



Otorohanga District Council

MINUTES

18 March 2014

OTOROHANGA DISTRICT COUNCIL

18 March 2014

Minutes of an ordinary meeting of the Otorohanga District Council held in the Council Chambers, Maniapoto St, Otorohanga on Tuesday 18 March 2014 commencing at 10.02am.

MINUTES

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

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PRESENT

Mr MM Baxter (Mayor), Crs, RA Klos, RM Johnson, KC Phillips, DM Pilkington (Deputy Mayor), RJ Prescott, PD Tindle and AJ Williams.

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

Cr Tindle read the Opening Prayer.

ITEMS TO BE CONSIDERED IN GENERAL BUSINESS

The Chief Executive informed Members he had two items for consideration in general business which may require a resolution these being –

1. The approval of the Waikato Triennial Agreement for signature by His Worship.
2. Repairs to the Kawhia Wharf with the possible extension of the work scope.

Cr Phillips requested consideration be given to Council's appointment to the North King Country Development Trust resolved at its meeting held 29 October 2013.

Resolved that the above three items be considered in general business which may require a resolution.

Cr Pilkington / Cr Phillips

CONFIRMATION OF MINUTES – 18 FEBRUARY 2014

Resolved that the minutes of the meeting of the Otorohanga District Council held on 18 February 2014, as amended, be approved as a true and correct record of that meeting.

Cr Prescott / Cr Pilkington

CORRECTIONS

Staff were requested to correct the following –

- Page 2 – Kotui Shared Library Service - In the first sentence of the second paragraph, the word 'express' be corrected to read 'expires'.
- Page 8 – The title Community Facilities 'Toilet', be corrected to read 'Tour'.
- Page 8 – Waipa River Catchment Sub-Committee – In the first sentence of the second paragraph, the word 'Taurarora' be corrected to read 'Tapuae'.
- Page 9 – Council/Staff function – The word 'fuction' be corrected to read 'function'.

Cr Pilkington referred to the Otorohanga District Development Board Report, in particular to the first sentence in the second paragraph and requested this be amended to read 'with regards to the Kawhia Museum and Information Centre, Cr Pilkington reported that the Committee relies on volunteer minders to man the Information Centre during weekends in order to fulfil the Service Agreement with the Board.'

REPORTS

Item 51 KAWHIA COMMUNITY BOARD MINUTES - 24 JANUARY 2014

Resolved

That the minutes of the meeting of the Kawhia Community Board held on 24 January 2014, as amended, be received.

Cr Pilkington / His Worship

MATTERS ARISING

Cr Pilkington referred to Page 2 under the item 'Support of Kawhia Community Patrol' and queried whether the advice that approximately \$5,000 in terms of rates, equates to a 1% increase is correct. At the conclusion of the meeting the District Accountant advised that the \$5,000 should read '\$12,600'.

Cr Pilkington referred to Page 3, the item 'Kawhia Community Meeting Room' and requested that the following sentence be inserted after the first sentence being – 'Cr Pilkington advised that there is no issue with Ms Karen Bishop and the Te Riakina in regards to the decrease in rental income.'

Item 52 OTOROHANGA COMMUNITY BOARD MINUTES - 13 FEBRUARY 2014

Resolved

That the minutes of the meeting of the Otorohanga Community Board held on 13 February 2014, as amended, be received.

Cr Prescott / His Worship

MATTERS ARISING

Staff were requested to correct the following –

Page 3 – Septic Waste Disposal Licences – The word 'sustained' in the final sentence be corrected to read 'abstained'.

Cr Pilkington referred to Page 5 under the Reg Brett Reserve – Toilet Facility, in the second to last sentence and requested that as the Parks and Reserves account is District funded the word 'Boards' should be deleted. The Chief Executive confirmed that this item is placed under public conveniences in the Parks and Reserves account.

Item 53 ELECTRONIC DOCUMENT PROVISION

Discussion

The Chief Executive presented a report proposing that Council moves to a system of electronic provision of meeting documents for Councillors. The IT Manager Mr Mike Wanden, was in attendance.

The Chief Executive informed Members that the primary factor driving this change is believed to be one of economics, particularly for larger Councils that have frequent meetings. He referred to such meetings which may have up to 200 pages in their agenda. He said the timeliness of document provision is also considered a motivating factor for ODC to consider such a change.

Cr Phillips referred to the proposed provision of iPads and expressed the opinion that should these only be used as a reading device then there are other cheaper options available. He said document readers are considerably cheaper and comprise very good brands. The IT

Manager replied that iPads are a tablet and available from between \$600-\$800. He said these must have applications installed on that device to enable a user to read, present and edit documents.

Cr Klos felt that an iPad should be of a reasonable size and expressed some concern about the speed of downloading documents from DropBox. Cr Williams expressed the desire to use her own device for Council business. The IT Manager replied that this would not be his favourite method and advised that a managed environment would be much simpler, going forward.

Cr Tindle said he is not bothered by purchasing his own device however, he would like to see a process put in place that allows Members to manage on an individual basis. Cr Tindle referred to his earlier request for his need to refer to previous minutes enabling him to look back through these quickly. It was agreed that Council is able to forward minutes to Members electronically via email.

His Worship said he would prefer to continue to use his own device, and queried whether there would be any issue with this. The IT Manager replied he felt it would be better if the device is owned by Council.

The Chief Executive referred to the options available to permit Council and private use of a device and for staff to explore some charging arrangement. Cr Tindle queried whether it is worth the cost in providing a device for each Councillor. The IT Manager raised the matter of keeping confidential documents secure. Cr Tindle expressed the opinion that he would prefer to scribble down notes on paper during a meeting, but have a device holding copies of Agendas and Minutes etc that he could look back on.

Cr Prescott advised that he is quite happy with the provision of hard copies. Cr Klos said she would like to get rid of paper copies and would prefer a tablet, just for Council use.

Cr Pilkington said she does like having a hard copy available however, she is willing to learn an electronic version. She said she would most likely use an iPad exclusively for Council business. Cr Pilkington said her main issue is to obtain information from Council, in a timely manner.

Cr Phillips felt that there is no need for all Councillors to have an iPad. The Finance and Administration Manager informed Members that preference would be for one consistent policy, either Council owned or use your own device. Cr Tindle didn't believe that Council should subsidise Members for their provision of a device as most would be able to obtain this themselves. He suggested that a DropBox be made available to be used by Council and contain the capacity for information to be obtained electronically.

Cr Johnson said he is neutral on the proposal and does not mind hard copies. However, there could be a need for Council to move forward and as both proposals are cost neutral, he felt the proposal should be proceeded with.

Following a request from His Worship, the following indication was obtained from Members being –

- Use purely for Council work – 4 Members
- Own Device provided – 3 Members

The Chief Executive said there appears to be a need for a system to be provided to enable Councillors to assess information electronically (DropBox). He said the device most commonly used is an iPad.

Resolved

That –

- a. A DropBox system be established to make Council documents available to all Elected Members.

- b. That Members be given the choice of either having a compatible device provided by Council or being provided with paper document copies.

Cr Phillips / Cr Williams

Item 54 REGIONAL POLICY STATEMENT – DELEGATED AUTHORITY TO ENVIRONMENTAL SERVICES MANAGER

Discussion

The Environmental Services Manager presented a report informing Members that following mediation, a number of appeals against the Waikato Regional Council, Regional Policy Statement (RPS) have been resolved. He said consent documents confirming these policy decisions will shortly be circulated for signing. A resolution is required in order to grant delegated authority to the Environmental Services Manager to sign the Memorandum on behalf of Council.

Cr Phillips queried whether the appeals that have not been resolved are of any great significance to the Otorohanga District. The Environmental Services Manager said they were not. The Environmental Services Manager reported that in regard to the coastal topic, the wording has been softened. Cr Pilkington queried whether the outcomes of these appeals will require District Plan changes. The Environmental Services Manager replied that nothing had been settled so far that would affect the Proposed District Plan.

Resolved

That the Environmental Services Manager is granted delegated authority to sign consent Memorandums relating to the Waikato Regional Policy Statement on behalf of the Otorohanga District Council.

Cr Phillips / Cr Klos

Item 56 PSYCHOACTIVE SUBSTANCES ACT LOCAL POLICY

Discussion

The Environmental Services Manager presented a report on the Local Approved Products Policy Provisions of the Psychoactive Substances Act. His Worship expressed the opinion he did not believe, at this point in time, Council is required to introduce a policy however, there may be a need later on should circumstances change. Cr Klos pointed out that the sale of these substances could well be carried out door to door or over the internet. She expressed the opinion that somebody will open up a facility within the Otorohanga District, and that personally, she would like to see a policy introduced. Cr Phillips agreed with Cr Klos' comments. His Worship felt that no policy will stop the sale of substances over the internet or door to door. Cr Tindle queried whether the location is all Council is able to control which the Environmental Services Manager replied, was correct. He further reported that originally there were businesses in town selling psychoactive substances however, due to the response from Community leaders, these have since ceased trading the products. Cr Tindle queried whether there is a sample policy available that Council could consider. The Environmental Services Manager replied that the introduction of any policy takes considerable time and effort to prepare. Cr Johnson queried why Council is unable to just prohibit the sale of such substances. The Chief Executive informed Members that in Hamilton, the proposed policy sets out to limit the sale of these substances to set areas. He said in Otorohanga limiting the location would have little effect, particularly as the District does not have large industrial areas.

Resolved

That –

1. The report by the Environmental Services Manager be received and
2. Council does not adopt a local approved products policy.

Cr Prescott / Cr Tindle

Item 55 MAKING OF STOCK MOVEMENT BYLAW 2014

Discussion

The Engineering Manager summarised his report informing Members that it is proposed to make the Otorohanga District Stock Movement Bylaw 2014 largely in accordance with the previous Statement of Proposal, with the only exception being a change to permit temporary 'high impact' stock crossings, following a significant change of land ownership or use until an underpass is installed.

Representatives of Federated Farmers NZ, Ms Sally Millar (Regional Policy Advisor), Mr Gary Voogt (Chair, Otorohanga Branch, Waikato Federated Farmers NZ) and Mr Zach Mounsey (Farmer) attended the meeting.

Ms Millar advised that Federated Farmers accepts that gross or blatant non-compliance needs to be addressed by Council. She said however, as the majority of farmers are complying with the Bylaw and the minor issues that arise, are being readily dealt with by an informal approach by Council, they have concerns these farmers could be inappropriately penalised by the amendments that are directed at only a few. She said this is a primary concern of their members in relation to the amendments.

Ms Millar reported that their members have indicated that an increase in penalties is acceptable 'providing enough notice is given' and 'only if timeframes and agreements are broken'.

Accordingly, Federated Farmers submits that if the proposed significant increase of penalties is adopted, it needs to be balanced with an assurance in the Bylaw that Council will work with farmers in the first instance before imposing the penalties.

With regard to strengthening the requirements for when an underpass is required, Federated Farmers submits that there needs to be an exception made in regards to requiring underpasses on lease blocks, where safe road crossings that meet all other requirements for road crossings, can be provided. Furthermore, Federated Farmers submits that the Bylaw is amended to allow a short term interim permit in situations where the landowner is committed to install an underpass, but is subject to constraints such as the consent process and weather conditions.

Ms Millar then referred to a further submission by Federated Farmers stating it supports the provision for only allowing TB free herds to be moved on roads in the Otorohanga District, be incorporated into the Bylaw. Ms Millar advised that the provisions for the requirement of an underpass, are less restrictive for State Highways.

Mr Voogt reported that roads throughout the Otorohanga District aren't that busy and that most people are aware or involved in farming and have a good understanding of the requirements of farmers and are sympathetic towards their needs. He said there is three issues to consider being safety, nuisance and road management. In regards to damage to the road he said methods such as washing, sweeping, laying of road mats or concreting a crossing, are options for farmers to consider.

Mr Stuart Phillips then spoke to his submission on behalf of Meadow View Farm. He said he believed in the value of introducing an assessment index, as he felt this is only the fair way.

Mr Phillips referred to Council's advertisement calling for submissions and advised that as this was undertaken during the Christmas/New Year period, it was not warmly received by farmers.

His Worship thanked the representatives for attending the meeting and presenting their submissions. He said Council will consider the matter further later in the meeting.

Item 57 LASS STATEMENT OF INTENT FOR 2014-2015

Discussion

The Chief Executive presented the Waikato Local Authority Shared Services Statement of Intent for 2014-2015. He said this has been made available to enable Members, especially new Members to become aware of the activities of LASS. The Chief Executive asked whether Members had any comments he could take back to the Directors. The Chief Executive further reported that LASS is managed well however, queried whether it achieves and delivers the outcomes this Council would like to see.

Cr Klos referred to the lack of outcomes and said in reality work in a political environment, decisions are much harder. The Chief Executive advised that certain activities are conducted underneath LASS itself however, Members do not want it to grow in its own right. He said it is a Company and important financial entity. Cr Williams said that Councils of LASS are shareholders and that it is desirable to go back with comments on the Statement of Intent. The Chief Executive reported that the real results are not coming under LASS itself. The Chief Executive undertook to provide Members with the most recent reports concerning LASS.

Resolved

That the Chief Executives report be received.

Cr Johnson / Cr Phillips

Item 58 ODC MATTERS REFERRED FROM 18 FEBRUARY 2014

Discussion

The Governance Supervisor took Members through Matters Referred.

COUNCIL APPOINTMENTS TO VARIOUS TRUSTS

The Finance and Administration Manager advised that Deloitte's have been contacted however, this matter is outside of their expertise. He said advice will now be sought from Council's Legal Advisor.

COLLECTION OF RECYCLABLES

The Engineering Manager reported it appears the Contractor's supervisors have been attempting to put in place a standardised practice but, some staff are resisting this.

KOTUI SHARED LIBRARY SERVICES

The Finance and Administration Manager circulated advice from the District Librarian on the Thames-Coromandel District Council's experience with Kotui.

A quote was also taken from an article in the Otago Daily Times of 15 March 2014, reporting on a review that had been undertaken on Library Services for the Queenstown Lakes District Council being –

- Council consultants Maxwell and Associates in Wellington and Sue Sutherland Consulting in Christchurch, have recommended physical integration of customer services with the Library where possible, and moving management of the Library's core systems to the National Kotui Shared Library Management and Resource Service.

GENERAL

WAIKATO TRIENNIAL AGREEMENT

The Chief Executive referred Members to the Waikato Triennial Agreement for 2013-2016 and advised that this document outlines how Councils should work together. He said the document has been revised and has more substance in particular, to the region communicating. The Chief Executive said the document has been agreed in principle by the Mayoral Forum. In reply to Cr Klos' query as to why the Regional Council should have a key position, the Chief Executive replied that there is a statutory requirement for the Regional Council to engage. His Worship advised that there is no indication that the Regional Council is attempting to run everything however, it certainly has a part to play in the various work streams.

Resolved

That His Worship the Mayor be granted approval to sign the Waikato Triennial Agreement on behalf of Otorohanga District Council.

Cr Klos / Cr Phillips

KAWHIA WHARF

The Engineering Manager informed Members that there is \$50,000 in the budget allocation which includes repairs and strengthening to the Kawhia Wharf. He said an inspection of the Wharf has been carried out by Council and NZ Steel have undertaken load testing.

The Engineering Manager reported this is specialist work and that a quote has been obtained. He said it is envisaged that the work be funded 50/50 between Council and NZ Steel. The Engineering Manager further reported that the quote is less than that budgeted however, the Contractor has suggested a chemical treatment and sealing be applied to the Wharf. The Engineering Manager said although this is value for Council, an additional cost of \$10,000-\$12,000 will be incurred however, to replace the structure itself would cost in the vicinity of \$1,000,000. Cr Prescott expressed the opinion that the additional work would be a good investment. It was suggested that Council keep a record of the benefits NZ Steel have had and are receiving from this facility.

Resolved

That –

- The scope of works in respect of repairs to the Kawhia Wharf be extended to include treatment that will reduce further deterioration of concrete reinforcement.
- The cost of this work shall not exceed \$15,000.

Cr Phillips / Cr Prescott

ODC MINUTES – 29 OCTOBER 2013

Cr Phillips referred to Council's appointment of His worship and Cr Phillips to the North King Country Development Trust, resolved at its meeting held on 29 October 2013 and advised that Council is not able to have two representatives on the Trust. Cr Klos said she is

concerned with the implications of representatives appointed by Council to the various Trusts.

Resolved

That Cr Phillips be Council's sole representative on the North King Country Development Trust.

Cr Tindle / Cr Johnson

LUNCHEON ADJOURNMENT

Council adjourned for lunch at 12.33pm and resumed at 1.40pm.

BEATTIE HOME

Cr Johnson reported that apparently the Beattie Home facility was receiving a 100% rates rebate however, this changed to the current rebate of 75%. He said, the Beattie Home facility is on a very delicate financial situation and as it is a community facility he suggested consideration be given to reverting the rebate to 100% and if this is not able to be carried out, why not. Cr Johnson referred to the extension of Beattie Home and advised that this is being carried out to increase the facility's economy of scale. He referred to the cost of the Building Consent at approximately \$5,000 and said that as it is unsure when this work will be completed, queried whether it is possible for this amount to be paid in installments.

Cr Johnson further queried what criteria currently classifies Beattie Home as a high water user.

Cr Johnson extended an invite to His Worship and Councillors to visit the Beattie Home facility, to see how it operates and what it has to offer, perhaps following the next Council meeting.

The Finance and Administration Manager referred to Cr Johnson's query regarding Beattie Home's Rates Rebate and advised this has always been calculated at 75%.

WAIPA LIAISON SUBCOMMITTEE

Cr Johnson reported on this recent attendance at a meeting of the Waipa Liaison Sub-Committee and advised that there are considerable issues going on. He referred, in particular, to Community strategies on shareholder groups, water quality and Draft Annual Plan.

TRACTOR PULL

Cr Johnson reported on his attendance last Saturday at a tractor pull held on Colin Murphy's property. He said a considerable number of people attended the event which made him think that Otorohanga does not have an event which could promote the town. Cr Pilkington replied that Project Kiwiana have attempted to introduce such an event however, it is very difficult.

COMMUNITY FACILITIES TOUR

Cr Prescott reported on the recent Tour of the Community's infrastructure and of the huge improvement to the Sewerage Ponds. He said this was an interesting tour which he enjoyed thoroughly.

Cr Prescott further reported that it is the intention of Waipa Networks to erect a power pole on the top of stop bank in the Dog exercise area.

Cr Phillips also reported that the Community Facilities Tour was extremely interesting.

Cr Pilkington expressed her thanks to staff members Roger Brady and Andrew Pellew for their input in providing an interesting Community Facilities Tour.

Cr Klos said she found the Community Facilities Tour of real value to her. She expressed the opinion that some of the facilities were scruffy.

NOXIOUS WEEDS ON ROAD RESERVE

Cr Phillips queried the situation regarding noxious weeds on road reserve, and whose responsibility is it to attend to these. The Engineering Manager replied that it is Councils responsibility.

LGNZ FORUM

Cr Klos reported on her recent attendance at the LGNZ Forum, which was held over two days. She said the Forum was really interesting and covered items such as value of local roads, transport network, FAR, substance abuse and earthquake proofing.

Cr Klos said she found the Forum to be very useful which she enjoyed and thanked Council for the opportunity to attend.

OPERATION OF RUBBISH TRUCKS

Cr Williams reported that the local rubbish truck is leaving a deposit of glass waste across the road. The Engineering Manager took note of this.

MAYORAL ACTIVITIES

His Worship outlined various activities he had been involved in during the past few weeks, these being –

1. Selection of two Rangitahi Leaders
2. Regional Transport Meeting
3. Civil Defence Meeting
4. Waipa River Joint Management Meeting
5. Rural Provincial Meeting
6. Mayor's Taskforce for Jobs

His Worship reported that he has personally signed an Agreement with the Regional Council to fence off the river bank through his property on a 50/50 cost basis. He said this will include clearing and re-fencing the river frontage.

WAIKATO REGIONAL COUNCIL – HEALTHY RIVERS PROJECT

The Engineering Manager referred to the Waikato Regional Council's Healthy Rivers Project and advised that a couple of groups have been established, comprising technical people which intend to provide some options to improve water quality. He said Local Authorities have been allocated one person to represent them on this technical group. The Engineering Manager advised that the seven Councillors have come together and agreed on a person to represent them. He said this Council's cost of this representation will be between \$5,000 and \$6,000 for the duration of the project.

SPORT NZ

The Governance Supervisor reminded Members that applications under the Sport NZ Scheme close on Friday 21 May 2014. He said, to date, only two applications have been received.

Item 55

MAKING OF STOCK MOVEMENT BYLAW 2014 - CONFIDENTIAL

MOTION TO EXCLUDE THE PUBLIC

“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 Johnson / Cr Pilkington

MEETING CLOSED

The meeting concluded at 2.40pm

MAYOR:

DATE: 15 April 2014