

Date: Tuesday 28 February 2023 at 3.00PM  
Venue: Council Chambers, 63 Miranda Street, Stratford

### Present

The Deputy Mayor – M McKay (the Chairperson), the District Mayor N C Volzke, Councillors: S J Beck, A M C Dudley, J M S Erwood, A K Harris, E E Hall, V R Jones, M McKay, C M Tongaawhikau, M J Watt

*Via audio visual link: Councillor G W Boyde*

### In attendance

The Chief Executive – Mr S Hanne, the Director – Corporate Services – Mrs T Radich, the Director – Assets – Mrs V Araba, the Director – Environmental Services – Mr B Sutherland, the Committee Advisor and Executive Assistant – Mrs E Bishop, the Communications Manager – Ms G Gibson (*part meeting*), the Roding Asset Manager – Mr S Bowden (*part meeting*), the Parks and Reserves Officer – Mrs M McBain (*part meeting*), the Property Officer – Mrs S Flight (*part meeting*), the Projects Manager/Engineer – Mr S Taylor (*part meeting*), the Corporate Accountant – Mrs C Craig (*part meeting*), the Roding Engineer – Mrs D Taplin (*part meeting*), the Services Asset Manager – Mr J Cooper (*part meeting*), the HR & Governance Administrator – Mrs C Reynolds (*part meeting*), the Graduate Asset Engineer – Ms K Van Hout (*part meeting*), the Revenue Manager – Mrs J Erwood (*part meeting*), the Chair Percy Thomson Trust – Mr B Ellis, and one member of the media (Stratford Press).

*Via audio visual link: The Acting Director – Community Services – Mr C Julie (part meeting)*

### 1. Welcome

The opening karakia was read.

The Deputy Mayor welcomed the Chief Executive, Councillors, staff, and the media.

The Deputy Mayor reiterated the health and safety message and emergency procedures.

### 2. Apologies

An apology was received from Councillor W J Sandford and an apology for lateness noted from the Director – Community Services – Mr C Julie.

#### Recommendation

THAT the apologies be received.

HARRIS/HALL  
Carried  
P&S/23/12

### 3. Announcements

There were no announcements.

### 4. Declarations of members interest

Elected members were asked to declare any real or perceived conflicts of interest relating to items on this agenda. There were no declarations of interest.

## 5. Attendance Schedule

The Attendance schedule for Policy and Services Committee meetings, including Hearings, was attached.

## 6. Confirmation of Minutes

### 6.1 Policy & Services Committee – 24 January 2023 D23/2635 Page 13

#### Recommendation

THAT the minutes of the Policy and Services Committee Meeting held on Tuesday 24 January 2023 be confirmed as a true and accurate record.

TONGAAWHIKAU/VOLZKE  
Carried  
P&S/23/13

## 7. Matters Outstanding

D16/47 Page 20

#### Recommendation

THAT the Matters Outstanding be received.

ERWOOD/JONES  
Carried  
P&S/23/14

The Chief Executive noted that an element of the discussion of the *Future of Page Street Swimming Pool Complex* to be considered will be the earthquake rating of the facility. Rating assessments for all council facilities are being undertaken and will be brought to the next Audit and Risk Committee for discussion. Officers will be in a position to return to council with a full report on the former pool building following this discussion.

## 8. Information Report – Percy Thomson Trust – Half Yearly Report as at 31 December 2022

D23/5844 Page 21

#### Recommendations

1. THAT the report be received.

HARRIS/DUDLEY  
Carried  
P&S/23/15

2. THAT Council receive the half yearly report for Percy Thomson Trust as at 31 December 2022.

HALL/TONGAAWHIKAU  
Carried  
P&S/23/16

#### Recommended Reason

In terms of Section 66 of the Local Government Act 2002 the Percy Thomson Trust, being a council controlled organisation, must deliver to Council a half yearly report (as at 31 December 2022) on or before 28 February 2023.

Mr Ellis, Chairman of the Percy Thomson Trust, noted the following points:

- The first six months of the year were pretty good in relation to the budget and the Trust is happy to see the numbers heading towards meeting the target of 20,000 visitors per year.
- There are increased costs pressures this financial year and the Trust has just gone out to tender for redoing part of the roof. There are further pressures as a result of inflation such as wages and the Trust will continue to keep a close eye on these.
- There is also development work being undertaken at the arboretum but the bulk of this has been funded by a Taranaki Electricity Trust grant.

Questions/Points of Clarification:

- The District Mayor noted the reduced revenue from investments, changing interest rates and less external funding and questioned if any intervention was required to break that cycle. Mr Ellis clarified that the Trust is continuing to look at selling some of its investments and take advantage of capital gains it has made, but the market is difficult at the moment. The restrictions for applications to funders for particular projects has also created some difficulties.

## 9. Information Report – Percy Thomson Trust – Statement of Intent 2023-2026

D23/5845 Page 43

### Recommendation

1. THAT the report be received.

DUDLEY/ERWOOD  
Carried  
P&S/23/17

2. THAT Council receive the Statement of Intent for Percy Thomson Trust for the period 1 July 2023 to 30 June 2026.

VOLZKE/WATT  
Carried  
P&S/23/18

### Recommended Reason

In terms of Schedule 8 of the Local Government Act 2002 Percy Thomson Trust, being a Council Controlled Organisation, must deliver a statement of intent on or before 1 March 2023.

*The Corporate Accountant and Mr Ellis left the meeting at 3.12pm*

## 10. Information Report – Local Governance Statement

D23/6258 Page 66

### Recommendations

1. THAT the report be received.

HARRIS/JONES  
Carried  
P&S/23/19

2. THAT the *Local Governance Statement 2023* be ~~reviewed and~~ received.

HALL/JONES  
Carried  
P&S/23/20

### Recommended Reason

Section 40 of the Local Government Act 2002 requires that a *Local Governance Statement* be prepared and made publicly available by Council within six months after each triennial election.

The Director – Corporate Services clarified the Local Governance Statement was required for publication by legislation but that council was not required to adopt it. It was agreed to remove the words “*reviewed and*” from the resolution.

### Recommendations

1. THAT the report be received.

TONGAAWHIKAU/JONES  
Carried  
P&S/23/21

2. THAT the attached, updated and new policies, being the:

- Smokefree Environments – Public Spaces and Community Events Policy
- Workshop Policy
- Waste Levy Contestable Fund Policy

be adopted, with the noted changes to the Smokefree Environments – Public Spaces and Community Events Policy .

3. THAT the

- *Smoke-free Environments – Council Buildings and Public Spaces Policy*
- Paper Records Policy

be withdrawn.

ERWOOD/BECK  
Carried  
P&S/23/22

### Recommended Reason

This is part of council's rolling review of policies. Policies require review from time to time to ensure they still reflect current legislation and best practice, as well as elected members' views and meet the business needs of the organisation. Any policies recommended for withdrawal have either been found to be not required, amalgamated into an existing policy or replaced by a new policy as outlined in the body of this report.

The Chief Executive noted this report was a regular policy update.

- The most notable policy was the Smokefree Environments – Public Spaces and Community Events Policy for which legislative change directly impacted the scope of. It was noted that this policy had options for change depending on the route elected members wished to take with it. Due to the substantial changes from the current policy it was recommended the new policy be adopted and the former Smoke-free Environments – Council Buildings and Public Spaces policy be withdrawn.
- The Paper Records Policy was governed by an internal policy as to how council looks after its records. There are no benefits for the external public so it is recommended that this policy be withdrawn.

Questions/Points of Clarification:

Smokefree Environments – Public Places and Community Events

- Councillor Boyde questioned if resource was available to regulate this policy. The Chief Executive clarified that staffing resources could be discussed if elected members wished to go this way. Concerns were noted from elected members that compliance could be compromised if not enforceable.
- Councillor Hall questioned if it was possible to have an enforcement policy without the resources to enforce it. The Chief Executive confirmed it was.
- The District Mayor suggested the deletion of clause 4.5 and the amendment of the second paragraph under purpose to remove the line “ *The Policy is there voluntary and non-regulatory and*” the last sentence of this paragraph will now read “*People are encouraged to comply with the policy in the spirit of promoting healthy lifestyle choices*”. The amendments were supported.

Waste Levy Contestable Fund Policy

- Councillor Jones requested that 2.2 be amended to state that this policy “will allocate a maximum of \$50,000 over the next two years”.

12. Decision Report – Establishment of the Waste Levy Advisory Group

D23/4378 Page 118

**Recommendations**

1. THAT the report be received.

JONES/HALL  
Carried  
P&S/23/23

2. THAT the committee approves the establishment of the Waste Levy Advisory Group as *Option 1, 2, 3 or 4*

3. THAT the committee notes the appointment to the Waste Levy Advisory Group of Deputy Mayor McKay and Councillor Watt as adopted on 8 November 2022 by Council.

TONGAAWHIKAU/VOLZKE  
Carried  
P&S/23/24

**Recommended Reason**

To enable the assessment of Waste Levy Contestable Fund applications as per the Waste Levy Contestable Fund Policy

Questions/Points of Clarification:

- The Director – Assets clarified that the preferred option of one waste officer to avoid a division on decisions. One officer was sufficient to provide advice.
- The District Mayor supported the structure in option 1 to ensure the majority of the group was elected members. He noted it only needed to be a small group which would only meet once a year.

13. Decision Report – New fencing around the Wastewater Treatment Ponds

D23/5088 Page 122

**Recommendations**

1. THAT the report be received.

DUDLEY/WATT  
Carried  
P&S/23/25

2. THAT the Committee approves the erection of fencing around the wastewater pond

3. THAT the committee approve the allocation of funding to erect the fencing in this financial year.

**Recommended Reason**

To minimise the Council’s exposure to risk of injury or death as a result of falling or drowning in the wastewater treatment ponds.

The Director – Assets noted that this report seeks approval to replace the original fence, she noted the risk involved in not completing this decision and the liability on council if someone was to drown making this an urgent decision.

#### Questions/Points of Clarification:

- It was clarified that the ponds were currently fully fenced and had signage. It was not known how many near misses could have occurred as it is an unstaffed site.
- It was clarified that this was in order to protect those who shouldn't be there in the first place and to ensure compliance in the future.
- Councillor Jones questioned if council was responsible for every toddler or person that enters our properties even though they shouldn't be there in the first place or is this decision for the contractors who are there working? The Chief Executive noted this was to protect everyone.
- Councillor Jones questioned if this was needed at the waste water ponds then should it be done at the Victoria Park pond or the Patea River? Mr Hanne noted that it was not required for natural bodies of water such as rivers but that as Victoria Park was a man-made pond there was no clear fit where it would sit.
- It was clarified that best practice would be a fence that is at least 1.8m high to replace the current fence which cannot just be extended.
- It was clarified that legislation requires all technical and practical steps to avoid the incident. It is outcomes based rather than prescriptive.
- Councillor Watt questioned if the same standards needed to be applied to the pond at Victoria Park as council's proneness to risk is much higher at Victoria Park where there is no fence at all. Mr Hanne noted that legal opinion could be sought on this but there might not be any further clarity if a case has not gone to court.
- Councillor Jones noted the previous discussion on the potential rates increase and reducing costs, he questioned if council could afford another \$175,000 if the spare budget for the waste water ponds was required for other works. The Services Asset Manager noted that the work programme was on track and if the asset transferred to entity b then the budget would remain unspent.
- The District Mayor noted that only half of the councillors attended the visit to the oxidation ponds and suggested it would be worthwhile leaving this item on the table to be discussed following a site visit for councillors to appreciate the size of the ponds and the fencing that is currently there. He noted that if he was rating the list of water hazards he would not rate the oxidation ponds as number one and felt Victoria Park was much more hazardous. He felt contractors had their own health and safety measures to ensure they do not fall into the pond and should have processes in place to ensure they are rescued – including lifejackets when dredging so it would be a stretch to state this new fence was in place to protect them. Therefore it was important to weigh up the benefits for the community.
- Mrs Araba noted that they would seek a legal opinion for Victoria Park and organise a site visit to the oxidation ponds to ensure elected members have all the facts.
- Councillor Jones noted his support in delaying the decision, especially until the outcome of the case study would not be known until 6 March.
- Mr Cooper noted that Gore District Council had been instructed to make these changes immediately after the incident.
- Councillor Harris questioned if this decision could go to the Audit and Risk Committee in terms of the risk to council? Mr Hanne clarified that this decision was about the asset risk in terms of the community safety. The Director – Corporate Services noted it usually takes an incident or threat to a risk to discuss at that committee whereas this decision is looking to minimise and reduce a risk. Councillor Harris noted that this discussion had evolved into including the risk at Victoria Park as well. She noted her support for a site visit.
- It was clarified the waste water ponds were not an individual risk on council's risk register but would fall under risk to the public from a council asset which is very high on the list.
- Councillor Dudley noted that the walkway alongside the waste water ponds posed more of a risk for slipping or falling in the river than the ponds.
- Councillor Jones requested clarification from the Health and Safety Advisor why the landowner is liable if someone enters a private property illegally.
- Councillor Tongaawhikau noted the importance of taking note of what has actually happened. This is an asset that the community pays council to look after. He agreed proper guidance would be good but that now it has been brought to council's attention it shouldn't just be pushed away as at the end of the day council is responsible. This is not a private asset it belongs to the community.

- It was agreed to let this item lie on the table until the next Policy and Services Committee meeting ensuring time is made for a site visit in the meantime. Councillors can defer the item to the May Audit and Risk Committee at this time if it is deemed appropriate.
- It was clarified that if this budget was not allocated, or spent, then it would become an underspend at the end of financial year and that by reallocating the budget it would not affect rates.

### Recommendations

THAT this item lie on the table to be discussed at the next Policy and Services Committee Meeting following a site visit by the committee.

VOLZKE/McKAY  
Carried  
P&S/23/26

## 14. Monthly Reports

### 14.1 Assets Report D23/3779 Page 131

#### Recommendation

THAT the report be received.

WATT/HARRIS  
Carried  
P&S/23/27

#### Questions/Points of Clarification:

- It was clarified that the request for proposal for the concept design at Wai o Rua – Stratford Aquatic Centre was a request to see who in the community would be able to undertake this work. It was noted that a request had been made from a local sports club to discuss relocating their sports ground at the next public forum. Therefore it was important that elected members are shown the current footprint of the aquatic centre including any potential extensions to the facility to ensure the future of the complex is not compromised while considering accommodating another sports group.
- It was clarified that the costs for pavement repairs to Brewer Road and Mangaehu Road were \$525,000 with an additional \$180,000 for culvert and drainage work. This is one of the few sealed roads in the rural area and shows that sealing a road incurs major expenses with forestry damage. Mr Bowden noted he was discussing with the contractors if it would be cheaper to maintain if it was returned to an unsealed road but the community would want assurance that it would be returned to a sealed road upon the completion of the forestry operations. It was noted that a cost would need to be discussed for this work but that seal extension costs approximately \$100,000 per kilometre. This would also require consultation with the local residents at the very least. It was noted that council had just spent \$500,000 repairing Puniwhakau Road due to forestry damage.
- Councillor Boyde congratulated those involved in the Transport Choices funding package.
- The Deputy Mayor clarified her question regarding recycling related to the percentage of recycling that ends up in landfill following leaving our recycling facility. Mr Hanne noted that the vendors (i.e. sorting facility) would get penalised if a shipment contains in excess of a certain level of contamination so it would be very low. The vast majority of contamination is removed at the sorting facility.
- It was clarified the water main on Esk Road goes across to Pembroke Road in case demand requires it or for a fire fighting requirement.

*The Services Asset Manager, Parks and Reserves Officer, Property Officer, Roding Engineer and Projects Engineer/Manager left the meeting at 4.08pm.*

*The Director – Community Services joined the meeting via audio visual link at 4.08pm.*

**14.2 Community Services Report**  
D23/4859 Page 153

**Recommendation**

THAT the report be received.

HALL/HARRIS  
Carried  
P&S/23/28

Questions/Points of Clarification:

- It was noted that the band for Summer Nights had been amazing, unfortunately not all the people expected to attend in the park attended the event following it being moved inside. The War Memorial Centre provided an excellent concert location but the numbers were disappointing. Those that attended had an amazing time.
- The Director – Community Services noted that officers were awaiting a conversation with Ngāti Maru in regards to timing for the opening ceremony of the Whangamomona Walkways.
- It was requested that the Communications Manager seek clarity on the publication of the LGOIMA requester names. The District Mayor noted that this would help elected members understand who was seeking this information and if they were local or not.

**14.3 Environmental Report**  
D23/1065 Page 161

**Recommendation**

THAT the report be received.

BECK/JONES  
Carried  
P&S/23/29

The Director – Environmental Services noted that officers had heard from surveyors that their workload is reducing so are expecting to see a decrease in resource consents.

Questions/Points of Clarification:

- Mr Sutherland confirmed that there had been a number of building consents sent back to applicants for further information. It is expected that as workloads get under control the standard of consent applications coming in will improve.

**14.4 Corporate Services Report**  
D23/6089 Page 168

**Recommendation**

THAT the report be received.

DUDLEY/HARRIS  
Carried  
P&S/23/30



Points noted in discussion:

- The District Mayor noted that there had been a couple of items, specifically around the pool costs and potential rates rise, that have been discussed during the workshop today. He requested it be noted that councillors are showing real concern around these topics and are working to address them.

*The Revenue Manager joined the meeting at 4.16pm.*

## 15. Questions

There were no questions.

## 16. Resolution to Exclude the Public

### **RECOMMENDATION**

THAT the public be excluded from the following parts of the proceedings of this meeting, namely:

Agenda Item No: 17

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:

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution to each matter</b>	<b>Grounds under section 48(1) for the passing of this resolution</b>
Legal Proceedings - Rates	The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons.	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist, under section 6 and section 7 of the Act - specifically Section 7(2)(a). (Section 48(1)(a) Local Government Official Information and Meetings Act 1987.

TONGAAWHIKAU/ERWOOD

Carried  
P&S/23/31

The media left the meeting at 4.17pm.

17. Public Excluded Item - Decision Report – Legal Proceedings - Rates  
D23/533 Page 186

**Recommendation**

THAT the open meeting resume.

VOLZKE/TONGAAWHIKAU  
Carried  
P&S/23/34

18. Closing Karakia  
D21/40748 Page 193

The closing karakia was read.

*The meeting closed at 4.29pm.*

M McKay  
**Chairperson**

Confirmed this 28<sup>th</sup> day of March 2023.

N C Volzke  
**District Mayor**