
Minutes of a meeting of the Waikato District Council held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **MONDAY 10 JUNE 2019** commencing at **1.00 pm**.

Present:

His Worship the Mayor, Mr AM Sanson (Chairperson)
Cr AD Bech
Cr JA Church [*from 1:09pm*]
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:

Mrs S O’Gorman (General Manager Customer Support)
Mr R MacCulloch (Acting General Manager Service Delivery)
Mr C Morgan (General Manager Community Growth)
Ms L Shirley (Zero Harm Manager)
Ms M Russo (Team Leader, Corporate Planning)
Mr B Stringer (Democracy Manager)

Ms E O’Dwyer (Waikato Times Reporter)

APOLOGIES AND LEAVE OF ABSENCE

There were no apologies.

CONFIRMATION OF STATUS OF AGENDA ITEMS

Resolved: (Crs Sedgwick/McInally)

THAT the agenda for a meeting of the Waikato District Council held on Monday 10 June 2019 be confirmed and all items therein be considered in open meeting with the exception of those items detailed at agenda item 9 which shall be considered with the public excluded;

AND FURTHER THAT in accordance with Standing Order 9.12 the Council resolves that:

- a. the following item be added to the Public Excluded Agenda as a matter of urgency as advised by His Worship the Mayor and the Chief Executive to expedite the tender assessment and decision-making process in relation to i-Site services in Raglan:

Public Excluded Item 3.2 – Raglan i-SITE Tender Review Subcommittee;
and

- b. Item 9 in the Open Agenda (Exclusion of the Public) is substituted with the amended Item 9, as tabled at the Meeting, to reflect the additional Public Excluded item;

AND FURTHER THAT, pursuant to clause 22(1)(a), Schedule 7 Local Government Act 2002, the Council resolves to call an extraordinary Council meeting on Wednesday, 26 June 2019 at 1:00pm;

AND FURTHER THAT the Council resolves that the following items be deferred to the 25 June 2019 Extraordinary Council meeting:

- a. Item 8.1 – Adoption of Annual Plan, including fees and charges amendments; and
- b. Item 8.2 – Rates Resolution for 2019/20.

CARRIED on the voices

WDC1906/01

DISCLOSURES OF INTEREST

Councillor Thomson advised that she would declare a non-financial conflict of interest in Item 3.2 (Raglan i-Site Tender Review Subcommittee) in the Public Excluded Agenda.

Councillors Sedgwick, Gibb and Fulton advised of their interest in the Strategy and Finance Committee Recommendation to Council (Agenda Item 5.1.2) in relation to - District Plan Review – Project Update (S&F 1905/06). The Councillors noted they would not take part in discussions on this matter and they would abstain from voting.

CONFIRMATION OF MINUTES

Resolved: (Crs Gibb/Bech)

THAT the minutes of a meeting of the Waikato District Council held on Monday 13 May 2019 be confirmed as a true and correct record of that meeting.

CARRIED on the voices

WDC1906/02

COMMITTEE AND DEPARTMENTAL REPORTS

Policy & Regulatory Committee

Committee recommendations to Council

Proposed Amendments to LGNZ Rules – P&R1905/05

Resolved: (Crs Sedgwick/Patterson)

THAT Council approves proposals 1 (Te Maruata representation), 3 (Administrative substantive changes) and 4 (Minor amendments to modernise and rationalise language) to change the LGNZ Rules; and awaits further information on proposal 2 (Auckland Council representation on National Council), as such proposals are detailed in the staff report (Item 6.1 of the Policy & Regulatory Committee Agenda of 21 May 2019).

CARRIED on the voices

WDC1906/02

Zero Harm

Agenda Item 5.1.2

The Zero Harm Manager took the report as read and highlighted the following issues:

- An increase in Safety Engagement Conversations during May;
- Additional overspeed event information provided in the report, as requested at the Council meeting in May 2019;
- Working Alone Risk Assessments have been undertaken across a number of teams.

Resolved: (Crs Bech/McInally)

THAT the report from the Chief Executive be received.

CARRIED on the voices

WDC1906/03

Strategy & Finance Committee

Committee recommendations to Council

Agenda Item 5.2.1

Consultation Results on the proposed Raglan Food Waste Targeted Rate - (S&F 1905/04)

Resolved: (Crs Bech/Smith)

THAT Council does not implement the proposed targeted rate and the Raglan kerbside food waste collection discontinue being funded by the Council as of 30 June 2019.

AND THAT the Council engage with Xtreme Zero Waste to enable Xtreme Zero Waste to continue to providing the Raglan kerbside food waste collection service, if they so wish and at their cost, from the 1st July 2019.

CARRIED on the voices

WDC1906/04

Councillor Church arrived at 1:09pm during discussion, and took part in voting, on the above item.

Consideration of Conservation Fund Applications - (S&F 1905/05)

Resolved: (Crs Sedgwick/McInally)

THAT Council approves the Conservation Fund application of \$5,280.00 from Wrights Bush Restoration Group in full.

CARRIED on the voices

WDC1906/05

District Plan Review – Project Update - (S&F 1905/06)

Resolved: (Crs Bech/Lynch)

THAT Council approves the minor changes to the Terms of Reference for the District Plan Review Hearings Panel (Stage 1 and 2) as shown in Attachment I to the staff report (Item 5.3 in the Strategy & Finance Committee Agenda).

CARRIED on the voices

WDC1906/06

Councillors Sedgwick, Gibb and Fulton abstained from voting on the above item, with their respective interests as commissioners on the District Plan Review Hearings Panel noted.

Treasury Risk Management Policy – Compliance Report at 31 March 2019 - (S&F1905/07)

Resolved: (Crs Gibb/Lynch)

THAT Council notes the non-compliance with the Treasury Risk Management Policy for fixed/floating interest rate control for the fourth quarter of the 2018/19 financial year.

CARRIED on the voices

WDC1906/07

Development Contribution Levies for 2019/20 - (S&F1905/08)

Resolved: (Crs Gibb/Bech)

THAT Council approves that Appendix I of the Development Contributions Policy be updated for 2019/20 to capture producer price index movements over the past financial year.

CARRIED on the voices

WDC1906/08

Waikato Quarries Limited – Exemption from being classified as Council Controlled Organisation - (S&F1905/09)

Resolved: (Crs Gibb/Sedgwick)

THAT the following Council resolution (WDC1612/04/2/2) be altered from:

THAT pursuant to section 7(3) of the Local Government Act 2002 (“LGA”) Waikato District Council exempt Strada Corporation Limited (“Strada”) from being classified as a council controlled organisation, for the purposes of section 6(4) of the LGA;

AND THAT on reaching its decision, the Council has taken the following matters into account:

- a. Strada has ceased trading and is therefore no longer a council controlled trading organisation;*
- b. Strada has realised almost all its assets and is in the process of returning its capital to Council;*
- c. There is a cost benefit to Strada and Council not having to comply with the statement of intent and monitoring provisions set out in Part 5 of the LGA;*
- d. When the asset realisation process is completed Strada will have no further activities to undertake. Its only asset will be a balance of \$625,000.00, receivable from Waikato Quarries Limited. Strada will have no liabilities other than contingent*

liabilities as guarantor under the Quarry Sale Agreement between Waikato Quarries Limited and Fulton Hogan Limited.

to read:

Resolved: (Crs Gibb/Sedgwick)

THAT Pursuant to section 7(3) of the Local Government Act 2002 Waikato District Council exempt both Strada Corporation Limited and its subsidiary Waikato Quarries Limited from being classified as council controlled organisations, for the purposes of section 6(4) of the LGA;

AND THAT on reaching its decision, the Council has taken the following matters into account:

- a. **Strada Corporation Limited and Waikato Quarries Limited have ceased trading and are therefore no longer council controlled trading organisations;**
- b. **The companies have realised almost all assets and are in the process of returning capital to Council;**
- c. **There is a cost benefit to not having to comply with the provisions set out in Part 5 of the LGA;**
- d. **When the asset realisation process is completed the companies will have no further activities to undertake. Strada Corporation Limited's only asset will be a balance of \$625,000 receivable from Waikato Quarries Limited. Strada Corporation Limited will have no liabilities other than contingent liabilities as guarantor under the Quarry Sale Agreement between Waikato Quarries Limited and Fulton Hogan Limited.**

CARRIED on the voices

WDC1906/09

Civic Financial Services Limited Annual General Meeting - (S&F1905/10)

Resolved: (Crs Gibb/Lynch)

THAT Council supports the reduction of directors on the Civic Financial Services Limited's Board from six to five as proposed in the special resolution below:

Special Resolution to Reduce the Maximum Number of Directors of the Board:

That the Company reduce the maximum number of directors from six to five pursuant to clause 15.1.2 of the Company's constitution, with effect from 1 July 2019.

CARRIED on the voices

WDC1906/10

Replacement of Raglan Museum Air-Conditioning Units - (S&F1905/11)

Resolved: (Crs Gibb/Patterson)

THAT Council approves:

- a. the funding to replace the three air-conditioning units at the Raglan i-SITE and Museum with the added protection of a salt resisting coating, at an estimated cost of \$10,000 plus GST (Option 2 in the staff report; Item 7.1 in the Strategy & Finance Committee Agenda); and
- b. that the replacement costs be funded from the Properties Replacement Reserve

CARRIED on the voices

WDC1906/11

Infrastructure Committee

Committee recommendations to Council

Agenda Item 5.3.1

Declaration of Reserve Land as Road – Greenslade Road, Raglan (INF1905/04)

Resolved: (Crs Fulton/Thomson)

THAT Council approves:

- a. classifying all the land described in the **FIRST SCHEDULE** as **Local Purpose (Access Way) Reserve**;
- b. declaring all the land described in the **SECOND SCHEDULE** as road;

AND FURTHER THAT the Chief Executive be delegated authority to execute all relevant documents necessary to give effect to the resolution.

FIRST SCHEDULE

All the land firstly described as being Part Deeds Plan 589 of 1391 square meters comprised in Record of Title SA12D/693; delineated in **YELLOW** on Appendix I labelled as “Access Way 2” in the staff report (Item 5.7, Infrastructure Committee Agenda).

All the land secondly described as being Part Deeds Plan 589 of 1131 square meters; delineated in **YELLOW** on Appendix I labelled as “Access Way 3” in the staff report (Item 5.7, Infrastructure Committee Agenda).

SECOND SCHEDULE

All the land firstly described as being LOT 1 on DPS 82344 of 993 square meters comprised in Record of Title SA65B/21; delineated in BLUE on Appendix 2 labelled as “Access Way 1” in the staff report (Item 5.7, Infrastructure Committee Agenda).

All the land secondly described as being Part Deeds Plan 589 of 1391 square meters comprised in Record of Title SA12D/693; delineated in BLUE on Appendix 2 labelled as “Access Way 2” in the staff report (Item 5.7, Infrastructure Committee Agenda).

All the land thirdly described as being Part Deeds Plan 589 of 1131 square meters; delineated in BLUE on Appendix 2 labelled as “Access Way 3” in the staff report (Item 5.7, Infrastructure Committee Agenda).

All the land thirdly described as being Part Deeds Plan 589 of 3364 square meters; delineated in BLUE on Appendix 2 labelled as “Access Way 4” in the staff report (Item 5.7, Infrastructure Committee Agenda).

CARRIED on the voices

WDC1906/12

Right of Way over Plantation Reserve – Bay View Road, Raglan (INF1905/05)

Resolved: (Crs Fulton/Patterson)

THAT Council:

- a. grants a right of way over the land described in the **FIRST SCHEDULE** in favour of the land described in the **SECOND SCHEDULE**; and;
- b. requires that costs resulting from giving effect to this resolution are borne by the applicant, and that all future maintenance costs for the **Right of Way** are borne by the owner of the land described in the **SECOND SCHEDULE**.

AND THAT the Chief Executive be delegated to execute all relevant documents necessary to give effect to the resolution.

FIRST SCHEDULE (‘the reserve land’)

All the land legally described as being Part Lot 1 on Deeds Plan 982 comprised in Record of Title SA522/31; delineated in **YELLOW** on Appendix 1 labelled as “The Reserve Land” in the staff report (Item 5.8, Infrastructure Committee Agenda).

SECOND SCHEDULE (‘the applicant’s land’)

All the land legally described as being LOT 2 on DPS 22447 comprised in Record of Title SA21A/657; delineated in **BLUE** on Appendix 1 labelled as “The Applicant’s Land” in the staff report (Item 5.8, Infrastructure Committee Agenda).

CARRIED on the voices

WDC1906/13

WEL Easement Agreement – Te Kauwhata Road Recreational Reserve (INF1905/06)

Resolved: (Crs Fulton/Patterson)

THAT Council approves granting the proposed easement over the land described in the schedule in accordance with the terms established in the easement agreement (Appendix I of the staff report, Item 5.9 in the Infrastructure Committee Agenda);

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

SCHEDULE

All the land legally described as being Section 1 on Survey Office Plan 305346 comprised in Record of Title 63735.

CARRIED on the voices

WDCI906/14

Other Committees and Decision-Making Bodies

Receipt of Minutes of the Waters Governance Board
Agenda Item 5.5.3

Resolved: (His Worship the Mayor/Cr Sedgwick)

THAT the minutes of a meeting of the Waters Governance Board held on Tuesday 7 May 2019 be received.

CARRIED on the voices

WDCI906/15

COMMUNITY BOARD MINUTES

Receipt of Onewhero-Tuakau Community Board Minutes
Agenda Item 6.1

Resolved: (Crs Church/McGuire)

THAT the minutes of a meeting of the Onewhero-Tuakau Community Board held on Monday 6 May 2019 be received.

CARRIED on the voices

WDCI906/16

COMMUNITY COMMITTEE MINUTES

Receipt of Te Kauwhata Community Committee Minutes
Agenda Item 7.1

Resolved: (Crs Sedgwick/Gibb)

THAT the minutes of a meeting of the Te Kauwhata Community Committee held on Wednesday 1 May 2019 be received.

CARRIED on the voices

WDC1906/17

OTHER REPORTS

Agenda Items 8.1 (Annual Plan Adoption) and 8.2 (Rates Resolution 2019/20) were deferred to the Extraordinary Council Meeting, to be held on 26 June 2019 (ref WDC1906/ 01)

Adoption of the final Waikato Blueprint
Agenda Item 8.3

Tabled: Hardcopy of the Waikato Blueprint

The Team Leader – Corporate Planning noted a minor amendment was required to the tabled version of the Waikato Blueprint in relation to Matangi Hall (page B16), which would be corrected in the electronic version. An overview was provided of the next steps, commencing with the development of final area blueprints for Eureka/Newstead, Gordonton and Port Waikato.

Staff and the community were thanked for their respective efforts in contributing to the Blueprint's development.

ACTION: Staff to upload an electronic copy of the Blueprint on the Council's website. Staff are also requested to make a hardcopy available to each Community Board or Community Committee.

Resolved: (Crs Smith/Bech)

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

AND THAT the Council adopts the Waikato Blueprint.

CARRIED on the voices

WDC1906/18

Councillor Lynch requested that her dissenting vote be recorded.

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

WDC1906/19

Resolutions WDC1906/20 – WDC1906/28 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)

Lakeside Development Agreement
Public Excluded Agenda Item 3.1

Resolved: (Crs McNally/Fulton)

THAT the report from the **General Manager Community Growth** be received;
AND THAT Council approve the draft **Development Agreement** subject to the proposed amendments as highlighted in the attachment to the staff report;
AND FURTHER THAT the recommendation be released into open meeting but the report remain confidential and unavailable to the public.

CARRIED on the voices

WDC1906/26

Councillor Sedgwick abstained from voting on the above item.

