Minutes of a meeting for the Waikato District Council held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **MONDAY, 17 MAY 2021** commencing at **9.31am**.

Present:

His Worship the Mayor, Mr AM Sanson (Chairperson)
Cr AD Bech
Cr JA Church
Cr CA Eyre
Cr JM Gibb
Cr SL Henderson
Cr SD Lynch
Cr RC McGuire
Cr FM McInally
Cr JD Sedgwick

Attending:

Mr GJ Ion (Chief Executive)
Mr R MacCulloch (General Manager Service Delivery
Mrs S O'Gorman (General Manager Customer Support)
Mr J Ebenhoh (Planning & Policy Manager)
Ms A Diaz (Chief Financial Officer)
Ms L Shirley (Zero Harm Manager)
Ms J Bishop (Contracts & Partnering Manager)
Mr M Janssen (Project Manager)
Mr L McCarthy (Asset Engineer)
Ms H Beaven (Corporate Planning Team Leader)
Mrs A Plumpton (Development Contributions Coordinator)
Mrs GJ Kanawa (Democracy Team Leader)

APOLOGIES AND LEAVE OF ABSENCE

Resolved: (Crs Sedgwick/McInally)

THAT the apologies:

i) from Councillors Patterson, Smith and Woolerton, absent on Council business, be received; and

ii) from Cr Thomson for not attendance be received.

CARRIED **WDC2105/01**

CONFIRMATION OF STATUS OF AGENDA ITEMS

Resolved: (Crs Eyre/Gibb)

THAT the Waikato District Council confirms:

i) the agenda for the meeting held on Monday, 17 May 2021 and all items therein be considered in open meeting with the exception of those items detailed at agenda Item 8 which shall be considered with the public excluded;

ii) the late (supplementary) agenda for the meeting held on Monday, 17 May 2021, with all items therein being considered in open meeting as Items 7.3 and 7.4 respectively;

iii) the following items be withdrawn from the agenda:

Planning & Regulatory Committee Recommendations (Item 6.1)

a) LGNZ Conference

b) Keeping of Animals By-law Review; and

iv) that all reports be received.

CARRIED **WDC2105/02**

DISCLOSURES OF INTEREST

Councillor Henderson disclosed an interest in Item 1.2 of the late agenda (now renumbered as Item 7.4).

CONFIRMATION OF MINUTES

Resolved: (Crs Bech/Eyre)

THAT the following minutes of the Waikato District Council be confirmed as a true and correct record:

i) minutes of an Ordinary Council meeting held on 6 April 2021;

ii) minutes of an Extraordinary Council meeting held on 28 April 2021; and

iii) minutes of an Extraordinary Council meeting held on 5 May 2021.

CARRIED **WDC2105/03**

ACTIONS REGISTER – MAY 2021

The report was received *[WDC2105/02 refers]*. No discussion was held.

COMMITTEE RECOMENDATIONS

Policy & Regulatory Committee
Agenda Item 6.1

The report was received *[WDC2105/02 refers]*. There was no discussion held.

Approval to Revoke Control of Coastal Erosion on Council Reserves (P&R2104/04)

Resolved: (Crs Sedgwick/Lynch)

THAT the Waikato District Council revokes the Control of Coastal Erosion on Council Reserves Policy 1997 with immediate effect.

CARRIED **WDC2105/04**

Procurement Policy (P&R2104/05)

Resolved: (Crs Sedgwick/Gibb)

THAT the Waikato District Council adopts the updated Procurement Policy.

CARRIED **WDC2105/05**

Local Government NZ Conference – July 2021 (P&R2104/06)

This item was withdrawn as the Policy & Regulatory Committee are delegated to make the decision.

Hearing for Proposed Amendments to the Waikato District Council Keeping of Animals Bylaw 2015 (P&RHE2102/06)

This item was withdrawn and replaced with the late item 7.4 circulated under separate cover.

Infrastructure Committee
Agenda Item 6.2

The report was received *[WDC2105/02 refers]*. There was no discussion held.

Meremere Wastewater Plant Upgrade – Electricity Easement in Gross (INF2105/08)

Resolved: (Crs Gibb/McGuire)

THAT the Waikato District Council:

i) in accordance with s.48(3) Reserves Act, confirms that public notification of the proposed electricity easement in gross is not required for the Meremere Wastewater Plant Upgrade as the proposal is considered not to be detrimental to the reserve or its users; and

ii) exercise its delegated authority under Section 48 of the Reserves Act 1977 to complete a grant of electricity easement in gross, in favour of WEL Networks Limited, over parts of the land legally described as Lot 1 DPS 47624.

iii) delegates authority to the Chief Executive to execute all relevant documentation to give effect to the resolution.

CARRIED **WDC2105/06**

Relocation of Huntly Train Station Building (INF2105/09)

Resolved: (Crs Gibb/Lynch)

THAT the Waikato District Council:

i) approves the $100,000 of tagged funds currently held in the Property Proceeds Reserve be released to the Huntly Train Station relocation and refurbishment project budget; and

ii) delegates authority to the Chief Operating Officer to execute any relevant documentation to give effect to these resolutions.

CARRIED **WDC2105/07**

REPORTS

Zero Harm Update
Agenda Item 7.1

The report was received *[WDC2105/02 refers]*. The following was discussed:

- Staff advised they were about to publish a new standard in safety system around leadership and culture.
- The team continued to deliver a significant amount of training, to both new starts and existing staff.
- It was highlighted that there were a few events in April, with investigations underway.

- Concern raised with the health and safety standards within our parks, i.e. what mechanisms were in place to ensure ongoing compliance of equipment that is put in as part of a development.

ACTION: Staff to work with developers in regard to health and safety plans when installing new playgrounds and ongoing responsibilities to the community.

- Health and safety for hall committees – a workshop is scheduled with Councillors to address some of these issues (bearing in mind many of these committees consist of volunteers and we need to ensure that we maintain good relationships with them).

ACTION: Workshop to be held with Councillors in regard to addressing health and safety issues for Hall Committees.

- Queries raised around levels of incidents, for which staff explained at the meeting.
- Query around whether this was a bad month or increase in incidents ongoing. Staff advised unable to draw conclusions at this stage. However, the Chief Executive noted incidents were happening across other Council areas so not localised.
- Conscious of obligation to staff and community members in public spaces and facilities.
- Six monthly risk review due and will be working on training in regard to situation safety.

Port Waikato Adaptive Management Planning: Co-Design Report
Agenda Item 7.2

The report was received *[WDC2105/02 refers]*. The following was discussed:

- Hostility towards Council at the beginning has now significantly changed – thanks all the staff for the community work done and co-design report.
- Strongly suggest an open day to introduce this direction. It was noted that there was a residents and ratepayers delegate involved in the project.

ACTION: Request Council hold an open day to raise awareness with the balance of the Community.

- It was noted that whilst the co-design report had a number of desired actions, these were still to be contained within existing budgets.

Tabled Item: Replacement pages 1, 2 and 4 of the draft strategy.

Resolved: (Crs Eyre/Church)

THAT the Waikato District Council endorses the Port Waikato Resilience Strategy Co-Design Report as a guiding document for the Port Waikato Adaptive Management Planning Project, noting the amendments to pages 1, 2 and 4 of the

CARRIED **WDC2105/08**

Note: Councillor Sedgwick requested her abstention on the above resolution be recorded.

LATE AGENDA ITEMS

Local Government New Zealand – Remits
Agenda Item 7.3

The report was received *[WDC2105/02 refers]*. The following discussion was held:

- Gisborne had submitted a remit in regard to fly dumping which has become a significant issue for them.
- Positive feedback was provided by the Council in regard to Waikato's remit.

Resolved: (Crs Bech/Sedgwick)

THAT the Waikato District Council provides retrospective formal agreement of the Remit for consideration at the Local Government New Zealand (LGNZ) Annual General Meeting in July 2021.

CARRIED **WDC2105/09**

Adoption of the Proposed Amended Waikato District Council Keeping of Animals Bylaw 2015
Agenda Item 7.4

Cr Henderson did not take part in the conversation nor vote on this item.

The report was received *[WDC2105/02 refers]*. The following discussion was held:

- Movable structures on smaller sections – permitted in proposed bylaw.

Resolved: (Crs Lynch/Gibb)

THAT the Waikato District Council adopts the reviewed and amended Keeping of Animals Bylaw 2015, as set out in Late Agenda Item 1.2 (Appendix 1).

CARRIED **WDC2105/10**

EXCLUSION OF THE PUBLIC
Agenda Item 8

Resolved: (Crs Bech/Sedgwick)

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

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
Item 1 **Confirmation of Public Excluded Minutes for 6 April 2021 and 28 April 2021**	**Good reason to withhold exists under Section 6 or Section 7 Local Government Official Information and Meetings Act 1987**	**Section 48(1)(a)**
Item 3.1 **Development Agreement - 6 Waugh Lane, Huntly - Builtsmart Properties Limited**		
Item 3.2 **Draft Development Agreement - 192 Old Taupiri Road, Ngaruawahia**		
Item 3.3 **Te Awa Cycleway – Change in Project Funding**		
Item 3.4 **Smart Environmental Limited – Contract renewal for further 5 year period 1 July 2021 to 30 June 2026**		

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 which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

Item No.	Section	Interest
Item 1 **Confirmation of Public Excluded Minutes for 6 April 2021 and 28 April 2021**		**Refer to the previous Public Excluded reason in the agenda for this meeting.**
Item 3.1 **Development Agreement - 6 Waugh Lane, Huntly - Builtsmart Properties Limited**	**7(2)(b)(ii)**	**To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.**
Item 3.2 **Draft Development Agreement - 192 Old Taupiri Road, Ngaruawahia**	**7(2)(b)(ii)**	**To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.**
Item 3.3 **Te Awa Cycleway – Change in Project Funding**	**7(2)(b)(ii)**	**To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.**
	7(2)(i)	**To enable the Council to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).**
	7(2)(j)	**To prevent the disclosure or use of official information for improper gain or improper advantage.**
Item 3.4 **Smart Environmental Limited – Contract renewal for further 5 year period 1 July 2021 to 30 June 2026**	**7(2)(b)(ii)**	**To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.**
	7(2)(i)	**To enable the Council to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).**

Item No.	Section	Interest
Item 3.5 **Metropolitan Waste (Waikato) Limited – Contract Renewal and Extension 29 June 2021 to 30 June 2026**	**7(2)(b)(ii)**	**To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.**
	7(2)(i)	**To enable the Council to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).**

CARRIED **WDC2105/11**

Having concluded the public excluded meeting, the following items were released into open meeting:

Infrastructure Committee Recommendations
PEX Agenda Item 2.1

The report was received *[WDC2105/02 refers]*. No discussion was held.

Te Kauwhata Reservoir – PWA Land Acquisition (INF2105/12)
It was resolved *[Resolution No. WDC2105/13]* during the public excluded section of the meeting that the following resolution be released into open section of the meeting, but the report remain confidential and unavailable to the public:

"Resolved: (Crs Eyre/Bech)

THAT the Waikato District Council approves that:

i) part of Section 2 SO 466166 being part RT 618291 (as shown on the Land Requirement Plan appended to the staff report) be acquired as a site extension to provide safe vehicle access to the Te Kauwhata Reservoir at a price established by valuation and within property policy;

ii) the acquisition and associated costs including reimbursement of the land-owner's reasonable costs pursuant to s.66 of the Public Works Act 1981 be funded as a Te Kauwhata Reservoir project cost;

iii) the Chief Executive be delegated to execute all relevant documentation to give effect to these resolutions; and

iv) the resolutions be released into open section of the meeting, but the report remains confidential and unavailable to the public.

CARRIED"

Raglan Food Waste Collection (INF2105/15)
It was resolved *[Resolution No. WDC2105/15]* during the public excluded section of the meeting that the following resolution be released into open section of the meeting, but the report remain confidential and unavailable to the public:

Resolved: (Crs Eyre/McGuire)

THAT the Waikato District Council agrees:

i) to fully fund the food waste collection service for Raglan from the Waste Minimisation Reserve Fund in the 2021/22 financial year;

ii) to undertake consultation in 2022 as part of the Annual Plan process on a proposed targeted rate to continue the service in 2022/23 and beyond; and

iii) that the resolutions be released into open section of the meeting, but the report remains confidential and unavailable to the public.

CARRIED"

REPORTS

Development Agreement - 6 Waugh Lane, Huntly - Builtsmart Properties Limited
PEX Agenda Item 3.1

It was resolved *[Resolution No. WDC2105/16]* during the public excluded section of the meeting that the following resolution be released into open section of the meeting, but the report remain confidential and unavailable to the public:

"Resolved: (Crs Lynch/McInally)

THAT the Waikato District Council approves:

i) the Draft Development Agreement with Builtsmart Properties Limited, as attached to the staff report under Item 3.1 of the agenda; and

ii) that the resolutions be released into the open section of this meeting, but the report remains confidential and unavailable to the public.

CARRIED"

Draft Development Agreement - 192 Old Taupiri Road, Ngaruawahia
PEX Agenda Item 3.2

It was resolved *[Resolution No. WDC2105/17]* during the public excluded section of the meeting that the following resolution be released into open section of the meeting, but the report remain confidential and unavailable to the public:

"Resolved: (Crs Gibb/Church)

THAT the Waikato District Council approves:

i) the Draft Development Agreement with G and N Kelly in relation to 192 Old Taupiri Road, Ngaruawahia – as attached to the staff report under Item 3.2 of the agenda; and

ii) that the resolutions be released into the open section of the meeting, but the report remains confidential and unavailable to the public.

CARRIED"

Te Awa Cycleway – Change in Project Funding
PEX Agenda Item 3.3

It was resolved *[Resolution No. WDC2105/18]* during the public excluded section of the meeting that the following resolution be released into open section of the meeting, but the report remain confidential and unavailable to the public:

"Resolved: (Crs Gibb/Sedgwick)

THAT the Waikato District Council approves:

i) the local share for the Te Awa Cycleway project of $2,232,000 be replaced with external funding from Ministry of Business, Innovation and Employment (MBIE); and

ii) that the resolutions be released into open section of the meeting, but the report remains confidential and unavailable to the public.

CARRIED"

There being no further business the meeting was declared closed at 10.50am.

Minutes approved and confirmed this day 2021.

AM Sanson
CHAIRPERSON