AT INTERSECTION WITH WOOSTER ROAD SO 416687

Discussion

The Chief Executive presented the Engineering Manager's report advising that Council has documents requiring its consent to the legalisation of the section of Honikiwi Road in the vicinity of Wooster Road.

The Chief Executive informed Members that in the future it has been proposed to introduce a policy where there are very small land swaps, that their values not be negotiated. He said it would be proposed to define a range falling below a set value when a price would not be negotiated for. Cr Earwaker queried the legal costs involved in finalising a matter such as the one presented today. The Chief Executive replied the costs would be quite significant, he suspected between \$3-4,000.

Resolved

That

1. The Otorohanga District Council hereby consent to the Minister of Land Information declaring:
 - a. Pursuant to Sec 114 of the Public Works Act 1981 the land described in the **First Schedule** below to be vested in the Otorohanga District Council.
 - b. Pursuant to Sec 116 AND 117 of the Public Works Act 1981 the road described in the **Second Schedule** below being stopped and vested by way of exchange in Timothy John Jones, Barbara Anne Jones and Osbornes Professional Trustees Ltd by way of amalgamation with the land in Computer Freehold Register 381824 subject to Mortgage 7656999.2 to the Bank of New Zealand.
 - c. Pursuant to Sec 116 and 117 of the Public Works Act 1981 the road described in the **Third Schedule** below being stopped and vested by way of exchange in Alan George Stock, Juanita Alice Stock and Bethema Joy McDonnell by way of amalgamation with the land held in Computer Freehold Register 221362 subject to Mortgage 5173523.2 to the Bank of New Zealand.
 - d. Pursuant to Sec 116 and 117 of the Public Works Act 1981 the road described in the **Fourth Schedule** below being stopped and vested by way of exchange in John Edward Whiteman and Charlotte Alison Whiteman by way of amalgamation with the land held in Computer Freehold Register SA18A/1077 subject to Mortgage 53356391.1 to the ANZ Banking Group (New Zealand) Limited.
 - e. Pursuant to Sec 116 and 117 of the Public Works Act 1981 the road described in the **Fifth Schedule** below being stopped and vested by way of exchange in JS Wooster Estate by way of amalgamation with the land held in Computer Freehold Register SA 14A/271 subject to Mortgage B625696.2 to Rabobank New Zealand Limited.
 - f. Pursuant to Sec 116 and 117 of the Public Works Act 1981 the land described in the **Sixth Schedule** below being stopped and vested by way of exchange in JS Wooster Estate by way of amalgamation with the land held in Computer Freehold Register SA 11D/207 subject to Mortgage B625696.2 to Rabobank New Zealand Limited.

South Auckland Land District – Otorohanga District

First Schedule - Land to be Declared Road

Area	Description	Owners
1137m ²	Part Lot 1 DP 395594 shown as Sec 1, Sec 2 and Sec 6 on SO 416687 being part CFR 381824	<i>TJ & BA Jones and Osborne Professional Trustees</i>
334m ²	Part Lot 1 DPS 354186 shown as Sec 5 on SO 416687 being part CFR 221362	<i>AJ & JA Stock and BJ McDonnell</i>
86m ²	Part Lot 4 DPS 16749 shown as Section 8 on SO 416687 being Pt CFR SA18A/1077	<i>JE & CA Whiteman</i>
1639m ²	Part Lot 14 and 115 Blk IV Orahiri SD and Pt Otorohanag Q2E Blk shown as Sec 11, Sec 14 and Sec 13 on SO 416687 being Part CFR SA14A/271 and SA11D/207 and Part CFR 22968	<i>JS Wooster Estate</i>

Second Schedule – Road to be Stopped and Amalgamated with Computer Freehold Register 381824

679m ²	Adjoining or passing through Lot 1 DP 395594 marked as Sec 4 SO 416687	<i>TJ & BA Jones and Osborne Professional Trustees Ltd</i>
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Third Schedule – Road to be Stopped and Amalgamated with Computer Freehold Register 221362

836m ²	Adjoining or passing through Lot 1 DP 354186 marked as Sec 3 on SO 416687	<i>AG & JA Stock and BJ McDonnell</i>
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Fourth Schedule – Road to be Stopped and Amalgamated with Computer Freehold Register SA18A/1077

315m ²	Adjoining or passing through Lot 4 DPS 16749 marked as Sec 7 on SO 416687	<i>JE & CA Whiteman</i>
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Fifth Schedule – Road to be Stopped and Amalgamated with Computer Freehold Register SA14A/271

975m ²	Adjoining or passing through Pt Sec 14 Blk IV Orahiri SD marked as Sec 10 on SO 416687	<i>JS Wooster Estate</i>
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Sixth Schedule – Road to be Stopped and Amalgamated with Computer Freehold Register SA11D/207

1069m ²	Adjoining or passing through Section 154 Block IV Orahiri SD marked as Sec 12 on SO 416687	<i>JS Wooster Estate</i>
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- The Mayor and Chief Executive of Otorohanga District Council be authorised to sign and seal any documentation necessary to legalise plan SO 416687.

Cr Earwaker / Cr Adam

Item-287 DISTRICT LIBRARIANS QUARTERLY REPORT FOR OCTOBER TO DECEMBER 2009

Discussion

The District Librarian attended the meeting and presented her quarterly report for October to December 2009. In reply to Cr Earwaker regarding depreciation on the computer hardware for the Aotearoa Peoples Network, the District Librarian replied these were supplied free but any replacement would be up to the individual libraries.

His Worship said the library had had another very good year and that the holiday programmes were fantastic. He extended congratulations to the Librarian and her staff on a job well done.

Resolved

That the District Librarian's quarterly report for the period October to December 2009 be received.

Cr Gower / Cr Pilkington

FINANCE & ADMINISTRATION MANAGER

The Finance & Administration Manager left the meeting at 10.36am.

Item-292 RM080111 - D & L BIRD - HEARINGS COMMITTEE REPORT AND DECISION

Discussion

The Environmental Services Manager presented the report of the Hearings Committee meeting hearing held on 16 December 2009. Cr Pilkington referred to page 25, in particular item 3, Final Deliberations, and requested that the word 'only' be deleted from the first paragraph.

Resolved

That the notes of the Hearings Committee meeting held on 16 December 2009 for RM080111, D & L Bird, be received.

His Worship the Mayor / Cr Pilkington

Item-293 MEMBERS REMUNERATION

Discussion

The Chief Executive presented a report advising that the Remuneration Authority has reviewed the pool of remuneration for Elected Members and no change is proposed prior to the 2010 Local Body Elections.

Members were informed that it was expected a further review for the period after election day would increase the remuneration pool. Information on recent Local Government remuneration trends is inconsistent, but it does appear that the annual 'market movement' is currently around three percent. Cr Gower queried why there should be any increase at all. His Worship replied that remuneration figures are based on Central Government increases. The Chief Executive reported that should the remuneration slip behind the market movement then some time in the future it will be necessary to have a 'catch up'. He said this is often not looked upon in good light by the general public. The Chief Executive recommended that Council remuneration move with that proposed by the Higher Salaries Commission. His Worship expressed the opinion that

Council accepts any increase and moves forward. Cr Earwaker felt that Members were quite justified in taking any increases available.

Resolved

That

1. The report be received,
2. Members remuneration for the period from 1 July 2010 to 9 October 2010 remains at the same level as applicable for Councils 2009/10 financial year,
3. Increases of elected member remuneration of 2.25% are incorporated into the budget estimates for the 2010/11 year.

Cr Adam / Cr Blackler

Item-294 MEETING PROCESS AND PROCEDURE GUIDELINES

Discussion

The Chief Executive reported that following discussion with Council and the Community Boards, some guidelines are presented in respect of formal meeting processes and procedures.

Cr Pilkington referred to guideline No. 7 and suggested this read "A resolution at the start of the public part of a formal meeting...". The Chief Executive agreed that this be amended as suggested.

His Worship said that the guidelines had arisen from the various workshops held by Council and the two Community Boards, which had followed on from Governance training. He said it was desirable for meetings to stay focused on the purpose for which they were being held. His Worship commended the Chief Executive, staff and Elected Members on the results obtained.

Resolved

That the 11 guidelines identified, detailed below, be adopted in respect of the conduct of formal meetings of Council and the Community Boards.

1. The suggested recommendation' in formal staff reports be re-named 'staff recommendation'.
2. Agendas for meetings to be sent out no earlier than 7 days prior to the meeting – including for KCB. Should the preparation of the agenda be late (which will be avoided if at all possible) then this be emailed to members.
3. 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 prior to the meeting.
4. The existing standing orders set a time limit of 6 hours for the duration of all formal meetings. It is proposed that a limit of 2 hours be set for Community Board meetings though the Chairman or Mayor may extend the time beyond this by means of a formal resolution.
5. No time limit be 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.
6. 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.

7. A resolution at the start of 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.
8. 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.
9. There will be continued use of "general business" within meetings where minor items can be discussed, but without making any formal resolutions in relation to those items.
10. 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.
11. The current minute taking style, that includes details of discussions, be continued.

Cr Pilkington / Cr Prescott

GENERAL

WHAREPUHUNGA HALL

Cr Gower reported it looked likely that the sale of the Wharepuhunga Hall will proceed and that the new owners will have 12 months in which to remove the hall. He said, in the future, the Committee would hope to lend the money to Council. Cr Gower reported that interest received from the invested funds would be put towards the benefit of the District. His Worship extended congratulations to the Committee on a good result.

RURAL SECTOR AND WAIKATO MAYORAL FORUM

Cr Pilkington, Blackler and Adam indicated that they would attend the Rural Sector meeting to be held in Wellington 18/19 February 2010.

Cr Earwaker said he would attend the Waikato Mayoral Forum meeting.

HAMILTON INTERNATIONAL AIRPORT

His Worship referred to information circulated to Members and the availability of regional funding through Central Government. He said the Hamilton International Airport (HIA) is to receive \$250,000 to market this region to Australia. Cr Gower raised the matter of charging for parking at the airport. His Worship replied this will be reviewed and that, at the present time, the parking charge is capped for international travel.

COUNCIL BUILDINGS

His Worship reported that Council's Finance & Administration Manager is to prepare a report on the status of Council's buildings in particular identifying those receiving market rental and whether this should be a core activity of Council.

AOTEA BEACH ACCESS

His Worship advised that unfortunately the Applicant of a recently declined subdivision application had chosen to close off access to the beach. He said consent and access issues should not be linked in any way. His Worship advised that the subdivision application was

declined on the grounds of erosion and instability. He reported that the closure of this access has been unfortunate for both locals and visitors to the area. His Worship said he had received a considerable number of calls about the issue and that he had advised the callers to approach the local representative who will in turn bring the matter to the Board. His Worship informed Members a public meeting was held last Saturday in Aotea and that the Elected Member of the Kawhia Community Board will report on this at the Board meeting on Friday 29 January. He said things are different now that Aotea has a Community representative to act on their behalf.

KAWHIA KAI FESTIVAL

His Worship reminded Members of the Kawhia Kai Festival to be held Saturday 6 February 2010.

WAIKATO REGIONAL CIVIL DEFENCE COMMUNITY GROUP PLAN

His Worship circulated correspondence to members on the Waikato Regional Civil Defence Community Group Plan.

RISKPOOL LIABILITY INSURANCE

The Chief Executive referred to Council's liability insurer, RiskPool, regarding the leaky building problems. He said, in an attempt to address the financial challenges facing RiskPool, Local Authorities have been called upon to compensate for the payment of these claims. He said this Council's share is \$40,000 payable on 1 July 2010 and for the two consecutive years. The Chief Executive confirmed that these payments have not been budgeted for.

DISTRICT PLAN REVIEW

The Policy Manager attended the meeting and reminded Members of the discussion papers considered prior to Christmas on Subdivision and Landuse. He said to-date 23 comments have been received with two submitters requesting an extension of time. The Policy Manager advised it is the intention at the end of the next Council meeting on 16 February 2010 to present a summary of the submissions. He said these have been both in support and opposition to the proposal which indicates some form of balance. The Policy Manager reported, also at the next Council meeting, a paper will be presented on the draft Regional Policy Statement. He advised that Council has engaged Consultants to assist with GIS work in the review of the District Plan.

MEETING ADJOURNMENT

The meeting was adjourned at 11.20am for the purpose of holding a workshop.

Resolved that Council re-adjourn its meeting at 12.15pm.

Cr Earwaker / Cr Adam

Item-295 DISTRICT SPORTS COORDINATORS REPORT FOR JULY TO DECEMBER 2009

Discussion

Sport Waikato's Chief Executive, Mathew Cooper, and District Sports Coordinator Ms Robbie Matthews, attended the meeting. Ms Matthews requested consideration be given for Council to enter into a three year Contract with Sport Waikato for the provision of a District Sports Coordinator to bring this in line with Council's LTCCP. Mr Cooper said his attendance was to encourage Council to consider the possibility of the Otorohanga District Council and Sport Waikato investing in a three year option of funding for the District Sports Coordinators position instead of one year. He said this would mean Council would align itself with other District Councils who have moved to the three year option and provide a better alignment to Council's Long Term Plan (LTP) (formerly LTCCP). He said by providing funding for a three year period both parties would be able to coordinate programmes better and this would reinforce the

relationship between Council and Sport Waikato and support Robbie's role within the District. Mr Cooper suggested this commence from 1 July 2010. The Chief Executive advised that this will allow the opportunity for a new Council to familiarise itself with its role prior to the consider of any renewal. He suggested it might be desirable to move to a two year review in order to obtain the alignment with Council's LTP. His Worship said Council has enjoyed a long term relationship with Sport Waikato and that it is very comfortable with Ms Matthews role. He said Council would be receptive to the change and referred to the value Council receives from the Sport Waikato team. Cr Pilkington expressed the opinion that this would provide some security for Ms Matthews however, she was eager to ensure that Council will also enjoy some security in that Ms Matthews is retained for the three years.

His Worship informed the Sports Waikato representatives that Council staff will present a report to the next meeting of Council. He said however, Council is receptive to the proposal and thanked Ms Matthews for her report. He encouraged her to keep up the good work for the benefit of the District.

Resolved

That the Otorohanga District Coordinator's report for the period October 2009 – January 2010 be received.

Cr Pilkington / Cr Adam

MEETING CLOSED

The meeting concluded at 12.28pm.

MAYOR:

DATE: 16 February 2010

