



Otorohanga District Council

MINUTES

16 APRIL 2019

10.00am

Members of the Otorohanga District Council

Mr. M Baxter (Mayor)
Mrs. K Christison
Mr. R Johnson
Mrs. RA Klos
Mr. P McConnell
Mr. K Phillips
Mrs. D Pilkington (Deputy Mayor)
Mrs. A Williams

Meeting Secretary Mr. CA Tutty

OTOROHANGA DISTRICT COUNCIL

16 April 2019

Minutes of an ordinary Meeting of the Otorohanga District Council held in the Council Chambers, 17 Maniapoto Street, Otorohanga on Tuesday 16 April 2019 commencing at 10.00am.

MINUTES

ORDER OF BUSINESS:

ITEM	PAGE
PRESENT	1
IN ATTENDANCE	1
APOLOGY	1
OPENING PRAYER	1
PUBLIC FORUM (UP TO 30 MINUTES)	1
DECLARATION OF CONFLICTS OF INTEREST	1
ITEMS TO BE CONSIDERED IN GENERAL BUSINESS	1
CONFIRMATION OF MINUTES – OTOROHANGA DISTRICT COUNCIL – 19 MARCH 2019	1
MATTERS ARISING	2
CONFIRMATION OF MINUTES - OTOROHANGA COMMUNITY BOARD – 6 MARCH 2019	2
CONFIRMATION OF MINUTES – KAWHIA COMMUNITY BOARD – 1 FEBRUARY 2019	2

REPORTS

ITEM 350	HIS WORSHIP THE MAYOR – VERBAL REPORT	2
ITEM 351	CHIEF EXECUTIVE REPORT 19 MARCH TO 15 APRIL 2019	2
ITEM 352	WRAL INTERIM REPORT AND STATEMENT OF INTENT	3
ITEM 353	WLASS INTERIM REPORT AND STATEMENT OF INTENT	3
ITEM 354	CHANGES TO WLASS GOVERNANCE ARRANGEMENTS	3
ITEM 355	ROAD IMPROVEMENT STRATEGY	5
ITEM 356	MATTERS REFERRED – 19 MARCH 2019	5
GENERAL		5

PRESENT

Mr. MM Baxter (Mayor), Councillors RA Klos, K Christison, AJ Williams, R Johnson, K Phillips, D Pilkington and P McConnell.

IN ATTENDANCE

Ms. T Winter (Chief Executive) Messrs, R Brady (Engineering Manager), G Bunn (Corporate Services Manager), A Loe (Environmental Services Manager), CA Tutty (Governance Supervisor), Ms T Ambury (Organisational & Community Development Manager) and Ms. N Martinsen (Customer Services Officer)

APOLOGIES

No apologies were received.

OPENING PRAYER

Councillor Pilkington read the Opening Prayer

PUBLIC FORUM

No members of the public were present at the commencement of the meeting.

STAFFING MATTER

Council's Services Manager Mr. M Lewis introduced Mr. Jared Le Fleming who commenced employment with Council last Monday as Community Facilities Officer.

His Worship said it was a pleasure to welcome Jared to Council and wished him all the best for the future.

WAITOMO NEWS REPORTER

His Worship informed members that the Waitomo News Reporter Janelle Burnell is attending Council's meeting for the last time and wished he well for the future.

DECLARATION OF CONFLICTS OF INTEREST

No declaration of conflicts of interest were expressed by members.

ITEMS TO BE CONSIDERED IN GENERAL BUSINESS

No items were highlighted for consideration in general business which may require a resolution.

CONFIRMATION OF MINUTES – OTOROHANGA DISTRICT COUNCIL – 19 MARCH 2019

Resolved that the Minutes of the meeting of the Otorohanga District Council held on 19 March 2019, as circulated, be approved as a true and correct record of that meeting and the resolutions contained therein be adopted.

Councillor Pilkington / Councillor Williams

MATTERS ARISING

Sport Waikato Coordinator

Councillor Pilkington referred to page 5, the paragraph relating to Sport Waikato and queried if any progress had been made in the proposed appointment of a Sport Waikato Coordinator.

The Chief Executive replied that a meeting has been held with Sport Waikato representatives exploring the range of options available to provide / encourage sporting activities throughout the District. She said His Worship and herself will be meeting with the Mayor and Chief Executive of the Waitomo District Council and Sport Waikato representatives to ascertain if there is an opportunity for a combined role.

Correction

Councillor Johnson referred to page 5, Item 444, in particular the second paragraph and reported that biannually should be spelt "bi-annually"

CONFIRMATION OF MINUTES – OTOROHANGA COMMUNITY BOARD – 6 MARCH 2019

Resolved that the Otorohanga District Council receive and confirm the Minutes of the meeting of the Otorohanga Community Board held on 6 March 2019 and accordingly adopt the resolutions contained therein.

Councillor McConnell / Councillor Christison

Councillor Pilkington referred to page 3, in particular the “trading in public places” Bylaw and requested confirmation that this Bylaw does apply to the whole District. Confirmation was provided by the Chief Executive.

CONFIRMATION OF MINUTES – KAWHIA COMMUNITY BOARD – 1 FEBRUARY 2019

Resolved that the Otorohanga District Council confirm the Minutes of the Kawhia Community Board held on 1 February 2019 and accordingly adopt the resolutions contained therein.

Councillor Pilkington / Councillor McConnell

ITEM 350 – HIS WORSHIP THE MAYOR – VERBAL REPORT

His Worship presented a verbal report outlining his activities for the period 19 March – 15 April 2019.

Resolved that His Worship the Mayor’s verbal report be received.

His Worship / Councillor Pilkington

ITEM 351 – CHIEF EXECUTIVE REPORT 19 MARCH TO 15 APRIL 2019

The Chief Executive referred members to her report of the key focus areas for the period 19 March – 15 April 2019.

Health and Safety

The Chief Executive informed members that she will be engaging a Health and Safety contractor to work in this area when the current Health and Safety advisor leaves Council’s employment in early May 2019.

Rural Water Supply Committee Meetings

The Chief Executive advised that she has attended two of the four Rural Water Supply Committee meetings held last week. She said the issue around liability arose from the Drinking Water Standards should a user become ill due to the quality of the water. The Chief Executive confirmed that she will be obtaining information and advice to present to the Committees concerned.

In reply to Councillor Klos with regard to ownership of the various Rural Water Supply Schemes His Worship reported that in the early 1980’s the schemes were established as public water supply schemes for which a subsidy was obtained and all of the infrastructure vested in Council.

He said any decisions around the operation of the scheme were made by the contributors. His Worship said it was a question of who would be responsible in such an event whether this would fall back on the scheme users or Council.

Resolved that the Chief Executive’s report for the period 19 March 2019 – 15 April 2019 be received.

Councillor Phillips / Councillor Klos

WINTEC PRESENTATION

Representatives of Wintec, Mr Warwick Pitts (Director) and Mrs. Kim Linklater (Area Manager) attended the meeting.

Mr. Pitts made a presentation to Council on behalf of Wintec covering the following issues:

- review of Vocational education
- overview of Wintec perspective
- what is proposed, regional focus remain

- critical points
- consultation / timetable
- Wintec's Submissions

Resolved that the verbal report from representatives of Wintec be received.

His Worship / Councillor Christison

ITEM 352 - WRAL INTERM REPORT AND STATEMENT OF INTENT

The Corporate Services Manager referred members to the Waikato Regional Airport Limited Interim report for the six months ended 31 December 2018 and Draft Statement of Intent for the 2019/20 financial year.

The Corporate Services Manager highlighted the fact that WRAL will complete the purchase of the Hamilton Airport Hotel Conference Centre. He said WRAL has made a commitment to spend approximately four million dollars on a comprehensive refurbishment and upgrade both externally and internally, that will see the Hotel brought up to a Qualmark 4 Star Standard.

Resolved that the Corporate Services Managers report be received.

Councillor Klos / Councillor Phillips

ITEM 353 – WLASS INTERIM REPORT AND STATEMENT OF INTENT

The Corporate Services Manager summarised his report attaching the Waikato Local Authority Shared Services Interim report for the six months ended 31 December 2018 and Draft Statement of Intent for the 2019/20 financial year. The following points were made:

- Council only participates in and pays for shared services where there is a benefit locally
- A Health and Safety Manual has been produced by the WLASS which staff are reviewing for Council's use

Resolved that the Corporate Services Manager's report be received.

Councillor Johnson / Councillor Pilkington

ITEM 354 – CHANGES TO WLASS GOVERNANCE ARRANGEMENTS

The Corporate Services Manager referred members to his report advising that WLASS seeks shareholder's resolutions and delegated authority on proposed changes to their governance arrangements.

The Chief Executive reported that under clause 13 Mr. G Green from Taupo District has been recommended to represent the cluster that Council are part of with South Waikato, Waitomo, Taupo and Rotorua.

She said the new WLASS Board will still be required to report to a higher level being the Chief Executive Forum.

Resolved that Otorohanga District Council as a shareholder of the WLASS resolves under Section 122 of the Companies Act 1993, that the constitution of the Company be altered by the deletion of clause 13 (as amended by special resolution on 30 June 2011) and 15.5, and substituted with the following:

13. Appointment and Removal of Directors

13.1 Number of directors

The board shall consist of not less than three (3) and not more than eight (8) directors, of whom: one shall be appointed by unanimous resolution of the Council Representative Directors, and must be Independent;

one may be appointed by Waikato Regional Council;

one may be appointed by Hamilton City Council;

one may be appointed by the Waikato and Waipa District Councils;

one may be appointed by the Thames-Coromandel, Hauraki and Matamata-Piako District Councils;

one may be appointed by the Otorohanga, Waitomo, South Waikato, Taupo and Rotorua District Council's; and
(the appointments under 13.1b. – f. above, collectively being referred to as the Council Representative Directors)
any other appointments shall be by special resolution of the shareholders.

13.2 Extended definition

For the purposes of rule 13.1:

a reference to a named Authority shall include any person or body for the time being entitled to and holding the shares of that Authority in accordance with this Constitution; and
a director is Independent if that person is not an executive or an elected member of a shareholder and does not have any direct or indirect relationship that could reasonably materially influence that person's decisions in relation to the Company.

13.3 Appointment and removal

A body or persons that is or are entitled to appoint a director pursuant to clause 13.1 may remove any director so appointed and appoint a replacement director.

13.4 Manner of appointment and removal

Any such appointment or removal shall be in writing and served on the company and signed by the body or persons entitled to make the appointment or removal.

13.5 Default appointment

Where any vacancy on the board has the effect of reducing the number of directors below 3, and if anybody or persons entitled to appoint a replacement director fails to do so within two (2) months of the date on which the number of directors fell below 3, the board may appoint a replacement director or directors to bring the number of directors to 3.

Any such appointment shall only be made at a board meeting of which 14 days' notice in writing has been given to each director and the body or person concerned, and approved by a majority of the directors present at the meeting.

A director appointed under this clause will be removed upon a person next exercising their right of appointment under clause 13.1. If there is more than one director appointed under this clause on the board at any time, but less than that number are being appointed under clause 13.1, each director appointed under this clause will be replaced pursuant to the preceding sentence alphabetically.

13.6 Tenure of office

13.6.1: Other than as set out under 13.6.2, all Board terms are three years. Any Board member may be reappointed for a further term but can serve only a maximum of six years consecutively.

13.6.2: To ensure continuity of knowledge, Board terms will initially be staggered such that:

on 30 June 2020, two of those persons appointed under 13.1 b. – f. shall resign (to occur in alphabetical order with reference to surname); and

on 30 June 2021, a further two of those persons appointed under 13.1 b. – f. (not being those who resigned on 30 June 2020) shall resign (to occur in alphabetical order with reference to surname); and

on 30 June 2022, the person appointed under 13.1 a. and the remaining person appointed under 13.1 b. – f., who has not previously resigned under a. or b. of this clause, shall resign.

13.6.3: Notwithstanding anything else in this clause, each director of the company can only hold office until:

Removal: removal in accordance with the constitution; or

Vacation of office: vacation of office pursuant to section 157 of the Act; or

Insolvency: an arrangement or composition with creditors made by him or her; or

Absence from meetings: vacation of office resulting ipso facto from being absent without permission of the board from 3 consecutive meetings of the board; or

Resignation: written notice of resignation to the address for service of the company.

15.5 Chairperson

The chairperson of the board is the person appointed pursuant to clause 13.1(a). However, if no person is appointed under that clause or if at any meeting the chairperson is not present within five minutes after the time appointed for the meeting, the directors present may choose one of their number to be chairperson of the meeting.

His Worship / Councillor Phillips

ITEM 355 – ROAD IMPROVEMENT STRATEGY

The Engineering Manager referred members to his report on the road improvement strategy

Resolved that effective from the start of the 2019/20 financial year and for the 2020/21 financial year Council's budget for low cost / low risk improvements, cost code 108 341 001 be reduced by approximately \$476,000 and that the local share saving of \$200,000 be allocated to seal extensions.

Councillor Klos / Councillor Johnson

ITEM 356 – MATTERS REFERRED – 19 MARCH 2019

The Chief Executive circulated a proposed format for matters referred which would identify the action required, status, allocated to and due by date.

Members supported the amended format and went through each item to establish whether it is to remain on matters referred and if so the action required.

GENERAL

Waipa River Catchment Committee

Councillor Phillips reported on his recent visit to a 485-hectare property out beyond Hauturu Road which has been planted out in one species of Manuka. He reported that Plan Change 1 is having a huge effect on farmers in particular as to what they are allowed to do on their land.

Councillor Phillips reported that a large amount of work is being carried out in order to stabilise the land.

Plan Change 1

The Chief Executive agreed to follow up on where Plan Change 1 is currently at.

Former Girl Guide Hall

Councillor Christison queried where Council is at in regards to the landscaping and renovations to the former Girl Guide Hall. The quote for the renovations has come in over budget so it was agreed that an extraordinary meeting of Council be held to make a decision on the extra funding required.

Water Supply – New Builds

Councillor Christison asked whether it would be possible to encourage home owners when building a new house to install water tanks for their own supply. It was agreed that this is a District Plan matter.

Storm Water Flow Chart

Councillor Christison reported that she had requested some months ago for a flow chart to be prepared on where the water flows from individual households into the Waipa River. She felt it would be desirable to make members of the public aware of this matter.

Ranginui Rural Water Supply Scheme

Councillor Klos expressed surprise at the costs to run the Ranginui Rural Water Supply Scheme when it is providing stock drinking water only.

Dementia Unit

Councillor Johnson displayed a plan of the proposed Dementia Centre at Beattie Home and reported that the Committee is waiting for costings to be provided.

Ward Tours

Waipa

Councillor Johnson reported he enjoyed the opportunity to show the new Chief Executive around his Ward including visits to two local schools. He said, as a result, concern was expressed regarding the speed of traffic passing by schools.

The Chief Executive said she took the concerns back to the Engineering Manager as to ways Council could improve the road safety around schools in the District.

Arohena

Councillor Klos said she also enjoyed the opportunity to accompany the new Chief Executive on a visit to the Arohena area.

Waikeria Prison

Councillor Klos reported she attended a Community Impact Forum for the Waikeria Prison, this being held twice yearly at the requirement of the Environment Court.

Kahorekau Road – Arohena

Councillor Klos reported on a row of Totora trees planted in memory of a World War event which is looking very neglected. She questioned whether this is a Reserve which should be looked after by Council. The Engineering Manager will follow this up.

Community Board Conference

Councillor McConnell reported on his attendance along with Board Member Mr. N Gadd at a recent Community Board Conference held in New Plymouth. He said the theme was entitled "Time for Change".

Councillor McConnell reported that Mrs. Liz Cowan has been presented with a Community Service Award for her contribution to the Otorohanga Community.

Dog Control Policy

Councillor Pilkington queried where the review of the Dog Control Policy is at.

It was agreed that Council's Environmental Services Manager email an update to members as well as both the Otorohanga and Kawhia Community Board members.

Parking Warden

Councillor Pilkington queried where Council was at in engaging a parking warden. The Environmental Services Manager will follow this up.

Bristle Grass

Councillor Pilkington said she would like to flag for Councils information that the invasion of Bristle Grass is now out west and a concern for land owners.

His Worship undertook to have discussion with representatives of the Waikato Regional Council regarding this matter.

Meeting Closure

The meeting concluded at 12.25pm

