



Otorohanga District Council

MINUTES

16 July 2013

OTOROHANGA DISTRICT COUNCIL

16 July 2013

Minutes of an ordinary meeting of the Otorohanga District Council held in the Council Chambers, Maniapoto St, Otorohanga on 16 July 2013 commencing at 10.05am.

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, KM Phillips, DM Pilkington and RJ Prescott.

IN ATTENDANCE

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

OPENING PRAYER

Cr Ormsby read the Opening Prayer.

CONFIRMATION OF MINUTES – 25 JUNE 2013

Resolved that the minutes of the meeting of the Otorohanga District Council held on 25 June 2013, as previously circulated, be approved as a true and correct record of that meeting.

Cr Prescott / Cr Johnson

REPORTS

Item 368 PLANNING REPORT FOR APRIL TO JUNE 2013

Discussion

The Environmental Services Manager presented a report on Resource Consents granted under Delegated Authority for the period 1 April to 30 June 2013. He said during this period there has been a relatively low level of activity.

Cr Ormsby queried whether many enquiries have been received. The Environmental Services Manager replied there is a constant level of enquiry regarding property purchase/subdivision. He said there is still a large reserve of undeveloped sections throughout the District.

In reply to Cr Baxter regarding Walker Road, the Environmental Services Manager replied that the road looks great, this being a result of a fantastic effort from all those involved.

Resolved

That the Planning Report for April to June 2013 be received.

Cr Pilkington / Cr Baxter

Item 367 DISTRICT LIBRARIAN'S QUARTERLY REPORT FOR APRIL TO JUNE 2013

Discussion

The District Librarian attended the meeting and presented a quarterly report for April to June 2013. She said patronage has been a little flatter during the past 12 months however, some of the other library services have been more active.

The District Librarian informed Members that the Aotearoa Peoples Network Wireless Gateway was installed in the Kawhia Library last week. Cr Pilkington expressed her thanks to the Librarian for organising a 24/7 wifi system at Kawhia.

Cr Blackler referred to the 'Turn the Page' joint Mental Health initiative and queried whether the library had existing books which could be utilised for this. The Librarian replied that they have been given a list of the books required and that some are in stock and others will need to be purchased. She said some financial assistance may be available for this. The Librarian further reported that a number of the books are of general interest material.

Resolved

That the District Librarian's quarterly report for the period April to June 2013 be received.

Cr Phillips / Cr Blackler

Item 369 ENVIRONMENTAL HEALTH OFFICER/LIQUOR LICENSING INSPECTOR'S REPORT FOR APRIL TO JUNE 2013

Discussion

The Environmental Services Manager summarised the Environmental Health Officers/Liquor Licensing Inspector's report for the period April to June 2013.

Resolved

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

Cr Prescott / Cr Pilkington

Item 370 ANIMAL CONTROL OFFICER'S REPORT FOR APRIL TO JUNE 2013

Discussion

The Environmental Services Manager summarised a report on Dog and Animal Control activities in the District for the period April to June 2012/3.

Resolved

That the Environmental Services Manager report on Dog and Animal Control for April to June 2013 be received.

Cr Blackler / Cr Baxter

Item 271 DISTRICT BUILDING CONTROL OFFICER'S REPORT FOR APRIL TO JUNE 2013

Discussion

The Environmental Services Manager summarised the District Building Control Officer's report for April to June 2013. He highlighted the fact that although a number of the Consents were for a low value such as fires, there has been a big jump in the number of commercial buildings. The Environmental Services Manager advised that, although there has been a fall in the number of Consents issued, there is an increase in the total value of building work and overall the trend was looking good.

Resolved

That the District Building Control Officer's report for April to June 2013 be received.

Cr Ormsby / Cr Phillips

Item 372 AMENDMENT TO LIQUOR CONTROL BYLAW

Discussion

The Environmental Services Managers presented a report on the proposal to amend Council's Liquor Control Bylaw 2007 to provide a year-round ban on bringing, possession and consumption of liquor in public places in Kawhia and Aotea Liquor Ban Areas. Cr Pilkington reported that the proposal has been clearly signaled through minutes of the Kawhia Community Board meetings and driven and signaled by the Kawhia Community, with the support of the Board and NZ Police. She said she totally supports the proposal in efforts to provide a safer community.

Cr Baxter queried whether such a proposal has been introduced across other Communities. His Worship replied that normally such bans affected Central Business Areas (CBA) during peak periods. He advised that the proposal is to encourage a family environment and that family and drinking do not mix. He said the Community needs to sit up and try to re-educate people of its expectations.

Resolved

1. The report be received.
2. Otorohanga District Council amend the Liquor Control Bylaw 2007 to establish a permanent ban on bringing, possession and consumption of liquor in public places in the Kawhia and Aotea liquor ban area.
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 / Cr Johnson

Item 374 ELECTED MEMBERS REMUNERATION AND COMMUNICATION ALLOWANCE

Discussion

The Finance & Administration Manager presented a report advising that advice is required by the Remuneration Authority on the amount of additional remuneration required for Elected Members post the 2013 election, and also Council is required to consider a Communication Allowance to include in their 'Reimbursement and Allowance Policy' for the forthcoming post 2013 Election Determination. He referred Members to the Councillor-base role description and the responsibilities for the position of Deputy Mayor in addition to those of a Councillor. The Finance & Administration Manager confirmed that Council is able to carry forward funds to meet additional duties by Members in the future (for example District Plan Review).

The Finance & Administration Manager referred to the issue of a Communication Allowance and reported that the guidelines set down by the Remuneration Authority include the maximum that can be paid. He advised that since the preparation of his report confirmation has been received from the Remuneration Authority to the effect that 'Council decides if no additional costs are incurred then no allowance needs to be paid.' He said Councillors should not be out of pocket. Cr Pilkington confirmed that an Elected Member includes that of a Community Board Member.

His Worship advised that during his time on Council no one, in this forum, has ever raised the matter of additional compensation being required. He said if so, this would be dealt with on a case by case basis however, it is Council's intention to work on the lesser end of the allowance scale and only when this can be justified. Cr Baxter expressed the opinion that he has never felt like he has been 'hard done by'. Cr Phillips raised the matter of additional costs in printing documents off. His Worship agreed that items such as consumables could justify a fair reimbursement. Cr Blackler outlined the procedure when documentation is emailed to her from Civil Defence and Regional Transport Committees. She said problems particularly for those on the parameter of the District are often encountered. Cr Blackler suggested whether consideration should be given to providing one or two iPads for use by Councillors.

Resolved

That

1. Council advises the Remuneration Authority that it is seeking additional remuneration of \$6,000 equating to 40% of the Base Councillor Salary for the position of deputy mayor in the post 2013 elections determination
2. Council includes a Communication allowance as detailed in the current Reimbursement & Allowance Policy.
3. Council investigates the possibility of purchasing two iPads for the Mayor and Deputy Mayor.

Cr Baxter / Cr Prescott

Item 375 OTOROHANGA DISTRICT DEVELOPMENT BOARD REPORT

Discussion

Cr Pilkington summarised the Chairperson of the Otorohanga District Development Board’s report for the period January to June 2013. She said this is a regular report highlighting activities of the Board during a certain period. Cr Pilkington reported that due to the forthcoming retirement of His Worship, concern of Board Members has been expressed as to a ‘voice’ for the future of the Youth programmes. She said there is still a strong commitment from the Board to keep these active. Cr Pilkington expressed her thanks to the Chairperson of the Board, Carolyn Christian, for her work and efforts on behalf of the Board. His Worship informed Members that the Development Board meet tomorrow in the Council Chambers at 9.00am. He said Mr Ray Haley, Youth Coordinator, is doing a tremendous job.

Resolved

That the Otorohanga District Development Board report for the period January to June 2013 be received.

Cr Pilkington / Cr Baxter

Item 276 CREATIVE COMMUNITIES ASSESSMENT COMMITTEE MINUTES 25 JUNE 2013

Discussion

The Governance Supervisor presented minutes of a meeting of the Creative Communities Assessment Committee held on 25 June 2013. He outlined the purpose for which grants were approved to the various applicants.

The Governance Supervisor referred to the remaining balance of \$2184.95 and reported that three late applications have been received with two of these, Korakonui and Hauturu Schools, clearing the balance of remaining funds. Cr Pilkington expressed the opinion this is a wonderful result and expressed her thanks to the Committee Members.

Resolved

That the grants outlined in the Governance Supervisors report be approved –

Kawhia Hardrock Karvers	\$1000
Kawhia Maori Womens Welfare League	\$1400
Arohena Playcentre	\$795
Maihihi School	\$400
	<hr/>
	\$3595

Cr Pilkington / Cr Prescott

Item 377 ODC MATTERS REFERRED FROM 25 JUNE 2013

Discussion

Members agreed that the item under Cr Pilkington dated 14 May 2013 re Aotearoa Peoples Network Wireless Gateway – Kawhia Library, be deleted.

GENERAL

DISTRICT LICENSING COMMITTEE

Cr Johnson reported that he participated in a webinar session on proposed District Licensing Committees. These committees will take effect from 18 December 2013. Cr Johnson advised that, should you be a member of a Committee then you could be lobbied by applicants for Liquor Licences.

ROADING SURVEY

Cr Ormsby queried whether there is a roading survey being undertaken throughout the District and who is carrying this out and for what purpose. His Worship suggested that this request be referred to Council's Roding Manager however, various checks are carried out during any particular year by staff or independent consultants.

MAYORAL BREAKFASTS / GET DOTTED EVENING

Cr Phillips congratulated those involved in the recent Mayoral Breakfasts and Get Dotted Evening and congratulated them on their efforts. He said both events he attended were great.

Cr Baxter reported he attended the recent Fathers & Sons Breakfast and said this was great however, he wished more fathers and sons had attended.

Cr Baxter also referred to the recent Governor-Generals visit to Otorohanga.

NORTH KING COUNTRY DEVELOPMENT TRUST

Cr Phillips presented a suggestion that when people are born here in Otorohanga a tree could be planted identifying their birthplace and in the future to provide something tangible they could come back to. His Worship suggested that the Trust canvas organisations such as the Otorohanga Zoological Society and Forest Restoration Trust to identify appropriate trees to be planted in certain areas.

REGIONAL LAND TRANSPORT COMMITTEE

Cr Blackler reported on her attendance at a recent Regional Land Transport Committee meeting, and referred to the joint endeavours with the Bay of Plenty Regional Transport Committee regarding State Highway 29. Cr Blackler further reported that the Hangitiki intersection improvements have been moved up the roading programme priority list.

CIVIL DEFENCE

Cr Blackler reported a new computer operating system may be required due to the shortcomings of the Ministries EMIS programme.

The Environmental Services Manager reported that this Council has signed the Shared Service Agreement with Waipa and Waitomo District Council's for the engagement of a Civil Defence Officer. He said they are currently interviewing suitable applicants and will make an appointment next week.

HAMILTON ROADING

His Worship referred to the roading upgrades currently being undertaken in and around Hamilton and said there is an incredible amount of road works being carried out.

HAMILTON AIRPORT

His Worship informed Members of a Hamilton Airport Shareholders meeting this afternoon expressing Hamilton's desire to be a default airport to Auckland.

MAYORAL FORUM

His Worship advised that a Mayoral Forum will be held on 29 July 2013.

LGNZ

His Worship reminded Members of the LGNZ annual conference to be held next week Sunday, Monday and Tuesday in Hamilton.

KAWHIA SLIPWAY

His Worship informed Members of a pre-meeting discussion regarding the Kawhia slipway to be held Thursday 18 July, 5.00pm.

Item 373 REVIEW OF THE GAMBLING VENUE POLICIES

Discussion

The Environmental Services Manager referred Members to a report on submissions received on the Review of the Otorohanga District Council Gambling Venue Policies. He said the Gambling Act 2003 and the Racing Act 2003 require triennial reviews of Council's Gambling Venue Policies. This process must be conducted in accordance with the Special Consultative Procedure in the Local Government Act 2002. The review of these policies was publically notified on 10 May 2013.

His Worship welcomed the submitters to the meeting.

OTOROHANGA CLUB INC

Mr Brian Ferguson, president of the Otorohanga Club Inc, introduced his executives, Dave Meyers, Gavin Hazeldon, Mike Wanden, Lou Jones and Manager Mark Davey to Members. He submitted apologies from Anne McNeil, Ray Lovell and Eddie Pevreal.

Mr Ferguson presented a written statement putting forward an Otorohanga point of view, a viewpoint of a successful side to gambling and its benefits. He said this is not based on the worldwide issue that the Problem Gambling Association and others are telling Council about today. He said these organisations do not want to talk about the benefits this Community has or the benefits it could gain, or the opportunities for other sports clubs, tourism and business development in our area. By not being open minded how we could force people/tourists to pass through Otorohanga until they get accommodation, food and gaming somewhere else. He said this is about Otorohanga and what might be around the corner if the 'door' is left slightly ajar.

Mr Ferguson also advised that he and his Committee are here to defend themselves as they feel they have been attacked by Council, on the way they manage their Club, especially their gaming income. He advised that the Otorohanga Club is one of the great assets of this Community and supports many Community sports and schools. He said the Club has given the Community \$45,000 per year more than they are required to and this is without all the other benefits the Club provides to this Community.

Mr Ferguson requested that Council concentrate on what is best for Otorohanga. He said yes, there is problem gambling, whatever percent it exists but it is a small percent and the harm minimisation programmes, etc, that the Club has really help minimize this issue.

Mr Ferguson concluded advising that Council has nothing to lose but could gain plenty by selecting option 2 – Controlled Increase in Venues.

His Worship thanked Mr Ferguson for his very comprehensive presentation. He said Councillors are not aware of individual local businesses affairs and rely on information sought from other avenues. He said it is not Council's job to judge the merit of a gambling venue policy however, it is here to determine what the policy should look like. His Worship said Otorohanga is a very small Community. This policy will only be active for three years and that no other local organisation has put forward a submission in what they would like to see in this policy.

Cr Baxter expressed the opinion that the Club is a fantastic venue however, this is a matter of policy and is separate to that of running the Club. Mr Ferguson replied that, in saying that, issues have been identified which have not been passed on to Councillors.

PROBLEM GAMBLING FOUNDATION OF NEW ZEALAND

Mr Eru Loach, Health Promoter for PGFNZ attended the meeting and summarised his submission. He acknowledged the local Iwi and the Guardians of the District. Mr Loach

summarised his submission by stating that 'electronic gambling machines (pokies) are not a harmless product that a few 'weak-willed' individuals need help with. These machines are designed to encourage addiction and are doing significant harm which is why two in five regular pokie machine users develop a problem at some point. The 1-2 percent of our population experiencing direct and often severe harm from gambling is just the tip of the iceberg. Each person with a gambling problem affects about 5-10 others. This means as many as 500,000 are affected by the significant economic health, personal and social costs that gambling problems cause in NZ.

Mr Loach reported that the Foundation recommends that Council maintain a 'sinking lid' policy. He said this would reduce the number of venues over time but would not affect existing venues or current community funding in the short term. A district wide ban on any new venues or machines would reduce the harm caused by gambling, including the social and economic harm.

His Worship replied that in accepting all the information contained in the submission Council does have a responsibility to its Community. He questioned whether the District has reached a point where a 'sinking lid' policy is not required. His Worship said from a Community reflection is it best to support ones own Community? Council is attempting to speak on behalf of its people.

NZ RACING BOARD

Mr Jarrod True presented the Boards submission on Council's Gambling Venue Policy. He advised that the NZ Racing Board invites Council to replace the current 'sinking lid' policy on gaming machines in the Otorohanga District with a cap at current numbers – three venues and 32 gaming machines. In concluding Mr True informed Members that Council needs to strike a balance between the costs and benefits of Class 4 gambling. It is accepted that a small percentage (0.3 percent of the adult population) who play gaming machines do have a problem with their gambling. Casual expenditure on gaming machines is a form of entertainment for a lot of people and over 99 percent of the public are not adversely affected. Gaming machines provide a considerable amount of Community funding to local Community Groups each year. This funding is the life-blood of many organisations within the Otorohanga District.

Mr True reported that the gaming industry has now reached a point where it is heavily regulated by legislation which is described by the Department of Internal Affairs as 'world leading'. The gaming machine numbers are in decline, gaming machine revenue is trending down and gaming machine participation is reducing. In light of the new regulations which are now in place and the natural decline in the gaming machine industry, it is submitted that the 'sinking lid' be replaced with a cap at current numbers – three venues and 32 gaming machines. A 'sinking lid' will not reduce problem gambling but will reduce Community funding opportunities and may lead to migration to other forms of gambling.

POPULATION HEALTH – WAIKATO DISTRICT HEALTH BOARD

Representatives Kay Kristensen and Dell Hood attended the meeting and presented their submission. Members were informed that the organisation supports the existing policy, ie 'sinking lid' policy. The reason for making this submission is to –

1. Prevent and minimise the harm caused by gambling
2. Highlight the broader Public Health impacts of gambling,
3. Support Otorohanga District Council retain their 'sinking lid' policy in its entirety.

Ms Hood congratulated Council on the effectiveness of the current policy.

His Worship acknowledged all of the submitters and for taking the time to present their various points of view. He said receipt of this information is very important to Council.

LUNCHEON ADJOURNMENT

Council adjourned for lunch at 1.00pm and resumed at 1.35pm.

His Worship requested each Members preferred option on the review. Cr Prescott extended his thanks to the submitters. He said he is in favour of retaining the status quo as this is able to be reviewed at any time and will not prevent anyone asking for the policy to be changed. He said Council retains some flexibility.

Cr Johnson reported that he supported option 2, the introduction of a 'cap'. He said based on the strength of the submissions presented, this will not allow problem gambling to increase but allow the perception of growth within the Community.

Cr Ormsby expressed the opinion that there is more strength in supporting the capping option.

Cr Phillips preferred the 'sinking lid' policy and felt that in the submissions too many words such as 'believe' and thought have been used.

Cr Pilkington supported the 'sinking lid' policy however, expressed concerns that should the Kawhia Hotel close what source of funding would be available for the area. She said she took some comfort from the fact that Council can review this policy at any time.

Cr Blackler expressed a preference for option 2, capping, and felt that this will not make much difference in regards to the accountability and distribution of funds by the Otorohanga Club.

Cr Baxter preferred the 'sinking lid' policy and felt that this had worked so far. The fact that the policy can be reviewed at any time helped him in making a decision.

His Worship reported that he preferred the 'sinking lid' policy however, he felt that regardless what option Council favoured during the three year period neither one would make any realistic difference to the Community. Furthermore, under the 'sinking lid' policy it indicates that Council does not favour an increase in gambling machines but would consider this further should an application be received. His Worship said this Council has also signaled a responsibility for a level of care for those who cannot do so themselves.

Resolved

That

1. The report be received, and
2. Pursuant to Section 101 Gambling Act 2003, and Section 65E Racing Act 2003 Council adopts the existing Class 4 Gambling Venue Policy 2010 and TAB Board Venue Policy 2010 without change.

His Worship / Cr Phillips

When put the motion was carried however, Crs Blackler, Johnson and Ormsby voted against the motion and requested that this be recorded in the minutes.

MEETING CLOSED

The meeting concluded at 1.45pm.

MAYOR:

DATE: