

Ōtorohanga District Council

MINUTES

30 NOVEMBER 2021

10.10AM

Members of the Ōtorohanga District Council

His Worship the Mayor MM Baxter
Councillor K Christison
Councillor B Ferguson
Councillor R Johnson (Deputy Mayor)
Councillor K Jeffries
Councillor R Dow
Councillor RA Klos
Councillor A Williams

Meeting Secretary: D. Dowd (Executive Assistant)

ŌTOROHANGA DISTRICT COUNCIL

30 NOVEMBER 2021

Minutes of a meeting of the Ōtorohanga District Council held in the Council Chamber at 17 Maniapoto Street, Ōtorohanga and via Zoom on Tuesday 30 November 2021.

Tanya Winter
CHIEF EXECUTIVE

ORDER OF BUSINESS:

PRESENT

IN ATTENDANCE

APOLOGIES

REFLECTION / PRAYER / WORDS OF WISDOM

DECLARATION OF CONFLICTS OF INTEREST

PUBLIC FORUM

CONFIRMATION OF MINUTES ŌTOROHANGA DISTRICT COUNCIL 20 OCTOBER 2021

RECEIPT OF MINUTES – ŌTOROHANGA COMMUNITY BOARD 4 NOVEMBER 2021

RECEIPT OF MINUTES – KĀWHIA COMMUNITY BOARD 29 OCTOBER 2021

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PRESENT

His Worship the Mayor MM Baxter, Councillors R Johnson (Deputy Mayor), B Ferguson, R Dow, C Jeffries (via Zoom), RA Klos and A Williams.

IN ATTENDANCE

Ms T Winter (Chief Executive), A Loe (Group Manager Regulatory and Growth), M Lewis (Group Manager Engineering and Assets), G Bunn (Group Manager Business Enablement), B O'Callaghan (Finance Manager), D Dowd (Executive Assistant)

APOLOGY

Resolved that the apology received from Councillor K Christison be sustained.

HIS WORSHIP / COUNCILLOR DOW

WORDS OF WISDOM

His Worship recited the words of wisdom.

DECLARATION OF CONFLICTS OF INTEREST

His Worship asked members whether they had any declarations of conflicts of interest in items on the agenda.

No declarations of conflicts of interest were received.

CONFIRMATION OF MINUTES - ŌTOROHANGA DISTRICT COUNCIL 20 OCTOBER 2021

Resolved that the minutes of the meeting of the Ōtorohanga District Council held 20 October 2021 be confirmed and the resolutions contained therein be sustained.

COUNCILLOR WILLIAMS / COUNCILLOR KLOS

RECEIPT OF MINUTES – ŌTOROHANGA COMMUNITY BOARD 4 NOVEMBER 2021

Resolved that the minutes of the meeting of the Ōtorohanga Community Board held 4 November 2021 be received.

COUNCILLOR FERGUSON / COUNCILLOR DOW

RECEIPT OF MINUTES – KĀWHIA COMMUNITY BOARD 29 OCTOBER 2021.

Resolved that the minutes of the meeting of the Kāwhia Community Board held 29 October 2021 be received.

HIS WORSHIP / COUNCILLOR JEFFRIES

ITEM 211 HIS WORSHIP THE MAYOR - VERBAL REPORT

His Worship reported on activities he has participated in across October and November 2021 these being —

- 22 November – attended the 'Think Rural' forum.
- 26 October – attended the Iwi Response Hui.
- 27 October – attended the Mayors Impact Lab forum.
- 28 October – met with Superintendent Bruce Bird followed by a Mayor's Taskforce for Jobs meeting
- 1 November –attended the Iwi Response Hui.
- 8 November– participated in the Town Concept Plan discussions.
- 9 November – met with the Chief Executive Performance Review Committee.
- 11 November – attended the Waikato Plan followed by a Mayor's Taskforce for Jobs meeting.
- 16 & 17 November - attended interviews.
- 18 November – attended Mayor / Chair Forum in relation to COVID-19.
- 24 November – Attended the Risk and Assurance Committee Meeting.
- 25 November – Attended the Extraordinary Council Meeting

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

HIS WORSHIP / COUNCILLOR WILLIAMS

ITEM 212 CARRYOVERS 2020/21 TO 2021/22

The Finance Manager referred members to his report and requested that it be taken as read.

The Finance Manager drew members to Item 20 which is not drawn out of capital.

The Chief Executive informed members that carryovers are very much a part of the process of most LGA's across the country.

The Group Manager Engineering and Assets said there have been some significant factors that had influenced the progress of many projects – COVID, Three Waters and the likes.

His Worship commended staff on the massive improvement in relation to reducing the size of the carryovers.

RESOLVED that It is recommended that Council adopts the carryovers as listed.

ITEM NUMBER	ITEM	2020/21 BUDGET ALLOCATION	AMOUNT SPENT TO 30 JUNE 2021	PROPOSED CARRY OVER AMOUNT	FUNDING METHOD	REASON
1	Tihiroa Water Supply – Plant Upgrade	200,000	-	200,000	Cash surplus	Design complete – finalising procurement. Work in Progress totals \$3,590.
2	Tihiroa Water Supply – Pipeline Renewals	100,000	-	100,000	Cash surplus	Design complete – finalising procurement. Work in Progress totals \$15,000.
3	Waipa Water Supply – Smart Meter Project Phase 1 & 2	50,000	-	50,000	Balance funded	Design complete – capital works yet to start.
4	Ōtorohanga Water Treatment Plant – Driveway Resealing	22,000	-	22,000	Cash surplus	Contract awarded – capital works yet to commence.
5	Ōtorohanga Water Treatment Plant – Replace Cladding	20,000	-	20,000	Cash surplus	Work completed after 30 June 2021.
6	Ōtorohanga Water Treatment Plant – Replace Roof	15,000	-	15,000	Cash surplus	Work completed after 30 June 2021.
7	Ōtorohanga Sewerage – Sewer Main Replacement	80,000	16,126	63,874	Cash Surplus	Design completed – finalising procurement.
8	Kāwhia Water Supply – Clarifier Tank	150,000	-	150,000	Cash Surplus	Design completed – finalising procurement. Work in Progress totals \$54,423.
9	District Property – Support House Stormwater Drainage	10,000	-	10,000	Cash Surplus	Work not started due to land acquisition process.
10	Ōtorohanga Swimming Pools– Repairs to Outdoor Pool	50,000	-	50,000	Cash Surplus	Condition assessment complete – capital works yet to start.
11	Remote Control Lawnmower	100,000	-	100,000	Cash Surplus	Prior year budget for generators carried over to pay for remote control lawnmower.

						Generators budgeted in 2021/22 separately. Options and research stage.
12	Huiputea and Mair St Flood Pump Pipe Reline	235,000	-	235,000	Cash Surplus	Contract awarded – capital works yet to restart
13	Pond renewals	390,000	43,671	100,000	Cash Surplus	Ongoing project.
14	Ōtorohanga Library – Furniture & Fittings	20,000	2,081	17,900	Cash Surplus	Work on shelving replacement in 2021/22, additional costs over budget due to material shortages.
15	Ōtorohanga Library – Library Books	62,000	52,605	9,300	Cash Surplus	Work ongoing to update library stock
16	It Equipment – Civil Defence IT	15,000	-	15,000	Cash surplus	Work was not undertaken during the year, purchases occurring in 2021/22
17	Building Operations – Office Interior Upgrades	131,149	69,430	61,000	Cash surplus	Work in Progress of \$32,000, additional amount carried over for building renovations.
18	IT Equipment – Website Development	35,000	25,050	10,000	Cash surplus	Carry over to be used in 2021/22 in line with communications strategy development
19	IT Equipment – Hardware & Software	159,141	69,650	89,000	Cash surplus	Not fully spent, additional IT improvements to be undertaken in 2021/22 including Office 365 migration, replacement of hardware for improved remote working capability
20	Corporate Planning – Organisational Development	317,271	66,931	250,000	Rates	Amount not fully spent during year, money to be carried over for additional Organisational Development costs identified
	TOTAL	\$1,429,561	\$301,873	\$1,126,074		

HIS WORSHIP / COUNCILLOR JEFFRIES

ITEM 213 FINANCIAL REPORT FOR THE MONTH ENDING 31 OCTOBER 2021

The Finance Manager took members through his report for the month ended 31 October 2021.

He said that at the time of writing this report, the audit of the 2020/21 Annual Report is only just being finalised. The Finance Manager informed members that due to the timing of writing the report being so close to the completion of the Annual Report, some of the information that may be relied upon from the prior year has not been processed.

During discussion the following issues were raised.

- Carryovers and commitment to unplanned works, will there be an opportunity to catch up in the current climate.
- A number of projects are completed or about to be completed and as such the budgets are being carried forward.
- COVID-19 has impacted a number of the projects.
- That the financial progress as well as the work schedule be combined into one graph.

Resolved that the Financial Report for the month ended 31 October 2021 be received.

Councillor Williams / Councillor Jeffries

ITEM 214 ŌTOROHANGA KIWI HOUSE PROGRESS REPORT

His Worship welcomed Mr. Tim Jones to the meeting to provide an update and assist with answering questions. The Group Manager Business Enablement referred members to his report and asked members to take it as read. He informed members that in 2020 Council resolved to support the redevelopment of the Ōtorohanga Kiwi House with a loan of \$2 million dollars.

The Group Manager Business Enablement informed members that certain conditions around accountability were included in the agreement and that as at 30 November 2021 Council has advanced a total sum of \$985,246.66 to the Ōtorohanga Kiwi House Charitable Trust.

Members were advised that an additional drawdown from Council will be required \$362,500 to complete stage 3 of the development with stage 2 being deferred.

The Group Manager informed members that a request has been received to extend the repayment period of 2 years interest free and that a new loan agreement and report will be presented to Council for consideration.

During discussion the following issues were raised.

- Requesting assurity that the Department of Conservation involvement for the welfare of animals is ongoing.
- Deadline on PGF funding, expectations on when the spend of these funds needs to occur.
- Is Waikato Regional Council a key partner.

Resolved that the Ōtorohanga Kiwi House Progress report be received.

Councillor Dow / Councillor Johnson

ITEM 215 APPOINTMENT OF DISTRICT LICENSING COMMITTEE CHAIRPERSON, DEPUTY CHAIRPERSON, ALTERNATE COMMISSIONER AND COMMITTEE MEMBERS

The Group Manager Regulatory and Growth referred members to his report on the need for Council to formally approve the appointment of a District Licensing Committee and also an independent Commissioner pursuant to the Sale and Supply of Alcohol Act 2021.

He informed members that the District Licencing Committee and its Chair are the determining body on all applications for alcohol licences and managers certificates filed within Council.

The Group Manager Regulatory advised members that the appointments were once aligned with local government elections and expired in 2016 however, with the new appointment of the Commissioner all members were re-appointed to the Committee with an end date of November 2021.

Resolved that

1. The report from the Group Manager Regulatory and Growth be received and,
2. *That one District Licensing Committee be retained for the Ōtorohanga District;*
 - i. *That a Commissioner, Sara Grayson, be reappointed to Chair the Committee;*
 - ii. *That Councillor Roy Johnson, be reappointed Deputy Chairperson of the Committee;*
 - iii. *That Alternative Commissioner Tegan McIntyre be reappointed;*
 - iv. *That existing members of the Committee, Mr Ross Murphy, Ms Patsi Davies and Dr Michael Cameron be reappointed.*
3. that all appointments be for a period of five years to 30 November 2026.

Councillor Klos / Councillor Dow

ITEM 216 PARTIAL REDLAND ROAD STOPPING

The Senior Engineering Assistant Projects attended the meeting in person and referred members to his report and informed members that this request pertains to the upgrade, realignment and partial stopping of Redland Road.

Resolved that the Ōtorohanga District Council hereby consents to the Minister of Land Information declaring that:

- a. pursuant to section 116 of the Public Works Act 1981, the Ōtorohanga District Council consents to the Minister of Land Information declaring the portion of road described in the Schedule, to be stopped; and
- b. pursuant to Section 117(3)(b) of the Public Works Act 1981 certifies that it considers it equitable to amalgamate the stopped road with the adjoining land in Record of Title SA 837/90, and Lot 3 DP526741 (Title to be issued)

Schedule	Description
Area - 0.1329 Ha	Section 1 Survey Office Plan 562158

- 1) Council, having regard to Section 101 of the Local Government Act 2002 along with Council's Significance & Engagement Policy, confirms its decision to dispose of the road (to be stopped) without compensation.
- 2) Delegates authority to the Chief Executive of Ōtorohanga District Council to sign and seal any documentation necessary to stop the portion of Redland Road shown on plan - SO 562158.

Councillor Williams / Councillor Johnson

ITEM 221 CIVIL DEFENCE EMERGENCY MANAGEMENT REPORT FOR JULY TO SEPTEMBER 2021

The Operations Manager – Civil Defence Emergency Management attended the meeting and informed members that the purpose of this report is to provide Council with a quarterly update on matters relating to Civil Defence Emergency Management (CDEM) in the Western Waikato Emergency Operations Area.

He said the report includes matters arising at national, regional and district levels including emergency management activities under the shared service arrangement between Waipā, Ōtorohanga and Waitomo District Councils.

During discussion the following points were made:

- The possibility of overwhelming small Districts who have a finite group of people who can respond.
- In response to COVID-19 Welfare matters, the MSD are the main drivers but CDEM are there to support and fill gaps that may exist.
- That a meeting be held in Kāwhia to better inform the community of the plans under CDEM.
- That a level of readiness needs to be maintained.
- The Western Waikato have been proactive in the space of working alongside leader key partners.

Resolved that the Civil Defence Emergency Management Report for July to September 2021 be received.

His Worship / Councillor Dow

ITEM 217 ŌTOROHANGA DISTRICT COUNCIL 2022 MEETING DATES

The Chief Executive report provides suggested dates based on the existing agreement that these be on the 3rd Tuesday of each month taking into account public holidays and other events proposed in 2022

Resolved that the dates presented for regular meetings of the Ōtorohanga District Council during 2022 be adopted.

- 15 February 2022
- 15 March 2022
- 19 April 2022
- 17 May 2022
- 14 June 2022
- 19 July 2022
- 16 August 2022
- 20 September 2022
- 18 October 2022
- 15 November 2022
- 13 December 2022

His Worship / Councillor Johnson

ITEM 218 TE ARA A WAIWAIĀ WAIPĀ RIVER PLANTING PROPOSAL FOR ŌTOROHANGA

The Group Manager Engineering & Assets introduced his report Te ara a Waiwaiā and informed members that this is a working group formed by Council resolution in 2019, with the endorsement from the Ōtorohanga Community Board and they are proposing to have two sections of the Waipā river areas planted with native plants through the Ōtorohanga township area.

He acknowledged the substantial amount of work having been undertaken in the background.

The Group Manager informed members that during a public consultation period Council received six submissions primarily in support of the project and that from a financial perspective there is no significant impact on the budget.

During discussion the following points were made:

- Concern around ongoing access for participants who use the land for recreation activities.
- How the flow of water during flood events will be impacted by the planting.
- The type of plants used must be fit for purpose.

Resolved that Council

1. Receives the report by the Group Manager of Engineering and Assets.
2. Approves the Te Ara a Waiwaiā planting proposal for Areas A and B as defined by the attached plan.
3. Delegates authority to Council's Chief Executive to sign the Deed of Grant Funding with the Waikato River Cleanup Trust a subsidiary of the Waikato River Authority.
4. Approves for \$5,500 per year being Council's share of funding to be taken from the Parks and Reserves Budget across each of the 3 years of the project being 2021-2024 and notes that this was not provided for in the LTP budgets.

Councillor Williams / Councillor Ferguson

ITEM 219 APPLICATION FOR TEMPORARY ROAD CLOSURE – TARGA BAMBINA NEW ZEALAND 2022

The Roding Manager joined the meeting and referred members to the Senior Engineering Assistant report for the purpose of a road closure for Targa New Zealand to hold the Targa Bambina New Zealand 2022 Rally. He informed members that this is a reapplication after the event was previously cancelled and requested that the report be taken as read.

Resolved that the application for Temporary Road Closure of sections on roads on Sunday 13 March 2022; Bayley Road – Ngaroma Road – Wairehi Road, be granted with the following conditions imposed;

1. In the event of a COVID:19 resurgence and a revert to a lockdown greater than Level 2 status, any granted road closures will be rendered null and void
2. Emergency services have complete right of passage at all times.

3. Targa New Zealand is to pay a bond of \$5000.00, this bond can be waived at the discretion of the Engineering Group Manager on application to Mark Lewis. The said bond is refundable after a post event drive over, undertaken by Ōtorohanga District Council Roading Team.
4. Targa New Zealand is to pay an application fee of \$905.00 towards the administration of the road closure to Ōtorohanga District Council.
5. Targa New Zealand is to pay for all advertising costs to the appropriate newspapers. Public notice advertisements are to be published in the Waitomo News.
6. Targa New Zealand is responsible for obtaining public liability insurance (and paying the cost thereof) to a minimum value of \$10,000,000. This is required to indemnify Council against any damage to the property or persons as a result of rally activities during the road closure period.
7. Targa New Zealand is to comply with the objection provisions contained in the Transport (Vehicular Traffic Road Closure) Regulations 1965.
8. Targa New Zealand is to liaise and provide evidence of liaison with all operators and businesses that may be affected by the road closures.
9. Targa New Zealand is to consult with all residents of all properties on the roads intending to be closed and also the residents on roads connecting with roads intending to be closed, including any, no exit roads. Two mail drops to residents are to be carried out. All initial mail drops to residents are to be approved by Council staff before distribution commences. The subsequent mail drop is to be completed no later than ten full days before the proposed closures.
10. Targa New Zealand is solely responsible for signposting and policing of the roads to be closed, to ensure that only vehicles connected with the event have access to the road closure areas. This includes arranging the delivery, erection and staffing of all road closure barriers and the removal thereof after closures. All gates and entranceways are to be taped and to ensure its removal thereafter.
11. Signs advising of the road closures are to be erected at the start and end of the closed portions of the roads and on each intersecting road two weeks prior to the road closure. All signs are to be removed immediately after the closure. A Targa New Zealand 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.

Councillor Klos / Councillor Dow

ITEM 220 BUILDING CONTROL ACTIVITY REPORT APRIL TO OCTOBER 2021

The Group Manager Regulatory and Growth referred members to the report on building control activity covering the period from 1 April to 30 October 2021, a combination of two quarters. He requested that the report be taken as read and informed members that our District is consistent with the national picture of building control activities with demand being high.

The Chief Executive informed members that the Building Authority reaccreditation is a major achievement for Council and made special mention of the various qualifications that staff are currently undertaking along side a very heavy workload.

Resolved that the Building Control activity report for April to October 2021 being a combination of two quarters be received.

Councillor Klos / Councillor Jeffries

ITEM 222 ADOPTION OF A RISK MANAGEMENT POLICY

The Strategic Advisor joined the meeting and referred members to his report requesting that it be taken as read.

He highlighted the following key points:

- Effective Council decision making, service delivery and operations all need to be undertaken with the application of sound Risk Management Policies, practices and processes.
- That the policy in this report reflects effective management of risk and best practices.
- Additional tools are required to support these practices.
- That the Risk Management Policy has been reviewed by Council's Risk and Assurance Committee for adoption by Council.

Resolved that the Ōtorohanga District Council

1. Receives this report "Adoption of a Risk Management Policy"; and,
2. Adopts the Ōtorohanga District Council Risk Management Policy, with immediate effect.

His Worship / Councillor Klos

COUNCILLOR UPDATE

Councillor Jeffries

- Extended apologies expressed for not attending meeting in person.
- Attended Ōtorohanga District Council Meeting.
- Attended Ōtorohanga District Development Board AGM via Zoom.
- Attended Local Government New Zealand Zone 2 via Zoom.
- Informal discussion regarding Three Waters Reform with KCB.
- Attended Kāwhia Community Board Meeting via Zoom.
- Attended Chief Executive Performance Review.
- Attended Resource Management Reforms webinar.
- Attended Risk and Assurance Committee Meeting.
- Workshop with Community Board.
- Special Council Meeting for adoption of the annual report.

Councillor Dow

- Meeting with member of the public requesting to reinstate the handrails on the State Highway Bridge, matter raised at the Regional Transport Committee.
- New working group formed at Regional Transport Committee to investigate emissions on transport around the Waikato region.

Councillor Ferguson

- Attended all standard meetings.

Councillor Johnson

- Extended congratulations to the Roading Team for the upkeep the Waipa Reserve. He made special mention as to the large effort placed into improving this facility.
- Advised that the Piston Festival in 2022 has been cancelled due to the COVID-19 Traffic Light settings, this will be reviewed at a future date.

Councillor Williams

- Attended Zone 2 and Three Waters Reform meeting.
- Attended Chief Executive Review Committee meeting.
- Attended Council Meetings.
- Attended via Zoom Waikato CDEM meeting – subcommittee formed for concurrent events.

Councillor Klos

- Informed members that there are numerous pressures within Council over and above the usual Councillor Workload.
- Three Waters Reforms – expressed hope that Councillors would support the views of the majority of the community.
- Requested that the Risk and Assurance Committee take a whole of Council approach.

ITEM 223 RESOLUTION TO EXCLUDE THE PUBLIC

Resolved that

- a) the public be excluded from the following parts of the proceedings of this meeting, namely, -

ITEM 224 RECOMMENDATIONS – CHIEF EXECUTIVE PERFORMANCE REVIEW COMMITTEE

- b) The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General Subject of each Matter to be Considered	Reason for Passing this Resolution in relation to each matter	Ground(s) under section 48(1) for the Passing of this Resolution
RECOMMENDATIONS – CHIEF EXECUTIVE PERFORMANCE REVIEW COMMITTEE	Good reason to withhold exists under section 7(2)a	To protect the privacy of natural persons, including that of deceased natural persons.

NOTE

Section 48(4) of the Local Government Official Information and Meeting Act 1987 provides as follows:

“(4) Every resolution to exclude the public shall be put at a time when the meeting is open to the public, and the text of that resolution (or copies thereof)-

- (a) Shall be available to any member of the public who is present; and
(b) Shall form part of the minute of the local authority.

His Worship / Councillor Williams