

Minutes of a meeting of the Waikato District Council held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **MONDAY 10 DECEMBER 2018** commencing at **1.15pm**.

Present:

His Worship the Mayor, Mr AM Sanson (Chairperson)
Cr AD Bech
Cr JA Church
Cr DW Fulton
Cr JM Gibb
Cr SL Henderson
Cr SD Lynch
Cr RC McGuire
Cr FM McNally
Cr BL Main
Cr EM Patterson
Cr JD Sedgwick
Cr NMD Smith
Cr LR Thomson

Attending:

Mr GJ Ion (Chief Executive)
Mr I Cathcart (General Manager Service Delivery)
Mr C Morgan (General Manager Community Growth)
Mrs S O’Gorman (General Manager Customer Support)
Mr TG Whittaker (Chief Operating Officer)
Mrs RJ Gray (Council Support Manager)
Ms L Shirley (Zero Harm Manager)
Mr L McCarthy (Roading Asset Engineer)
Ms S Solomon (Junior Corporate Planner)
Ms C Pidduck (Legal Counsel)
Mr A Averill (Contractor)
14 members of staff

APOLOGIES AND LEAVE OF ABSENCE

All members were present.

CONFIRMATION OF STATUS OF AGENDA ITEMS

Resolved: (Crs Thomson/Smith)

THAT the agenda for a meeting of the Waikato District Council held on Monday 10 December 2018 be confirmed 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;

AND THAT the Committee resolves that the following items be added to the agenda as a matter of urgency as advised by the Chief Executive:

- **Submission on the Auckland Regional Public Transport Plan 2018-2028**
- **Future Proof – Looking Forward.**

CARRIED on the voices

WDC1812/01

DISCLOSURES OF INTEREST

There were no disclosures of interest.

CONFIRMATION OF MINUTES

Resolved: (Crs McNally/Sedgwick)

THAT the minutes of a meeting of the Waikato District Council held on Monday 12 November 2018 be confirmed as a true and correct record of that meeting.

CARRIED on the voices

WDC1812/02

CONFIRMATION OF EXTRAORDINARY MINUTES

Resolved: (Crs Sedgwick/Gibb)

THAT the minutes of an extraordinary meeting of Waikato District Council held on Wednesday 28 November 2018 be confirmed as a true and correct record of that meeting.

CARRIED on the voices

WDC1812/03

COMMITTEE AND DEPARTMENTAL REPORTS

Policy & Regulatory Committee

Zero Harm

Agenda Item 5.1.1

The Zero Harm Manager took the report as read and answered questions in general on health and safety matters raised, and specifically in relation to:

- supporting people
- leadership workshops
- event management, finalising the investigation for the treatment plant with the review identifying approximately 10 recommendations
- working from home environments
- engagement programme going forward
- asbestos and critical risk timing.

Resolved: (Crs Bech/Church)

THAT the report from the Chief Executive be received.

CARRIED on the voices

WDC1812/04

Emergency Management Arrangement with Waikato Regional Council

Agenda Item 5.1.2

Resolved: (Crs Smith/Gibb)

THAT Waikato District Council agrees to the termination of the Service Level Agreement with Waikato Regional Council for the Provision and Management of a Civil Defence Emergency Management Coordinator;

AND THAT Waikato District Council agrees that the service for the provision and management of the Civil Defence Emergency Management Coordinator be brought in-house;

AND FURTHER THAT the termination of this Agreement is subject to receiving a formal agreement from Waikato Regional Council as per clause 16(c) of the Service Level Agreement;

AND FURTHER THAT Waikato District Council thanks the Group Emergency Management Office and the Waikato Regional Council for the support and management of the Civil Defence Emergency Management role over the last five years, and recognises the contribution they have made to what is now a very successful function.

CARRIED on the voices

WDC1812/05

Submission on the Auckland Regional Public Transport Plan 2018-2028
Add.Item

The Roading Asset Engineer took the report as read. The submission was supported and the work carried out is cemented and acknowledged in the Plan.

Resolved: (Crs Fulton/Church)

THAT the report from the General Manager Community Growth be received;

AND THAT Council approves the submission on the Auckland Regional Public Transport Plan (RPTP) 2018-2028.

CARRIED on the voices

WDC1812/06

Strategy & Finance Committee

Receipt of Strategy & Finance Committee Minutes
Agenda Item 5.2.1

Resolved: (Crs Gibb/Bech)

THAT the minutes of a meeting of the Strategy & Finance Committee held on Wednesday 28 November 2018 be received.

CARRIED on the voices

WDC1812/07

S&F1811/05-10 – Hearings for Proposed Waikato District Plan – Appointment of External Independent Hearings Commissioners and Delegation of Powers to Hearings Panel to Make Decisions on Submissions on Proposed Waikato District Plan (Stages 1 and 2)

Crs Fulton, Gibb and Sedgwick declared a conflict of interest and did not take part in discussion or voting on this item.

Resolved: (Crs Bech/Smith)

THAT two external independent commissioners be appointed to the pool to make up the Hearings Panel of the Proposed Waikato District Plan, Stages 1 and 2;

AND THAT subject to staff discussions with iwi, Dr Phil Mitchell be appointed as Chair and Mr Paul Cooney be appointed as Deputy Chair of the Hearings Panel of the Proposed Waikato District Plan, Stages 1 and 2;

AND FURTHER THAT following engagement with tangata whenua, at least one further independent commissioner with an understanding of tikanga Maaori and of the perspectives of local iwi or hapuu, be appointed, at a later date by Council,

to the pool to make-up the Hearings Panel of the Proposed Waikato District Plan, Stages 1 and 2;

AND FURTHER THAT Council delegates to the Chair of the Hearings Panel the power to determine the composition of the Hearings Panel for specific topics and/or individual hearings of submissions on the Proposed Waikato District Plan, Stages 1 and 2;

AND FURTHER THAT Council delegates to the Hearings Panel all powers, duties and functions under the Resource Management Act 1991 to consider, hear, deliberate and decide on all submissions and further submissions received on the Proposed Waikato District Plan Stages 1 and 2;

AND FURTHER THAT Council adopts the Terms of Reference for the Proposed Waikato District Plan Hearings Panel as set out in Attachment I to the agenda.

CARRIED on the voices

WDC1812/08

S&F1811/11 - National Policy Statement on Urban Development Capacity Minimum Housing Targets

Crs Fulton, Gibb and Sedgwick declared a conflict of interest and did not take part in discussion or voting on this item.

Resolved: (Crs Bech/Patterson)

THAT the recommended mandatory changes to the Operative Waikato District Plan (Waikato and Franklin Sections) and the Proposed District Plan are approved;

AND THAT these changes take place prior to 21 December 2018 with public notice issued within 5 working days of implementation.

CARRIED on the voices

WDC1812/09

S&F1811/12 - Consideration of Conservation Fund Application

Resolved: (Crs Gibb/Sedgwick)

THAT Council approves the Conservation Fund application from B Carsons for \$5,000 in full.

CARRIED on the voices

WDC1812/10

S&F1811/13 - Update on Waikato District Heritage Forum

Resolved: (Crs Gibb/Henderson)

THAT Council supports exploring a regional approach for a Waikato Regional Archival Repository.

CARRIED on the voices

WDC1812/11

S&F1811/14 - Consultation on the Proposed Raglan Food Waste Targeted Rate

Resolved: (Crs Gibb/Patterson)

THAT Council approves to consult with the Raglan community on the proposed targeted rate to continue the kerbside food waste collection service for Raglan.

CARRIED on the voices

WDC1812/12

S&F1811/15 - Economic Development Update November 2018

Resolved: (Crs Gibb/Main)

THAT Council supports and adopts the Economic Development Work Programme for 2018/19.

CARRIED on the voices

WDC1812/13

S&F1811/17 - Request to Purchase RTV for Wainui Farm

Resolved: (Crs Gibb/Bech)

THAT Council approves the funding proposal for the Purchase of the Kubota RTV-x900.

CARRIED on the voices

WDC1812/14

Proposed Amendments to the Delegations to the Infrastructure Committee and the Strategy & Finance Committee

Agenda Item 5.2.2

The Junior Corporate Planner took the report as read and provided a brief overview.

Resolved: (Crs Church/Patterson)

THAT the report from the General Manager Community Growth be received;

AND THAT the Delegations Register be amended to allow the Infrastructure Committee and the Strategy & Finance Committee to approve the commencement of engagement/consultation without requiring approval from Council.

CARRIED on the voices

WDCI812/15

Future Proof – Looking Forward
Add.Item

Resolved: (Crs Bech/Gibb)

THAT the report from the Chief Executive be received;

AND THAT Council notes that the Future Proof Chief Executives have reviewed the currency and relevance of the existing Future Proof arrangements (given that the Hamilton to Auckland Corridor Plan is currently underway) and that this was reported to the Future Proof Implementation Committee on 5 December 2018;

AND FURTHER THAT, in accordance with a resolution of the Future Proof Implementation Committee of 5 December 2018, Council considers the changes proposed to the Future Proof governance, management and technical model in response to the Hamilton to Auckland Corridor Plan;

AND FURTHER THAT Council approves the proposed changes to the Future Proof governance, management and technical model in response to the Hamilton to Auckland Corridor Plan;

AND FURTHER THAT Council notes that should any of the Future Proof partners not agree on the proposed change to the Future Proof structure (or have views that are significantly different to what is contained in this report) the Chief Executives will meet in February 2019 to thrash out a consensual position to take to the Future Proof Implementation Committee that same month.

CARRIED on the voices

WDCI812/16

Infrastructure Committee

Receipt of Infrastructure Committee Minutes
Agenda Item 5.3.1

Resolved: (Crs Fulton/Patterson)

THAT the minutes of a meeting of the Infrastructure Committee held on Tuesday 27 November 2018 be received.

CARRIED on the voices

WDC1812/17

INF1811/04 - Section 1 SO 527032 to be Declared Service Lane

Resolved: (Crs Fulton/Main)

THAT pursuant to section 114 Public Works Act 1981 that Section 1 SO 527032 be declared to be service lane;

AND THAT the Chief Executive be delegated authority to execute all relevant documentation.

CARRIED on the voices

WDC1812/18

INF1811/05 - Contract 11/064 – UGL (NZ) Limited – Further Increase to Contract Sum

Resolved: (Crs Fulton/ McInally)

THAT Council approve the increase of \$291,432.54 in Approved Contract Sun for the Contract 11/064 – UGL (NZ) Limited.

CARRIED on the voices

WDC1812/19

INF1811/06 - Waikato District Alliance GAIN Share Distribution

Resolved: (Crs Fulton/Gibb)

THAT Council approve the distribution of the Waikato District Alliance GAIN share of \$211,744.00 as follows:

- **Mangawara Stream Bridge \$170,632.00**
- **Road Maintenance Projects \$41,112.00.**

CARRIED on the voices

WDC1812/20

INF1811/07 - Horsham Downs Link Road – Progressing the Project

Resolved: (Crs Fulton/Smith)

THAT Council approves the additional loan funding required of \$911,000 for the Horsham Downs Link Road;

AND THAT Council approves the construction be carried out by the Waikato District Alliance;

AND FURTHER THAT Council grants the Waikato District Alliance dispensation against current variation approvals to allow the works to be undertaken.

CARRIED on the voices

WDC1812/21

INF1811/08 - The Point Reserve Management Plan

Resolved: (Crs Fulton/Patterson)

THAT Council receives the Draft The Point Reserve Management Plan and notes that this will be released (with any amendments) for public submission in January 2019;

AND THAT Council reappoints the hearings panel comprising of Cr Fulton, Cr Gibb and Cr Smith and invites representation from Waikato-Tainui to join the panel to hear any submissions received on The Point Reserve Management Plan.

CARRIED on the voices

WDC1812/22

Receipt of Infrastructure Subcommittee Minutes – Natural Reserves Management Plan
Agenda Item 5.3.2

Resolved: (Crs Fulton/Sedgwick)

THAT the minutes of a meeting of the Infrastructure Subcommittee held on Tuesday 30 October 2018 and continued on Thursday 22 November 2018 be received.

CARRIED on the voices

WDC1812/23

INF1810/02 – Hearing of Submissions to the Natural Reserves Management Plan

Resolved: (Crs Fulton/Sedgwick)

THAT Council adopts the Natural Reserves Management Plan.

CARRIED on the voices

WDC1812/24

Discretionary & Funding Committee

Receipt of Discretionary & Funding Committee Minutes

Agenda Item 5.4.1

Resolved: (Crs Lynch/McGuire)

THAT the minutes of a meeting of the Discretionary & Funding Committee held on Monday 12 November 2018 be received.

CARRIED on the voices

WDC1812/25

COMMUNITY BOARD MINUTES

Receipt of Onewhero-Tuakau Community Board Minutes

Agenda Item 6.1

Resolved: (Crs Church/Henderson)

THAT the minutes of a meeting of the Onewhero-Tuakau Community Board held on Monday 5 November 2018 be received.

CARRIED on the voices

WDC1812/26

Receipt of Taupiri Community Board Minutes

Agenda Item 6.2

Resolved: (Crs Gibb/Patterson)

THAT the minutes of a meeting of the Taupiri Community Board held on Monday 12 November 2018 be received.

CARRIED on the voices

WDC1812/27

Receipt of Raglan Community Board Minutes
Agenda Item 6.3

Resolved: (Crs Thomson/Lynch)

THAT the minutes of a meeting of the Raglan Community Board held on Tuesday 13 November 2018 be received.

CARRIED on the voices

WDC1812/28

Receipt of Ngaruawahia Community Board Minutes
Agenda Item 6.4

Resolved: (Crs Patterson/Gibb)

THAT the minutes of a meeting of the Ngaruawahia Community Board held on Tuesday 13 November 2018 be received.

CARRIED on the voices

WDC1812/29

Receipt of Huntly Community Board Minutes
Agenda Item 6.5

Resolved: (Crs McNally/Lynch)

THAT the minutes of a meeting of the Huntly Community Board held on Tuesday 20 November 2018 be received.

CARRIED on the voices

WDC1812/30

COMMUNITY COMMITTEE MINUTES

Receipt of Te Kauwhata Community Committee Minutes
Agenda Item 7.1

Resolved: (Crs Sedgwick/Thomson)

THAT the minutes of a meeting of the Te Kauwhata Community Committee held on Wednesday 7 November 2018 be received.

CARRIED on the voices

WDC1812/31

Receipt of Meremere Community Committee Minutes
Agenda Item 7.2

Resolved: (Crs Sedgwick/Thomson)

THAT the minutes of a meeting of the Meremere Community Committee held on Thursday 8 November 2018 be received.

CARRIED on the voices

WDC1812/32

Receipt of Tamahere Community Committee Minutes
Agenda Item 7.3

Resolved: (Crs Bech/Church)

THAT the minutes of a meeting of the Tamahere Community Committee held on Monday 5 November 2018 be received.

CARRIED on the voices

WDC1812/33

Receipt of Pokeno Community Committee Minutes
Agenda Item 7.4

Resolved: (Crs Church/Henderson)

THAT the minutes of a meeting of the Pokeno Community Committee held on Tuesday 13 November 2018 be received.

CARRIED on the voices

WDC1812/34

EXCLUSION OF THE PUBLIC

Agenda Item 8

Resolved: (Crs Thomson/Patterson)

THAT the report from the Chief Executive be received;

AND THAT the public be excluded from the meeting to enable Council to deliberate and make decisions on the following items of business:

Confirmation of Minutes dated 12 November 2018

Receipt of Minutes:

- **Strategy & Finance Committee dated 28 November 2018**
- **Infrastructure Committee dated 27 November 2018**

REPORTS

a. **Additional Funding Request to Complete the Hopuhopu to Huntly Pipeline – Options and Award of Contract I8/078**

The general subject of the matter to be considered while the public is excluded, the reason, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 are as follows:

Reason for passing this resolution to withhold exists under: Ground(s) under section 48(1) for the passing of this resolution is:

Section 7(2)(a)(b)(ii)

Section 48(1)(3)(d)

b. **Mayoral Delegation November 2019**

The general subject of the matter to be considered while the public is excluded, the reason, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 are as follows:

Reason for passing this resolution to withhold exists under: Ground(s) under section 48(1) for the passing of this resolution is:

Section 7(2)(b)(f)(j)

Section 48(1)(3)(a)(d)

c. **Chief Executive's Issues**

The general subject of the matter to be considered while the public is excluded, the reason, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 are as follows:

Reason for passing this resolution to withhold exists under: Ground(s) under section 48(1) for the passing of this resolution is:

Section 7(2)(f)(g)(h)(i)(j)

Section 48(1)(a)(d)

d. **Mayoral Issues**

The general subject of the matter to be considered while the public is excluded, the reason, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 are as follows:

Reason for passing this resolution to withhold exists under: Ground(s) under section 48(1) for the passing of this resolution is:

Section 7(2)(f)(g)(h)(i)(j)

Section 48(1)(a)(d)

CARRIED on the voices

WDC1812/35

Resolutions WDC1812/36 – WDC1812/48 are contained in the public excluded section of these minutes.

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

REPORTS (CONTINUED)

INF1811/12 – Mercer Domain

It was resolved [*Resolution No WDC1812/40 – 42*] during the public excluded section of the meeting that the following resolutions be released into open meeting:

'INF1811/12 – Mercer Domain

Resolved: (Crs Smith/Thomson)

THAT Council inform the Mercer community of the intention to relinquish control and management of Allotment 136 Parish of Koheroa due to the historic significance of this land to Maaori and that the role of kaitiaki best resides with local iwi, and to seek the proceeds be made available to Council for the acquisition or development of reserves for the benefit of the Mercer community;

AND THAT the resolution be released into open meeting and the report be made available.

CARRIED on a show of hands, 9 voting in FAVOUR, 3 voting AGAINST and 2 Abstentions **WDC1812/40**

Resolved: (Crs Sedgwick/Bech)

THAT Council consult with the Mercer community over the intention to proceed to have part Allotment 139 Parish of Koheroa and Koheroa 90B Block classified as recreation reserve;

AND THAT Council then prepare in conjunction with the Mercer Community, a Reserve Management Plan under the Reserves Act 1977.

AND THAT the resolution be released into open meeting and the report be made available.

CARRIED on the voices

WDC1812/41

Resolved: (Crs Fulton/Patterson)

THAT pursuant to the provisions of s.28(2) of the Reserves Act 1977 Council request the Minister of Conservation to revoke the appointment of the Waikato District Council to control and manage that part of the Mercer Recreation Reserve (also known as the Mercer Domain) legally described as Allotment 136 Parish of Koheroa comprising 25.8999 hectares;

AND THAT Council advise the Minister of Conservation that this request is made because of the historic significance this land has to Maaori and that Council consider that the role of Kaitiaki best resides with local iwi;

AND FURTHER THAT in terms of the letter dated 25 August 2014 from the Minister of Conservation to the Mayor, Council makes application to the Crown for any proceeds derived from the disposal of Allotment 136, to be made available to Council for the acquisition or development of reserves for recreation or amenity purposes for the benefit of the Mercer community;

AND FURTHER THAT pursuant to the provisions of s.16 of the Reserves Act 1977 Council requests the Minister of Conservation to classify part Allotment 139 Parish of Koheroa and Koheroa 90B Block as recreation reserve;

AND FURTHER THAT the Council request the Minister, exercising the provisions of s.26 of the Reserves Act 1977, to vest part Allotment 139 Parish of Koheroa and Koheroa 90B Block in Council as recreation reserve, subject to Council arranging a plan of survey to define the balance of part Allotment 139 Parish of Koheroa;

AND FURTHER THAT pursuant to the provisions of s.41 of the Reserves Act 1977 and to the delegation from the Minister of Conservation date 12 June 2013, Council authorises production of a Reserve Management Plan for the reduced area of the Mercer Domain;

AND THAT the resolution be released into open meeting and the report be made available.

CARRIED on the voices

WDC1812/42'

His Worship wished everyone a very Merry Christmas, thanked the Councillors for their co-operation with issues during the year, noting they were a great team to work with.

There being no further business the meeting was declared closed at 4.08pm.

Minutes approved and confirmed this day of 2019.

AM Sanson
CHAIRPERSON