

Minutes of a meeting of the Waikato District Council held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **MONDAY 9 SEPTEMBER 2019** commencing at **1:00 pm**.

**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 McInally [*from 1:02pm*]  
Cr BL Main [*until 1:51pm, and then from 1:58pm*]  
Cr EM Patterson  
Cr JD Sedgwick  
Cr NMD Smith  
Cr LR Thomson

**Attending:**

Mr GJ Ion (Chief Executive)  
Mr TG Whittaker (Chief Operating Officer)  
Mr R MacCulloch (Acting General Manager Service Delivery)  
Mr C Morgan (General Manager Community Growth)  
Mrs S O’Gorman (General Manager Customer Support)  
Ms A Diaz (Chief Financial Officer)  
Ms L Shirley (Zero Harm Manager)  
Mr W Gauntlett (Acting Policy and Planning Manager)  
Ms K Nicholson (Senior Policy Planner)  
Ms M May (Community Connections Manager)  
Mr V Ramduny (Planning & Strategy Manager)  
Mr B Stringer (Democracy Manager)

**APOLOGIES AND LEAVE OF ABSENCE**

There were no apologies.

## **CONFIRMATION OF STATUS OF AGENDA ITEMS**

**Resolved: (Crs Sedgwick/Main)**

**THAT** the agenda for a meeting of the Waikato District Council held on 9 September 2019 be confirmed noting that:

- a. **Agenda Item 5.5.4 (Receipt of Minutes – Waikato Raupatu River Trust and Waikato District Council Co-Governance Joint Committee – 24 April 2019)** be correctly numbered **Agenda Item 5.5.2**; and
- b. the attachment to **Agenda Item 7.2 (Te Kauwhata Community Committee Minutes – 7 August 2019)** be substituted for the following document tabled at the meeting:

***Te Kauwhata Community Committee Minutes – 7 August 2019 (Updated)***

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 Committee resolves that the following items be added to the Open Agenda as a matter of urgency as advised by His Worship the Mayor and the Chief Executive:

- **Transfer of Waters Vehicles to Watercare (Agenda Item 8.4).**

**CARRIED on the voices**

**WDC1909/01**

Councillor McNally joined the meeting at the conclusion of the above item (1:02pm).

## **DISCLOSURES OF INTEREST**

Councillors Fulton, Gibb and Sedgwick advised that they would declare a conflict of interest in items 8.1 in the Open Agenda (*Consultation for the Draft proposed District Plan – Stage 2 Natural Hazards*) and 4.3 in the Public Excluded Agenda (*Proposed District Plan – Stage 2 Natural Hazards*)

Councillor Smith advised that he would declare a conflict of interest in item 8.3 in the Open Agenda (*Regulatory Subcommittee – Appointment of Councillor Smith*)

**Minute Note:**

- Councillor Bech declared a conflict of interest in item 2.1.2 in the Public Excluded Agenda (*Strategy & Finance Committee Recommendations to Council – 28 August 2019 RE Development Agreement Sanderson Group Limited & Tamahere Country Club Limited*) at the time that item was considered.

- Councillor Thomson declared a conflict of interest in item 5.3.2 in the Open Agenda (*Infrastructure Committee Recommendations to Council RE Te Kopua Land Matters*) at the time that the item was considered.

### **CONFIRMATION OF MINUTES**

**Resolved: (Crs McInally/Sedgwick)**

**THAT the Open Minutes of a meeting of Waikato District Council held on Monday 12 August 2019 be confirmed as a true and correct record of that meeting.**

**CARRIED on the voices**

**WDC1909/02**

### **CONFIRMATION OF EXTRAORDINARY MINUTES**

**Resolved: (Crs Gibb/Main)**

**THAT the Open Minutes of an extraordinary meeting of Waikato District Council held on Wednesday, 14 August 2019 be confirmed as a true and correct record of that meeting.**

**CARRIED on the voices**

**WDC1909/03**

### **COMMITTEE AND DEPARTMENTAL REPORTS**

#### **Policy & Regulatory Committee**

Receipt of Policy & Regulatory Committee Minutes  
Agenda Item 5.1.1

**Resolved: (Crs Church/Sedgwick)**

**THAT the minutes of the Policy & Regulatory Committee meeting held on Tuesday 18 June 2019 be received.**

**CARRIED on the voices**

**WDC1909/04**

Committee recommendations to Council – 20 August 2019  
Agenda Item 5.1.2

*Gift of the Point Playground Equipment (P&R1908/04)*

**Resolved: (Crs Sedgwick/Lynch)**

**That the Council approves the gifting of surplus playground equipment, as detailed in the staff report (Item 5.1 in the Policy and Regulatory Agenda), to the Whatawhata Community, or as otherwise detailed in the staff report, as permitted under section 6.5.1 of the Sensitive Expenditure Policy.**

**CARRIED on the voices**

**WDC1909/05**

Zero Harm  
Agenda Item 5.1.3

The Zero Harm Manager took the report as read and highlighted, and responded to questions on, the following matters:

- Safety and Wellness engagement conversations;
- An opportunity to connect elected members into the Wellbeing Collective Strategic Plan;
- Ongoing work for volunteer work management;
- Dealing with work in relation to asbestos as a hazardous substance;
- Providing a room for staff members to pray was a matter that would be considered in due course as part of the Wellbeing Collective Strategic Plan; the Council was not required to provide such facilities.
- No measurement was currently undertaken on the number of flu vaccinations provided in connection with who was sick with the flu; the number of staff who received the vaccination was recorded.
- Workplace violence focussed on customer-facing staff, in or outside the offices. Measures were being implemented from a security review.

**Resolved: (Crs Church/Henderson)**

**THAT the report from the Chief Executive be received.**

**CARRIED on the voices**

**WDC1909/06**

## **Strategy & Finance Committee**

### **Receipt of Strategy & Finance Committee Minutes**

Agenda Item 5.2.1

**Resolved: (Crs Gibb/Bech)**

**THAT the minutes of the Strategy & Finance Committee meeting held on Wednesday 26 June 2019 be received.**

**CARRIED on the voices**

**WDC1909/07**

### **Committee recommendations to Council – 28 August 2019**

Agenda Item 5.2.2

*Consideration of Conservation Fund Applications (S&F1908/05)*

**Resolved: (Crs Gibb/Church)**

**THAT Council approves the Conservation Fund application of \$4474.80 from Mike Honiss in full.**

**CARRIED on the voices**

**WDC1909/08**

*General Rate Position for the year ended 30 June 2019 (S&F 1908/06)*

**Resolved: (Crs Gibb/McInally)**

**THAT Council approves that the 2018/19 surplus of \$2,211,080 be apportioned between the general accounting reserve fund (\$1,100,378) and the gearing for growth and greatness reserve fund (\$1,110,702);**

**AND THAT Council approves funding be allocated for a maximum Seed Funding of \$250,000 from the GARF total surplus for the Whatawhata Community Facilities Project.**

**CARRIED on the voices**

**WDC1909/09**

## **Infrastructure Committee**

### **Receipt of Infrastructure Committee Minutes**

Agenda Item 5.3.1

**Resolved: (Crs Fulton/Patterson)**

**THAT the minutes of the Infrastructure Committee meeting held on Tuesday 25 June 2019 be received.**

**CARRIED on the voices**

**WDC1909/10**

Committee recommendations to Council – 27 August 2019  
Agenda Item 5.3.2

*Central District Reservoir, Ngaruawahia – WEL Easement (INF1908/05)*

**Resolved: (Crs Fulton/Patterson)**

**THAT Council approves granting an easement in accordance with its delegated authority under s48 of the Reserves Act 1977 over the land described in the Schedule;**

**AND THAT the Chief Operating Officer be delegated authority to execute all relevant documentation.**

**SCHEDULE**

**First, all the land legally described as Part Section 1, SO 486783; shown as Section 1 on SO 491535 being part of the land comprised in Record of Title 700570; and,**

**Second, all the land legally described as being Section 2 as shown on SO Plan 486783 comprised in Record of Title 700570.**

**NB: All of the land described in the SCHEDULE is subject to the Reserves Act 1977.**

**CARRIED on the voices**

**WDC1909/11**

*Easement over Dr John Lightbody Reserve, Tuakau (INF1908/06)*

**Resolved: (Crs Fulton/Church)**

**THAT Council approves granting an easement in accordance with its delegated authority under section 48 of the Reserves Act 1977 over the land described in the Schedule;**

**AND THAT the Chief Operating Officer be delegated authority to execute all relevant documentation.**

**SCHEDULE**

**All the land legally described as being Part Allotment 14 Parish of Tuakau being 3.2132 hectares (shown in blue on appendix 2, Item 6.4 in the 27 August 2019 Infrastructure Committee Agenda).**

**NB: All of the land described in the SCHEDULE is subject to the Reserves Act 1977.**

**CARRIED on the voices**

**WDC1909/12**

*Petition for Speed Humps – Tuakau (INF1908/07)*

**Resolved: (Crs Fulton/Church)**

**THAT the issues raised in the “petition” (Attachment 1, Agenda Item 6.5 in the 27 August 2019 Infrastructure Committee Agenda) be addressed as part of the proposed 2019 Speed Limit Bylaw amendments.**

**CARRIED on the voices**

**WDC1909/13**

*Vesting of Te Otamanui Walkway, Te Kowhai (INF1908/09)*

**Resolved: (Crs Fulton/Smith)**

**THAT Council approves that Lot 20 of SUB0083/19 (as shown on the subdivision map, attachment 2 to Agenda Item 6.7, 27 August 2019 Infrastructure Committee Agenda) be vested as Local Purpose Reserve.**

**CARRIED on the voices**

**WDC1909/14**

*Te Kopua Land Matters (INF1908/10)*

Cr Thomson declared a conflict of interest in this item, and did not take part in discussions, or voting, on the matter.

**Resolved: (Crs Fulton/Smith)**

**THAT Council agrees, in principle, to re-vesting in Iwi:**

- i. **Riria Kereopa Memorial Drive (and by extension, Wainamu Road);**
- ii. **the recreation reserve between Ririria Kereopa Memorial Drive and the sea; and**
- iii. **potentially, Raglan Aerodrome.**

**CARRIED on the voices**

**WDC1909/15**

*Peehi Houkura Urupaa (at Whatawhata) – Vesting of Land in Local Iwi (INF1908/11)*

**Resolved: (Crs Fulton/Smith)**

**THAT, because Allotment 285 Pukete Parish is no longer required for cemetery purposes, the Council approves that this land be disposed of, subject to:**

- i. **The consent of the Minister of Health first being obtained as required by s.21(5) of the Burial and Cremations Act 1964; and**
- ii. **The Department of Conservation then being consulted as to requirements to cancel the vesting in Council (s.27 Reserves Act 1977) and revoke the reservation (s.24 Reserves Act 1977) with the intention that the jurisdiction for the land revert to the Crown with a recommendation from Council that, because of the historical significance of Allotment 285 to Maaori, the Crown promote the vesting of that land in local Iwi;**

**AND THAT the Chief Executive be delegated authority to execute all relevant documentation to give effect to these resolutions.**

**CARRIED on the voices**

**WDC1909/16**

## **Discretionary & Funding Committee**

Receipt of Discretionary & Funding Committee Minutes  
Agenda Item 5.4.1

**Resolved: (Crs Lynch/Gibb)**

**THAT the minutes of the meeting of the Discretionary & Funding Committee held on Monday 13 May 2019 be received.**

**CARRIED on the voices**

**WDC1909/17**

## **OTHER COMMITTEES AND DECISION-MAKING BODIES**

Receipt of Minutes of the Waters Governance Board  
Agenda Item 5.5.1

**Resolved: (Crs Lynch/Sedgwick)**

**THAT the minutes of a meeting of the Waters Governance Board held on 24 July 2019 be received.**

**CARRIED on the voices**

**WDC1909/18**

Receipt of Waikato Raupatu River Trust and Waikato District Council Co-Governance Committee Draft Minutes  
Agenda Item 5.5.2

**Resolved: (His Worship the Mayor Sanson/Cr Gibb)**

**THAT the draft minutes of a meeting of the Waikato Raupatu River Trust and Waikato District Council Co-Governance Committee held on 24 April 2019 be received.**

**CARRIED on the voices**

**WDC1909/19**

## **COMMUNITY BOARD MINUTES**

Receipt of Onewhero-Tuakau Community Board Minutes  
Agenda Item 6.1

**Resolved: (Crs Church/Main)**

**THAT the minutes of a meeting of the Onewhero-Tuakau Community Board held on Monday 5 August 2019 be received.**

**CARRIED on the voices**

**WDC1909/20**



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 10 June 2019 be received.**

**CARRIED on the voices**

**WDC1909/21**

Receipt of Raglan Community Board Minutes  
Agenda Item 6.3

**Resolved: (Crs Thomson/Henderson)**

**THAT the minutes of a meeting of the Raglan Community Board held on Tuesday 11 June 2019 be received.**

**CARRIED on the voices**

**WDC1909/22**

Receipt of Ngaruawahia Community Board Minutes  
Agenda Item 6.4

**Resolved: (Crs Gibb/Patterson)**

**THAT the minutes of a meeting of the Ngaruawahia Community Board held on Tuesday 11 June 2019 be received.**

**CARRIED on the voices**

**WDC1909/23**

Receipt of Huntly Community Board Minutes  
Agenda Item 6.5

**Resolved: (Crs McInally/Lynch)**

**THAT the minutes of a meeting of the Huntly Community Board held on Tuesday 18 June 2019 be received.**

**CARRIED on the voices**

**WDC1909/24**

## **COMMUNITY COMMITTEE MINUTES**

Receipt of Pokeno Community Committee Minutes  
Agenda Item 7.1

**Resolved: (Crs Henderson/Church)**

**THAT the minutes of a meeting of the Pokeno Community Committee held on 9 July 2019 be received.**

**CARRIED on the voices**

**WDC1909/25**

Receipt of Te Kauwhata Community Committee Minutes  
Agenda Item 7.1

*Tabled Item: Te Kauwhata Community Committee Minutes – 7 August 2019 (Updated)*

**Resolved: (Crs Sedgwick/Patterson)**

**THAT the minutes of a meeting of the Te Kauwhata Community Committee held on Wednesday 7 August 2019 be received.**

**CARRIED on the voices**

**WDC1909/26**

Receipt of Tamahere Community Committee Minutes  
Agenda Item 7.3

**Resolved: (Crs Bech/Gibb)**

**THAT the minutes of a meeting of the Tamahere Community Committee held on 5 August 2019 be received.**

**CARRIED on the voices**

**WDC1909/27**

## **REPORTS**

Consultation for the Draft Proposed District Plan – Stage 2 Natural Hazards  
Agenda Item 8.1

Councillors Fulton, Gibb and Sedgwick declared a conflict of interest, and left the meeting at the start of this item.

The Senior Policy Planner introduced the report and highlighted, and responded to questions on, the following matters:

- Updated rules in relation to requirements for subdivision or new building consents for areas affected by subsidence. A new policy specific to mine subsidence sets out more detail as to what would be required for a discretionary activity.
- Provisions around infrastructure have not been included at this stage as staff had not had time to workshop these provisions.

Following discussion, the elected members agreed to defer this Item until after the Council considered the accompanying Agenda Item 4.3 in the Public Excluded Agenda.

Councillors Fulton, Gibb and Sedgwick returned to the meeting at the start of the next agenda item (8.2 – *Provision of Facilities Maintenance Services Procurement Update*)

Provision of Facilities Maintenance Services Procurement Update

Agenda Item 8.2

The Community Connections Manager summarised the report. It was noted that the new contract would be presented to the Council, following the local authority elections, for approval.

**Resolved: (Crs Gibb/McGuire)**

**THAT the report from the Acting General Manager Service Deliver be received;**

**AND THAT the Council approves an increase of \$300,436.22 to the Approved Contract Sum for Contract 11/064 to reflect the additional services required under this contract until Contract 19/035 commences.**

**CARRIED on the voices**

**WDC1909/28**

Regulatory Subcommittee – Appointment of Cr Smith

Agenda Item 8.3

Councillor Smith declared a conflict of interest and did not take part in any discussion, or voting, on this item.

**Resolved: (Crs Lynch/Sedgwick)**

**THAT the report from the General Manager Customer Support be received;**

**AND THAT Councillor Noel Smith be appointed as a member of the Regulatory Subcommittee with immediate effect.**

**CARRIED on the voices**

**WDC1909/29**

Transfer of Vehicles to Watercare  
Late Agenda Item 8.4

The report was taken as read and there was no discussion.

**Resolved: (Crs McNally/Henderson)**

**THAT** the report from the **Acting General Manager Service Delivery** be received;

**AND THAT** Council approve the direct sale of all, or part of, the **Waters' vehicles and fleet to Watercare Services Limited** at an agreed market valuation;

**AND FURTHER THAT** the Council has considered the requirements of, and notes the proposed direct sale is a departure from, the **Procurement, Entitlement and Disposal of Council Vehicles Policy**;

**AND FURTHER THAT** the Council delegates to the **Chief Operating Officer** all required authority and powers to:

- a. negotiate and, if acceptable, approve the value for the **Waters' vehicles and fleet**; and
- b. if approved, complete the sale and transfer of all, or part, of the **Waters' vehicles and fleet** as detailed in the attachment to the staff report.

**AND FURTHER THAT** the Council notes that if an acceptable market valuation is not agreed, that staff will dispose of the assets in accordance with the **Procurement, Entitlement and Disposal of Council Vehicles Policy**.

**CARRIED on the voices**

**WDC1909/30**

**EXCLUSION OF THE PUBLIC**

Agenda Item 9

**Resolved: (Crs McGuire/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 Council minutes dated 12 August 2019 and Extraordinary minutes dated 14 August 2019**

**Receipt of Minutes:**

- **Strategy & Finance Committee – 26 June 2019**
- **Infrastructure Committee – 25 June 2019**
- **Waters Governance Board – 24 July 2019**

**Committee Recommendations:**

- Strategy & Finance – 28 August 2019

- Infrastructure – 27 August 2019

**REPORTS**

**a. Penalties Remissions: 55 Mahi Road, Te Kauwhata**

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)

Section 48(1)(a)

**b. Request for departure from Development Contributions Policy**

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)(ii)

Section 48(1)(a)

**c. Proposed District Plan – Stage 2 (Natural Hazards)**

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)(ii),(j)

Section 48(1)(a)

**d. 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),(g),(h),(i),(j)

Section 48(1)(a)

e. **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)(g),(h),(i),(j)

Section 48(1)(a)

**CARRIED on the voices**

**WDC1909/31**

*Resolutions WDC1909/32 – WDC1909/44 are contained in the public excluded section of these minutes.*

**REPORTS CONT**

Having concluded the public excluded meeting the Council then considered Item 8.1, which was deferred from earlier in the meeting.

Councillors Fulton, Gibb and Sedgwick retired from the meeting in reference to their earlier declared conflict of interest for this item.

Consultation for the Draft Proposed District Plan – Stage 2 Natural Hazards  
Agenda Item 8.1

The Acting Policy and Planning Manager summarised the work undertaken and the intended course of action to be taken in relation to the draft Plan prior to sending out for public consultation.

**Resolved: (Crs Bech/McGuire)**

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

**AND THAT the Council authorises the General Manager Community Growth to make further amendments to the draft Proposed District Plan – Stage 2 Natural Hazards document (circulated under separate cover as Public Excluded Agenda Item 4.3) to:**

- a. reflect any changes required by the Council; and
- b. make minor changes to ensure the document is clear and consistent;

**AND FURTHER THAT the final version of the Proposed District Plan – Stage 2 Natural Hazards document, including the above changes, be circulated to Elected Members by email for review prior to releasing to the public;**

**AND FURTHER THAT** following the final review by the Elected Members, the Council approves that the draft Proposed District Plan – Stage 2 Natural Hazards be made available for community feedback, subject to the amendments noted above;

**AND FURTHER THAT** the Council notes public consultation and feedback will occur between 30 September 2019 and 28 October 2019, and note that 30 September is also the first day of the hearings for Stage 1 of the Proposed District Plan.

**CARRIED on the voices**

**WDC1909/45**

The following items were released from the public excluded section into open meeting:

Strategy & Finance Committee Recommendations – 28 August 2019

Agenda Item 2.1.2

It was resolved (WDC1909/36) during the public excluded section of the meeting that the following resolution be released into open meeting but the Committee report remain confidential and unavailable to the public

*Development Agreement Sanderson Group Limited & Tamahere Country Club Limited (S&F1908/10)*

*Resolved: (Crs Gibb/Patterson)*

*THAT Council approve the draft Development Agreement with Sanderson Group Limited and Tamahere Country Club Limited (Attachment 1, Item 2.2. in the 28 August 2019 Public Excluded Strategy & Finance Agenda);*

*AND THAT the Council resolution be released into open meeting but the Committee report remain confidential and unavailable to the public.*

Request for departure from Development Contributions Policy

Agenda Item 4.2

It was resolved (WDC1909/43) during the public excluded section of the meeting that the following resolution be released into open meeting but the report remain confidential and unavailable to the public:

*Resolved: (Crs Smith/Gibb)*

*THAT the Council declines a departure from the Development Contributions Policy for development contributions for Subdivision SUB0131/19 to be reassessed on a 0.5 Household Equivalent Unit (HEU) per additional Lot created*

*AND THAT the Council resolution be released into open meeting but the Committee report remain confidential and unavailable to the public.*

Proposed District Plan – Stage 2 (Natural Hazards)  
Agenda Item 4.3

It was resolved (WDC1909/32) during the public excluded section of the meeting that the following resolution be released into open meeting, together with the report and attachments:

*Resolved: (Crs Church/McGuire)*

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

*AND THAT, if the Council approves the draft Proposed District Plan – Stage 2 Natural Hazards under Item 8.1 in the Open Agenda, this report, together with its attachment and the resolution, be released into open meeting.*

There being no further business the meeting was declared closed at 2:59pm.

Minutes approved and confirmed this                                      day of October 2019.

AM Sanson  
**CHAIRPERSON**