



Otorohanga District Council

MINUTES

8 October 2013

OTOROHANGA DISTRICT COUNCIL

8 October 2013

Minutes of an ordinary meeting of the Otorohanga District Council held in the Council Chambers, Maniapoto St, Otorohanga on Tuesday 8 October 2013 commencing at 10.12am.

MINUTES

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

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PRESENT

Mr DF Williams (Mayor), Crs MM Baxter, S Blackler, RM Johnson, AG Ormsby, KC Phillips, DM Pilkington and RJ Prescott.

IN ATTENDANCE

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

OPENING PRAYER

His Worship read the Opening Prayer.

ITEMS TO BE CONSIDERED IN GENERAL BUSINESS

Resolved that the report on the Chief Executive's remuneration and the matter of mowing Puti Reserve at Kawhia be considered in General Business which may require a resolution.

Cr Pilkington / Cr Blackler

CONFIRMATION OF MINUTES – 17 SEPTEMBER 2013

Resolved that the minutes of the meeting of the Otorohanga District Council held on 17 September 2013, as previously circulated, be approved as a true and correct record of that meeting.

Cr Blackler / Cr Baxter

Cr Pilkington referred to the item relating to the Draft Management Accounts to 30 June 2013, in particular to her query regarding unsealed pavement maintenance work, and explained that this query was in respect of Capital Expenditure.

REPORTS

Item 393 OTOROHANGA COMMUNITY BOARD MINUTES 12 SEPTEMBER 2013

Resolved

That the minutes of the meeting of the Otorohanga Community Board held on 12 September 2013 be received.

Cr Prescott / Cr Ormsby

Cr Prescott, on behalf of the Otorohanga Community Board, thanked Council for its support towards the joint Otorohanga District Development Board and Otorohanga Community Board project to install fibre optic cable that will enable properties on Progress Drive, part of Huiputea Drive, and the southern section of the Main North Road to access high speed internet broadband services. The Chief Executive advised that he has written to Chorus seeking confirmed costings for the project and other information such as a likely completion date.

Item 394 KAWHIA COMMUNITY BOARD MINUTES 20 & 26 SEPTEMBER 2013

Resolved

That the minutes of the meetings of the Kawhia Community Board held on 20 & 26 September 2013 be received.

Cr Pilkington / Cr Phillips

LIQUOR CONTROL BYLAW

Cr Pilkington reported that the September meeting of the Kawhia Community Board had been brought forward a week earlier and that Council at its meeting held on 17 September 2013 did not approve a total year round liquor ban in Kawhia and Aotea. She said this matter has been referred back to the Kawhia Community Board to have further discussion and consultation with the Community on potentially appropriate changes to the Liquor Control Bylaw 2007. Cr Pilkington advised that following the 20 September meeting an emergency meeting of the Kawhia Community Board was held on 26 September 2013 to resolve a proposal that the Liquor Control Bylaw 2007 be amended to extend the period of restriction in Kawhia and Aotea to that from 23 December, 4.00pm to the following Waitangi Day. Members were informed that this schedule was required in order to meet the statutory requirements, if a change was to be in place for the forthcoming summer.

PONTOON

Cr Pilkington referred to Kawhia Harbour Services and sought clarification of the work carried out on the pontoon and the wharf. The Engineering Manager undertook to look into the matter.

Item 395 ENVIRONMENTAL HEALTH OFFICER/LIQUOR LICENSING INSPECTOR'S REPORT FOR JULY – SEPTEMBER 2013

Discussion

The Environmental Services Manager presented the Environmental Health Officer/Liquor Licensing Inspector's report for the period July to September 2013.

The Environmental Services Manager reported that an application has been received from the Services & Citizen Club to change its current Club Licence to that of a Tavern Licence. He said it will be necessary to look into the matter of the transfer of the Gambling Licence under the current Policy. In reply to Cr Phillips as to why the Services & Citizens Club is requesting a change, the Environmental Services Manager replied that with only a Club Licence, entrance to the premises is restricted to members only or by their invitation. He reported that there appears to be some tension between the two local Clubs operating. Cr Pilkington queried whether the gambling aspect is not a venue issue. The Environmental Services Manager replied he would need to check whether this is a venue or a body corporate issue. Cr Ormsby advised that the gambling machines within the Otorohanga Club are actually owned by the Club.

Resolved

That the Environmental Health Officer / Liquor Licensing Inspector's report for July 2013 to September 2013 be received.

Cr Johnson / Cr Baxter

Item 396 DECISION OF HEARINGS COMMITTEE ON AWATANE ROAD QUARRY – RM130016

Discussion

The Environmental Services Manager requested that this item be postponed as the Hearings Committee have had a meeting on site and that there is concern over the southern approach to the entrance way.

Resolved

That the decision of the Hearings Committee on the Awatane Road Quarry be made available as soon as it is known.

Cr Blackler / Cr Baxter

Item 397 AMENDMENT TO LIQUOR CONTROL BYLAW 2007

Discussion

The Environmental Services Manager summarised a report on a proposal to amend Council's Liquor Control Bylaw 2007 by extending the period of the Liquor Ban at Kawhia & Aotea to include all of the summer holiday period up to and including Waitangi Day. Cr Pilkington reported that this will create a three week extension of the current Bylaw over the holiday period when there is more likelihood of anti-social behavior taking place. She said misunderstandings on what was being proposed have been corrected however, no person believes that this action is a 'magic pill', it is only a tool to assist in keeping the Community safe. Cr Pilkington reported that it is hoped this new proposal will find favour within the Community in an effort to make the Community a safer place. His Worship said there is a huge responsibility on the Kawhia & Aotea Communities to make efforts in keeping their Communities safe.

His Worship acknowledged the work of Cr Pilkington, Kawhia Community Board Members and other persons involved for their efforts in achieving this result. He said this reflects well on the Board. Cr Pilkington expressed the opinion that those involved were trying to get the best result for the Community.

Resolved

That

1. The report be received.
2. Otorohanga District Council amend the Liquor Control Bylaw 2007 by extending the current liquor ban to cover the period from Christmas Eve through to and including Waitangi Day.
3. The proposed amendment contained in the Statement of Proposal be approved by Council for notification in accordance with the Special Consultative Procedure of the Local Government Act 2002.

Cr Pilkington / His Worship

Cr Phillips suggested that once the ban period is over that an evaluation of its effectiveness be undertaken by the Kawhia Community Board for report back to Council. Cr Pilkington said, should any issues be identified then this will go to the Kawhia Community Board and in turn will be reported back to Council. Cr Blackler referred to the question and answers section of the report and suggested that this be placed in the next Council newsletter.

Item 398 DRAFT ANNUAL REPORT TO 30 JUNE 2013

Discussion

The District Accountant attended the meeting and referred Members to the draft Annual Report to 30 June 2013 and asked whether they had any questions or concerns regarding this. Cr Phillips expressed the opinion that the report is very 'readable'. The District Accountant then answered and/or clarified Members questions.

The Finance & Administration Manager extended his thanks to the District Accountant for the huge amount of work he had put into the preparation of the document. He said he has to deal with Council's Auditors and that the preparation of the Report is a huge undertaking.

Resolved

The Draft Annual report for the year ended 30 June 2013 be adopted.

Cr Prescott/Cr Phillips

The District Accountant thanked Members and staff for their assistance and input into the preparation of the Annual Report. He said this has been very much appreciated by himself.

GENERAL

WAIKATO REGIONAL COUNCIL – JOINT WORKING PARTY COMMITTEE

Cr Johnson reported on his attendance at a Joint Working Party (JWP) meeting held on 17 September 2013 at Te Aroha. He attended the meeting on behalf of His Worship. Cr Johnson advised that the JWP has the purpose of sharing resources and working together to respond to the forthcoming Regional Policy Statement (RPS) for the Waikato Regional Council (WRC). He reported that it has been in action since April 2009 and its current stage is to support or amend the response regarding the WRC's position on appeals to the RPS. He said this is to give staff direction for its response to the WRC.

Cr Johnson said a potential issue for Otorohanga is that the (2A) Criteria for Biodiversity in the coastal environment is too open/subjective and could potentially capture any piece of land. He said the JWP has left this to individual Council's to pursue if they wish. He said Council could potentially have to amend the District Plan or there would be extra cost if it wished to pursue the matter.

Cr Johnson reported that further discussions revolved around Significant Natural Areas indigenous biosecurity opposing wording of 'No Net Loss' is too high a threshold to achieve and would not be practical, outstanding natural landscapes and amenity values. He said there is some concern over protection of adjacent areas and that the JWP felt it too restrictive.

As for where to from here, Cr Johnson highlighted the following –

1. Do we want to be part of the JWP?
2. How will it be represented after the elections?
3. What will be the additional cost?

Cr Johnson advised that the next meeting is tentatively proposed to be before 20 November 2013.

Council's Environmental Services Manager referred to the WRC appeals which are currently in negotiation with the appellants however, they are on schedule to report to the Environment Court. His Worship said hopefully there will be a change in WRC Councillors following the forthcoming local elections. Cr Pilkington suggested that this Council keep involved and that the WRC have a long history of being 'staff driven'.

FAREWELL TO ELECTED MEMBERS

Cr Johnson acknowledged this will be His Worship's last Council meeting and said it has been a pleasure to work under his leadership. He asked His Worship to re-consider his future as he has been admired by all for the excellent work he has carried out during his term as Mayor. Cr Johnson wished His Worship, Marion & Harvey good luck for the future.

Cr Prescott said he farewelled His Worship at his recent public farewell which was a great evening. He said His Worship has been marvelous for the town and district and that it would be a shame if he dropped off the Local Government scene. Cr Prescott said he has enjoyed six years with His Worship and appreciated his help.

Cr Ormsby expressed his thanks to His Worship and Deputy Mayor Cr Sue Blackler and wished them all the best for their future.

Cr Phillips congratulated His Worship on his role as Mayor and said he is a fantastic person to work with. He said His Worship has so much Local Government knowledge to share, he is sorry to see him go.

The Environmental Services Manager thanked all Members for their assistance during the past three years and to Cr Blackler for her representation on the various Council portfolios. He then expressed a personal acknowledgement to His Worship.

Cr Pilkington said His Worship is a warm and wonderful person and thanked him for his leadership, humour, availability and contribution to the affairs of Kawhia.

Cr Pilkington, speaking to Deputy Mayor Cr Blackler, said she is a practical, intelligent person and that she appreciated her great contribution to the affairs of the District.

Cr Blackler said she endorses all the comments to His Worship who has shown strength and character for whatever has arisen. She also thanked Council staff and said she enjoyed working with them all.

Cr Baxter said he attended a recent farewell for Mr Hugh Vercoe, Mayor of Matamata/Piako District Council for 15 years. He said he also has a unique style of leadership. Cr Baxter expressed his thanks and pleasure to all Members of Council and staff in creating a great leadership team and for the encouragement given to him.

The Chief Executive/Engineering Manager said it has been awesome working with all Council members and thanked them for their input and assistance.

The Governance Supervisor thanked His Worship and Councillors for their cooperation and assistance particularly in the recording of minutes. He wished everyone all the best for the future.

The Finance & Administration Manager wished His Worship and Cr Blackler all the best for their futures. He said staff do not realise what a good Council this is, in particular the relationship between Members and staff. He wished Councillors all the best.

ROADING MATTER

Cr Phillips requested Council's Roading staff be congratulated for their efforts in cleaning up following heavy rain approximately 10 days ago. He referred to the recent cutting down of a gum tree on Road Reserve along Maihihi Road which he said took approximately three days. Cr Phillips said he could not understand why the tree in question was not dropped into the adjacent farmers paddock. He advised that the work was undertaken by a company called Tree Scape. The Engineering Manager undertook to look into the matter to see what options were available.

Cr Phillips reported that along Honikiwi Road, approximately 300m off the second summit, pavement failure has taken place.

Item 399 PUTI RESERVE

Discussion

Cr Pilkington reported an offer has been received from a local Kawhia resident, Mr Lou Sherman, to continue to mow the Puti Reserve along State Highway 31. She said this is not a Council Reserve however, picnic tables are located there. Mr Sherman has been paying to have the mowing carried out as this assists in keeping down the level of rubbish being dumped there. Cr Pilkington said Mr Sherman is prepared to continue having the Reserve mown however, these costs could be met from the Districts Reserves account. She said the estimated cost will be approximately \$500pa. His Worship advised that this is a rural Reserve however, the Kawhia Community Board has always considered the area to be the gateway to the Kawhia peninsula. He said the Board has always taken an interest in this area however, he felt it was not appropriate for a private person to be funding the mowing. He said his only caution would be that other areas around the District could also be identified to be maintained. His Worship said personally, he felt this would be a wise spend of money.

Cr Pilkington expressed the opinion this is a special rural area and well worth the proposed spending. The Engineering Manager advised that this area is not a Sundry District Reserve but he had no concerns with the proposed spending however, he felt that this should not be a trend to develop it into a significant Reserve.

Resolved

That the Otorohanga District Council approve funding from the District Reserves account to meet the cost of mowing the Puti Reserve.

Cr Pilkington / Cr Prescott

WAIPA RIVER

Cr Baxter referred to the recent flooding of the Waipa River a couple of weeks ago and highlighted the fact that trees, which had recently been removed and piled up, were floating down the river. He said these need to be addressed. It was agreed this is a WRC issue.

WAIPA RIVER JOINT MANAGEMENT COMMITTEE

The Environmental Services Manager reported on his attendance at a recent meeting of the Committee which he said was really held to re-confirm the relationship. He said the Committee is feeling its way regarding co-management however, it will be identified when it is necessary for decisions to be made.

MANGAPHIO BRIDGE

The Engineering Manager referred to the proposal to paint the Mangaphio Bridge and reported that staff were not comfortable with the tendered prices to carry this work out. He said it has been decided to defer the work until next year.

QUOTABLE VALUE

The Finance & Administration Manager reported on the results of a recent re-valuation of the District, effective as at 1 October 2013. He advised that overall the District valuation has come down 4.3 percent, with Otorohanga residential down 8.8 percent and an 11 percent decrease in Kawhia. His Worship reported that these valuations are based on actual sales and are carried out every three years.

HIS WORSHIPS FAREWELL RESPONSE

His Worship thanked everyone for their kind words and made reference to his farewell and the gifts presented and said these will be very special to him. His Worship said it had been a privilege to be on Council and in the position of Mayor for the past nine years. He said he has appreciated the support of Members when required and the action taken when it has been necessary to 'reign him in'. He said he has really enjoyed the relationship held with each member.

His Worship extended good luck for those Members standing in the forthcoming Local Government elections. He expressed the opinion that everyone has the potential to be a Mayor, but not necessarily a good one.

His Worship spoke to staff and said he has enjoyed the great relationship with staff which is a credit to the Management Team.

PRESENTATION TO CR BLACKLER

His Worship carried out a presentation to retiring Deputy Mayor Cr Blackler.

MOTION TO EXCLUDE THE PUBLIC

Resolved

"THAT the Otorohanga District Council, pursuant to Section 48, Local Government Official Information and Meetings Act 1987, resolves that the public be excluded from the following parts of the proceedings of this meeting.

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 6 or Section 7 of that Act or Section 6 or Section 7 or Section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public."

Cr Pilkington / Cr Phillips

Reason for Confidentiality

	Grounds	Reason
	Section 48(1) of the Local Government Official Information and Meetings Act 1987, which permits the meeting to be closed to the public for business relating to the following grounds: -	Subject to sections 6, 8 and 17 of the Local Government Official Information Act 1987, the withholding of the information is necessary to:
<u>CHIEF EXECUTIVES REMUNERATION</u>	48(1a) That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in any proceedings to which this paragraph applies.	7(2a) Protect the privacy of natural persons, including that of deceased natural persons.

Item 400 CHIEF EXECUTIVES REMUNERATION

MEETING CLOSED

The meeting concluded at 12.32pm.

MAYOR:

DATE: 29 October 2013