

Ōtorohanga District Council

Open Minutes of an ordinary meeting of the Ōtorohanga District Council held in Waikōwhitiwhiti (Council Chambers), Ōtorohanga District Council, 17 Maniapoto Street, Ōtorohanga on Tuesday, 10 December 2024 commencing at 10.00am.

Tanya Winter, Chief Executive

17 December 2024



OPEN TO THE PUBLIC

Attendance Register

Chairperson	His Worship the Mayor, Max Baxter	Attended
Deputy Chairperson and Kāwhia Tihiroa Councillor	Deputy Mayor, Annette Williams	Attended
Kāwhia Tihiroa Councillor	Kit Jeffries	Attended
Kio Kio Korakonui Councillor	Rodney Dow	Attended
Ōtorohanga Councillor	Katrina Christison	Apology
Ōtorohanga Councillor	Steve Hughes	Attended
Rangiātea Councillor	Jaimee Tamaki	Attended
Rangiātea Councillor	Roy Willison	Attended
Waipā Councillor	Roy Johnson	Attended
Wharepūhanga Councillor	Cathy Prendergast	Apology

Senior staff in attendance

Chief Executive	Tanya Winter	Attended
Group Manager Business Enablement	Graham Bunn	Attended
Group Manager Engineering & Assets	Mark Lewis	Attended
Group Manager Regulatory & Growth	Tony Quickfall	Attended
Group Manager Strategy & Community	Nardia Gower	Attended
Chief Advisor	Ross McNeil	Attended

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Public excluded**Take matatapu**

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Workshops**Hui awheawhe**

1	Public liability for community events	Open to the public
2	Update on Annual Plan 25/26	Open to the public
3	Local Water Done Well consultation options	Open to the public
4	Monthly discussion with the Chief Executive	Public not permitted

These Open Minutes were prepared by Manager Governance, Kaia King and approved for distribution by Chief Executive, Tanya Winter on 17 December 2024.

Commencement of meeting**Te tīmatanga o te hui**

His Worship the Mayor declared the meeting open at 10.00am.

Opening prayer/reflection/words of wisdom**Karakia/huitao/whakataukī**

His Worship the Mayor led the Councillors in a recitation of the karakia provided in the agenda. Councillor Willison provided the words of Te Arikinui Kuini Ngaawaihoneitepoos' great grandfather uttered to emphasise the importance of 'Kotahitanga/unity':

Ki te kotahi te kakaho, ka whati!

Ki te kaapua, e kore e whati!

A single reed is easily broken!

Several reeds bound together will not break!

Apologies**Ngā hōnea**

Resolved C309: That Ōtorohanga District Council receive and accept the apologies from Councillors Katrina Christison and Cathy Prendergast for non-attendance.

His Worship the Mayor | Councillor Johnson

Public forum**Hui tūmatanui****Rachel Wiggins - Rewarewa Recreational Reserve and the old School Building**

Ms Wiggins provided a handout and gave background information on the Reserve and school. She requested ŌDC retain the school on its current site with the site either mown or replanted into native trees. She also requested the school is maintained.

Councillor Jeffries queried if there were other people from the community who had worked on the school or site. Ms Wiggins spoke on the work undertaken.

Councillor Johnson queried Ms Wiggins' vision for the future of the Reserve. She stated people do come and visit and ŌDC should install picnic tables.

Late items**Ngā take tōmuri**

There were no late items.

Declaration of conflict of interest**Te whakapuakanga pānga taharua**

Resolved C310: That Ōtorohanga District Council receive the declaration of a conflict of interest from Councillor Steve Hughes for Item 202 – Funding request from Ōtorohanga Historical Society Incorporated and direct the conflict to be recorded in Ōtorohanga District Council's Conflicts of Interest Register.

His Worship the Mayor | Councillor Dow

Confirmation of minutes**Te whakaū i ngā meneti**

Resolved C311: That Ōtorohanga District Council confirm as a true and correct record of the meeting, the open Minutes of the Extra-ordinary meeting held on 12 November 2024 (document number 780360).

His Worship the Mayor | Councillor Willison

Confirmation of minutes**Te whakaū i ngā meneti**

Resolved C312: That Ōtorohanga District Council confirm as a true and correct record of the meeting, the open Minutes of the meeting held on 26 November 2024 (document number 791814).

Councillor Hughes | Councillor Tamaki

Receipt of Minutes**Te rironga o ngā meneti**

The unconfirmed minutes of the Ōtorohanga Community Board and Kāwhia Community Board meetings held in December were not available to be included in the agenda. They will be presented at the February meeting.

His Worship the Mayor's verbal report**Te pūrongo ā-waha a te kahika**

His Worship the Mayor attended the Wintec graduations, Ōtorohanga Christmas parade and the 3 Waters hui with local iwi.

Resolved C313: That Ōtorohanga District Council receive the verbal update from His Worship the Mayor, Max Baxter.

His Worship the Mayor | Councillor Tamaki

Information only reports**Ngā pūrongo mōhiohio anake****Item 199 – Assessment of Water Services delivery on a standalone basis**

ŌDC's Mark Lewis, taking the report as read, introduced Anne McLeod and the external specialists, Lorraine Kendrick (BECA) and Mike Chatterley (MartinJenkins). He stated the ŌDC could potentially reach the threshold of financial sustainability as a standalone water services delivery model. He noted this would require some increased investment to reach that threshold. He advised staff were hoping to have the comparative data by February 2025 to allow ŌDC to make an informed decision.

Councillor Jeffries referred to page 28, clause 2.2 and page 88 where there appeared to be an inconsistency. Mr Lewis noted the separate business unit for a standalone model could be considered for ŌDC as a CCO for a small council would not be viable. It is proposed that the two options, ŌDC standalone business unit or a joint CCO are the two options that are consulted on as the legislation stated a minimum of two options.

Councillor Jeffries queried the drinking water compliance of councils joining a CCO and ŌDC's Tanya Winter noted that all councils in New Zealand would have different levels of compliance, including some with non-compliant water treatment plants.

Councillor Jeffries queried page 37 and if the replacement values are what is known now as they are likely to increase as more information becomes available on asset condition. Ms Kendrick stated that many councils did not understand the condition of their assets but noted that ŌDC had undertaken quite a few condition assessments and CCTV for wastewater. She noted overall asset management was commonly based on age of the infrastructure rather than the condition or performance. She noted there was a risk but it was common across councils.

Councillor Jeffries noted a previous investigation into a wastewater treatment plant for Kāwhia was unaffordable and how any future requirement would be flagged for a CCO. Mr Lewis advised the prioritization of works would be around compliance whereas Kāwhia was not a compliance issue but related to levels of service and growth.

Councillor Jeffries referred to page 52 and the 'ring fencing' querying if that applied in a collective arrangement and Mr Lewis stated the short term work agreed with the community in the Long Term Plan would be prioritised however the long term goal would be harmonisation across all required schemes.

Councillor Jeffries queried if the affordability benchmark could be more localised, and Mr Chatterley stated that affordability was not set under legislation at this time. He noted a tariff structure could be used to provide for different charges for individual schemes however there would be an administration cost for the separation. Ms Kendrick noted that if ŌDC didn't think the 2.5% benchmark was appropriate and this was supported by the community following consultation, that it could be an area of discussion during a CCO establishment phase.

Councillor Jeffries referred to page 65 and the operating surpluses seeking clarification on what the deficits would mean to future consumers. Mr Lewis advised that if ŌDC decided to join a COO model then all water services would go as a package deal. He noted the deficits were being reduced over the next ten years as staff have been focused on the reduction of those deficits. Councillor Jeffries then queried if a CCO would take the deficit and Mr Lewis advised that a discussion on that topic would occur at a future phase and was outside the terms of reference for this report.

Councillor Jeffries referred to page 105, clause 6.9 and if provision for future services for small communities would be identified in the Water Services Strategy. Ms Winter advised a settlement statement would be prepared in advance of any transfer to a CCO and if ŌDC opted to continue the discussions, that would be included in the next stage.

Councillor Dow queried if stormwater was included and Mr Lewis advised stormwater was not included in the CCO model, but an agreement could be negotiated if required, however with a standalone 'plus' model then ŌDC would continue with current services including stormwater.

Councillor Hughes queried the impact of choosing a standalone model if ŌDC needed to enter the CCO at a future date. Mr Lewis advised being part of the design and early stages meant that ŌDC could choose to join at a future date. Ms Winter noted that ŌDC would pay for the privilege as other councils time and money was being used in the initial development. His Worship the Mayor spoke on the status quo plus option.

Councillor Johnson queried the impact on the rural water schemes and ability of water committees to set their own water rates. Mr Lewis stated the ability to set rates in a standalone model would be impacted by the economic regulations around how it sets revenue to meet levels of debit.

Resolved C314: That Ōtorohanga District Council receive the report 'Assessment of viability and sustainability of water services delivery' prepared by Beca, MartinJenkins and Mafic (document number 791777).

His Worship the Mayor | Councillor Johnson

Decision reports**Ngā pūrongo whakatau****Item 200 – Heads of Agreement – Waikato Waters Done Well**

ŌDC's Mark Lewis was joined by Anne McLeod and external specialists, Lorraine Kendrick (BECA) and Mike Chatterley (MartinJenkins). ŌDC's Tanya Winter noted four councils had already agreed to sign the Heads of Agreement (HOA), with three of those signalling they want to proceed straight to stage 2. The other four councils were due to decide within the next week. She noted Waikato District Council has decided to join in a separate CCO with Hamilton City Council. She advised the proposed CCO outlined in the staff report remained viable without those two councils. She noted the intention to ensure the two CCOs, if established, were as aligned as possible to ensure the possibility of a joining together in the future.

His Worship the Mayor noted the staff recommendation would ensure there was comparative data available at the next decision point for ŌDC to make a decision. Councillor Dow queried if any other councils had approached with a view to joining the proposed CCO and Ms Winter advised that no approaches had been made. Councillor Johnson queried if all councils would go to stage one or two if a CCO was formed. His Worship the Mayor advised any decision to move to stage 2 would be made by the individual councils. Councillor Jeffries commented that information of the impact on remaining ŌDC services if the water services were removed would be of great interest.

Resolved C315: That the Ōtorohanga District Council:

- a) Receives the following reports:
 - i) The 'Draft Heads of Agreement relating to Waikato Water Done Well' (document number 791242) and
 - ii) The report titled 'Agreed form Heads of Agreement' from the Waikato Water Done Well Project Team (document number 791243).
- b) Agrees to be a signatory to the Draft Heads of Agreement relating to Waikato Water Done Well (HoA) and authorises the Chief Executive to sign the HoA on behalf of Council.
- c) Notes that:
 - i) The HoA is not intended to be legally binding
 - ii) By agreeing to be a signatory, at this time, Council is not making:
 - 1. A determination of the proposed model or arrangement for delivering water services for Ōtorohanga District but is signalling its intention to present the aggregated regional water service delivery model to the Ōtorohanga community for public consultation
 - 2. A decision to join a water services council-controlled organisation (CCO)
 - iii) A joint committee is proposed to be established to support the participating councils putting forward the regional model as an option for consultation.

His Worship the Mayor | Deputy Mayor Williams

Item 201 – Class 4 Gambling Policy review

ŌDC's Tony Quickfall took the report as read noting ŌDC was required to maintain a Class 4 Gambling Policy with regular reviews. He noted there were no issues with the feedback received.

Councillor Dow exited the meeting at 11.11am and rejoined the meeting at 11.13pm.

Councillor Johnson queried page 154, noting the daily spend and how that compared to other districts. Mr Quickfall stated this hadn't been compared. Councillor Hughes queried how that was worked out and Mr Quickfall stated the figure was calculated by the Department of Internal Affairs.

Resolved C316: That the Ōtorohanga District Council:

- a. Confirm the review of the Class 4 Gambling Policy, without amendment, and
- b. Correct the Policy title to read "*Class 4 (Gaming Machines) Gambling Policy 2024*"; and
- c. Update the Policy to include a footnote "*Reviewed December 2024, no amendments*".

Councillor Dow | Councillor Jeffries

Item 202 – Funding request from Ōtorohanga Historical Society Incorporated

Councillor Hughes refrained from participating in this item in accordance with his earlier Declaration.

ŌDC's Nardia Gower provided a summary of the funding required. She outlined the options available for consideration. His Worship the Mayor commented on the improvements made to the Museum which was due in part to having paid staff with time to make changes. He noted the precinct was volunteer driven. Councillor Jeffries queried if the Museum took school groups and Ms Gower stated she did not know but was aware that they reached out to schools and early learning centres.

Resolved C317: That Ōtorohanga District Council:

- a. Grants the Ōtorohanga Historical Society Incorporated **\$29,005** which is pro rata of the \$58,010 from the General District Reserve Fund,
- b. Notes this funding will provide for two staff with a total of **35 hours per week for six months** from 1 January to 30 June 2025, which aligns to their current capacity and Council's financial year,
- c. Directs the Chief Executive to include any ongoing funding for the Society as an item for consideration as part of the draft Annual Plan 2025/26 development process.

Deputy Mayor Williams | Councillor Willison

Item 203 – Submission on the Principles of the Treaty of Waitangi Bill

ŌDC's Ross McNeil referred to the workshop held in November on whether a submission would be made by ŌDC and the direction provided was to a draft submission for consideration at the December meeting. He noted a preliminary draft was developed and circulated to Councillors for comment and feedback with three responses received. The feedback was then provided to ŌDC, and an amended submission was now presented for consideration.

His Worship the Mayor commented the feedback consisted of good points. Deputy Mayor Williams suggested minor wording changes. Councillor Dow expressed his disappointment that the item was included in the agenda with staff time and resources used, stating that his role was to provide governance for ŌDC's core responsibilities, and he did not consider the submission part of that role. Councillor Johnson spoke in support of the submission and noted it was consistent with previous decisions made by ŌDC, for example the introduction of a Māori ward. He stated the Bill would likely be divisive for the Ōtorohanga community and may affect the Māori ward referendum in October. Councillor Jeffries saw the submission as ŌDC reinforcing support for local iwi and reinforcing the work undertaken by ŌDC to develop relationships with those iwi. Councillor Hughes commented he thought the Bill would not pass the first reading as National has stated it did not support it.

ŌDC's Tanya Winter queried if Mr McNeil needed time to make the minor amendments suggested by Deputy Mayor Williams before ŌDC formalised a resolution. Mr McNeil confirmed this was needed.

Resolved C319: That Ōtorohanga District Council let Item 203 – Submission on the Principles of the Treaty of Waitangi Bill lie on the table until the submission is amended and re-presented later in the meeting.

His Worship the Mayor | Deputy Mayor Williams

Item 204 – Change of Council logo

ŌDC's Nardia Gower spoke on behalf of the report writer who could not attend the meeting. Councillor Dow referred to recent articles where organisations changing their logo had copyright infringement issues. He stated that he hoped staff had undertaken the relevant research and noted that being cost neutral the change was more operational than governance. His Worship the Mayor queried if research had been completed and Ms Gower advised the only similar logo was Taupō which was plain with no weave. Councillor Johnson spoke in support of Councillor Dow's comments and stated he thought changing the logo would be a disservice to the Ōtorohanga Kiwi House. Councillor Jeffries stated the kiwi logo had more visual impact but liked the rationale for 'The Nest' although he thought the colours weren't quite right.

Resolved C320: That Ōtorohanga District Council adopts Te Ōhanga/The Nest as the sole logo for the organisation.

His Worship the Mayor | Councillor Tamaki

Councillors Dow, Jeffries and Johnson requested their votes against the resolution be recorded.

His Worship the Mayor adjourned the meeting at 11.40am and recommenced at 11.50am.

Item 203 – Submission on the Principles of the Treaty of Waitangi Bill (continued)

ŌDC's Ross McNeil read the amended submission noting the amendments were made in collaboration with Deputy Mayor Williams.

Resolved C321: That Ōtorohanga District Council approve the submission (document number 791794) to the Justice Select Committee on the Principles of the Treaty of Waitangi Bill.

His Worship the Mayor | Deputy Mayor Williams

Councillors Dow and Hughes requested their votes against the resolution be recorded.

Information only reports

Ngā pūrongo mōhiohio anake

Item 205 – Concept Plans – Implementation update – December 2024

ŌDC's Sahndra Cave, Community Projects Lead outlined the report. Members had no questions.

Resolved C322: That the Ōtorohanga District Council receives the report: Concept Plans – Implementation Update December 2024 (document number 790125).

Councillor Johnson | Councillor Tamaki

Item 206 – Community Facilities activity update for the month ending 30 November 2024

ŌDC's Jared le Fleming, Manager Community Facilities took the report as read. In response to a query from Councillor Hughes, Mr le Fleming advised no vandalism had occurred in the Windsor Park toilets. He noted that graphics would be installed on the toilets and may discourage graffiti. In response to a query from Councillor Jeffries, Mr le Fleming advised the recycling contract extension was expected to be signed later in the week. Once the contract was confirmed, discussions would commence with Waitomo District Council in 2025.

Resolved C323: That the Ōtorohanga District Council receive the report titled 'Community Facilities activity update for the month ending 30 November 2024' (document number 790502).

Councillor Jeffries | Councillor Johnson

Item 207 – Civil Defence Emergency Management (CDEM) Report for 31 July – 31 October 2024

ŌDC's Tony Quickfall presented the report in the absence of the report writer. He noted the new Bill was expected to include responses to the after action reviews arising from the recent Government inquiries such as better integration with iwi/Māori, increased capacity and priority etc. A potential change is that Chief Executive would be designated the primary Controllers, but they could delegate to Controllers who are seconded to that council.

Mr Quickfall noted there were two catastrophic level events that could happen in New Zealand with one being the Hikurangi subduction zone. He noted in a scenario of a 5 minute long, magnitude 9 earthquake, local damage would likely occur in the Ōtorohanga district, but ŌDC staff would be required to provide surge staffing to assist in the Bay of Plenty response. Mr Quickfall noted the request from Kāwhia Community Board Member Whiu to include Te Reo on the tsunami signage in Kāwhia. He spoke on the training targets for council staff across the shared service and on the community engagement activities held recently including a pop-up at Arohena and a community meeting at the Honikiwi Hall. He noted shared service CDEM professionals were working with marae around training and support.

In response to a query from Councillor Jeffries on a marae preparedness plan for Maketū and Mōkai Kainga, Mr Quickfall stated he would discuss with the CDEM professionals and provide a response. Councillor Tamaki noted feedback from local marae indicated they felt more secure in how they operate and look after each other in times of need. Councillor Jeffries then noted that Kāwhia did not currently have a local policeperson, and the fire chief was on secondment which meant the available leadership in an event was diminished. Councillor Hughes queried the potential of volcanic activity from Mount Ruapehu and Mr Quickfall advised a Ruapehu eruption is on the hazardscape and there is quite a lot of information around an eruption. He noted there wasn't much information known on the Hikurangi Faultline, so it was a current focus area.

Resolved C324: That the Ōtorohanga District Council receive the report titled 'Civil Defence Emergency Management Report for 31 July – 31 October 2024' (document number 789309) from David Simes, Emergency Management Operations Manager.

Councillor Tamaki | Councillor Hughes

Councillor updates on meetings attended on behalf of Ōtorohanga District Council**Ngā kōrero hou a ngā Kaikaunihera**

Councillor Dow attended the Waikato Regional Transport Committee meeting and the 3 Waters hui with Councillors Jeffries, Johnson, and Tamaki. Councillor Hughes attended the Ōtorohanga Community Board meeting and Councillor Jeffries attended the Kāwhia Community Board meeting. Councillor Jeffries and Kāwhia Community Board Chairperson, Geoff Good, attended a hui at Kāwhia School to discuss the Ōtorohanga College school bus. Councillor Jeffries also met with Waipa Networks to discuss continuity of supply and funding via a community organisation similar to Maru Trust.

Councillor Johnson attended the Ōtorohanga Christmas Market and the Ōtorohanga Christmas Parade. Councillor Tamaki attended a hui around the Kāwhia Community Hub and a possible extension into other rural communities. She joined Local Government New Zealand’s Te Maruata online wānanga and a symposium at Te Anga on building better partnerships. Deputy Mayor Williams attended the Waikato Region Civil Defence Emergency Management Joint Committee meeting and a Waikeria meeting at the ŌDC building.

Resolution Register

Rēhita tatūnga

Resolved C325: That Ōtorohanga District Council confirm the removal of Resolutions C147, C255, C300, C301, C302 and C303 from the Register.

His Worship the Mayor | Councillor Willison

His Worship the Mayor adjourned the meeting for the lunch break at 12.28pm and recommenced at 1.04pm.

Public excluded

Take matatapu

Item 208 – Resolution to exclude the public for Item PE19 – Ōtorohanga Kiwi House Charitable Trust short-term loan

Resolved C326: That the Ōtorohanga District Council exclude the public from the following parts of the proceedings of this meeting confirming:

- a) This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 7 of that Act where a risk of prejudice is minimised by the holding of the whole or the relevant part of the proceedings of the meeting in public; and
- b) The general subject of each matter to be considered while the public is excluded and the reason for passing this resolution in relation to each matter and the specific grounds for the passing of this resolution are as follows:

General subject of each matter to be considered	Ground(s) under section 48(1) for the passing of this resolution	Interest
Item PE18: Ōtorohanga Kiwi House Charitable Trust short-term loan	Section 9(2)(b)(ii)	Protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information;

His Worship the Mayor | Deputy Mayor Williams

The public were excluded from the meeting at 1.04pm and re-admitted at 1.20pm.

Closing prayer/reflection/words of wisdom

Karakia/huritao/whakataukī

His Worship the Mayor led Members in a recitation of the karakia provided in the agenda.

Meeting closure

Katinga o te hui

His Worship the Mayor declared the meeting closed at 1.20pm.

Workshops

Hui awheawhe

Workshop 1 – Public liability insurance for community events	Open to the public
Workshop 2 – Update on Annual Plan 25/26	Open to the public
Workshop 3 – Local Water Done Well consultation options	Open to the public
Discussion – Monthly discussion with the Chief Executive	Public were not permitted