

KAWERAU DISTRICT COUNCIL

MINUTES OF AN ORDINARY MEETING OF THE KAWERAU DISTRICT COUNCIL HELD ON TUESDAY 29 SEPTEMBER 2009 IN THE COUNCIL CHAMBER COMMENCING AT 9.00AM

PRESENT: His Worship the Mayor (M J Campbell)
Councillor R J Chase
Councillor A J Holmes
Councillor C J Ion
Councillor B H Joyes
Councillor B J Julian
Councillor A L Moore
Councillor S H Tuhoro

IN ATTENDANCE: Chief Executive Officer (R George)
Manager, Operations & Services (T McDowall)
Manager, Finance & Community Services (G Jamieson)
Policy Analyst /Strategic Planner (S van Egmond)
Administration Officer (G Woodgate)

APOLOGIES

RESOLVED

Councillors Holmes / Moore

That the apologies of Councillor W G Allen be received and sustained.

OPENING PRAYER

Pastor Matai Bennett opened the meeting with a prayer.

PUBLIC FORUM

Mr Stuart Debenham spoke in Public Forum and raised the following issues:

- **Rain Water from Farm**
Mr Debenham expressed concern regarding the rubbish washed down from the farm and the cost of cleaning up debris being borne by the ratepayers.
- **Elected Members' Remuneration**
Mr Debenham expressed disappointment that only two Councillors had declined their increase.

Following several points of clarification, Mr Debenham was thanked for his comments.

1 CONFIRMATION OF ORDINARY COUNCIL MINUTES

1.1 Ordinary Council – 25 August 2009

Council considered the Minutes of the Ordinary Council meeting held on 25 August 2009.

RESOLVED

Councillors Julian / Joyes

That the Minutes of the Ordinary Council meeting, held on 25 August 2009, be confirmed as a true and accurate record.

2 RECEIPT OF COMMITTEE MINUTES

2.1 Regulatory & Services Committee Meeting – 15 September 2009

Council considered the Minutes of the Regulatory & Services Committee meeting held on 15 September 2009.

RESOLVED

Councillors Holmes / Tuhoro

That the Minutes of the Regulatory & Services Committee meeting held on 15 September 2009 be received.

3 HIS WORSHIP THE MAYOR'S REPORT (101400)

Council considered a report on His Worship the Mayor's activities for the month of August 2009.

RESOLVED

His Worship the Mayor / Councillor Ion

That His Worship the Mayor's report for the month of August 2009 be received.

4 ANNUAL PLAN NON-FINANCIAL PERFORMANCE FOR THE YEAR ENDED 30 JUNE 2009 (110400)

Council considered a report on Council's non-financial performance for the year ended 30 June 2009.

RESOLVED

Councillors Joyes / Chase

That the report be received.

5 FINANCIAL PERFORMANCE TO 30 JUNE 2009 (201000)

Council considered a report summarising Council's Financial performance for the year ended 30 June 2009.

RESOLVED

Councillors Holmes / Julian

That the report of the Manager, Finance & Community Services on Council's financial performance for the year ended 30 June 2009 be received.

6 2009 REPRESENTATION REVIEW (101283)

Council considered a report on the 2009 Representation Review.

RESOLVED

Councillors Julian / Joyes

That the report be received.

7 ENCROACHMENT 8 RYDER PLACE (301530/401100)

Council considered a report on a request from Te Urungamai o Te Ra Kohanga Reo to relocate the front fence at 8 Ryder Place adjacent to the footpath.

RESOLVED

Councillors Holmes / Moore

That the encroachment at 8 Ryder Place applied for by Te Urungamai o Te Ra Kohanga Reo be declined.

His Worship the Mayor and Councillors Ion, Joyes and Tuhoro voted against the motion.

His Worship the Mayor used his casting vote to retain the status quo.

8 GENERAL BYLAW 2009 PARTS 1-4 (320000)

Council considered a report, summary table and copies of the submissions to the draft General Bylaw 2009 Parts 1-4.

Two of the submitters (Mr Murray Hansen and Mr Nigel Hastie) spoke to their submissions.

RESOLVED

Councillors Joyes / Julian

1. *That the submissions to the Draft General Bylaw 2009 Parts 1-4 be received.*
2. *That Council confirms the making of the General Bylaw 2009 Parts 1-4 as amended and confirms the declaration of Ranfurly Court and Jellicoe Court as pedestrian malls, at its meeting on 27 October 2009.*
3. *That the following changes be made to the Draft General Bylaw Parts 1-4.*
 - (i) *To alter the definition of occasional food premises as per the New Zealand Food Safety Authority submission.*
 - (ii) *To alter the definition of exempted food premises as per the New Zealand Food Safety Authority submission.*
 - (iii) *To alter the definitions of “authorised officer” and “authorised agent” in Part 1 to include officers who are designated under other statutory authority as per the New Zealand Food Safety Authority submission.*
 - (iv) *To alter the minimum size of building numbers for commercial properties to 50mm as per Mr Murray Hansen’s submission.*

9 GENERAL BYLAW 2009 PARTS 5-7 (320000)

Council considered a report outlining the background to date in making Parts 5-7 and the considerations required at this stage of the process.

RESOLVED

Councillors Moore / Joyes

- 1. That, pursuant to section 155 (2) (b) of the Local Government Act 2002, the Kawerau District Council Draft General Bylaw 2009 Parts 5-7 does not give rise to any implications under the New Zealand Bill of Rights Act 1990.*
- 2. That, pursuant to Part 8 of the Local Government Act 2002, Council adopts the Draft General Bylaw 2009 Parts 5-7 (Statement of Proposal) and Summary of Information and commences the special consultative procedure, with submissions closing on Monday, 2 November 2009.*
- 3. That, Council will hear, consider and make determinations on any submissions made to the Draft General Bylaw Parts 5-7 at its meeting on 24 November 2009.*

10 PROPOSED ALLEYWAY STOPPAGE – BROWNE & HOBSON STREETS ALLEYWAY (408140)

Council considered a report from the Administration Officer regarding a proposed alleyway stoppage between Browne and Hobson Streets.

RESOLVED

Councillors Holmes/ Moore

- 1. That the Browne/Hobson Street alleyway be stopped, the concrete pathway and light removed, the soil levelled and grassed.*
- 2. That the five year licences to occupy be drawn up for the three adjacent property owners.*

Meeting adjourned at 9.55am

Meeting reconvened at 10.40am

Meeting closed at 11.14am

M J Campbell

MAYOR

Z:\2009\03\Meetings\Council\Minutes\Minutes.2009.08.29Sept.doc