

Agenda for a meeting of the Waikato District Council to be held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **MONDAY 7 OCTOBER 2019** commencing at **1.00pm**.

Information and recommendations are included in the reports to assist the Council in the decision making process and may not constitute Council's decision or policy until considered by the Council.

1. APOLOGIES AND LEAVE OF ABSENCE

2. CONFIRMATION OF STATUS OF AGENDA

3. DISCLOSURES OF INTEREST

4. CONFIRMATION OF MINUTES

4.1 Minutes of a Council meeting held on Monday, 9 September 2019 3

5. COMMITTEE AND DEPARTMENTAL REPORTS

5.1 Policy & Regulatory Committee

5.1.1 Receipt of Committee Minutes – 20 August 2019 20

5.1.2 Committee Recommendations to Council – 17 September 2019 26

5.1.3 Zero Harm 28

5.2 Strategy & Finance Committee

5.2.1 Receipt of Committee Minutes – 28 August 2019 34

5.2.2 Committee Recommendations to Council – 25 September 2019 43

5.3 Infrastructure Committee

5.3.1 Receipt of Committee Minutes – 27 August 2019 45

5.3.2 Committee Recommendations to Council – 24 September 2019 58

5.4 Other Committees and Decision-Making Bodies

5.4.1	Minutes of the Waters Governance Board – 29 August 2019	63
5.4.2	Minutes of the Future Proof Implementation Committee meeting held on 15 August 2019	69

6. COMMUNITY BOARD MINUTES

6.1	Receipt of Taupiri Community Board Minutes – 12 August 2019	80
6.2	Receipt of Raglan Community Board Minutes – 13 August 2019	86
6.3	Receipt of Ngaruawahia Community Board Minutes – 13 August 2019	92
6.4	Receipt of Huntly Community Board Minutes – 20 August 2019	98

7. COMMUNITY COMMITTEE MINUTES

7.1	Receipt of Meremere Community Committee Minutes – 8 August 2019	106
7.2	Receipt of Pokeno Community Committee Minutes – 13 August 2019	111

8. REPORTS

8.1	Waikato District Crime Prevention Technology Trust – Retrospective exemption from being classified as Council Controlled Organisation	115
8.2	Adoption of Annual Report 2018/19 and Summary <i>Attachment to be circulated under separate cover</i>	118
8.3	Funding for Karioitahi Hall	120
8.4	Submissions on the National Policy Statements – Urban Development and Highly Productive Land	123
8.5	Adoption of Cemeteries Bylaw	154
8.6	End of Triennium Delegations and governance matters	160

9. EXCLUSION OF THE PUBLIC 170

GJ Ion
CHIEF EXECUTIVE

Open Meeting

To	Waikato District Council
From	Gavin Ion Chief Executive
Date	1 October 2019
Prepared by	Brendan Stringer Democracy Manager
Chief Executive Approved	Y
Reference #	GOV1301
Report Title	Confirmation of Minutes

1. EXECUTIVE SUMMARY

To confirm the minutes of a meeting held on Monday 9 September 2019.

2. RECOMMENDATION

THAT the minutes of a meeting of Waikato District Council held on Monday 9 September 2019 be confirmed as a true and correct record of that meeting.

3. ATTACHMENTS

Open Minutes – 9 September 2019

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.

Open Meeting

To	Waikato District Council
From	Gavin Ion Chief Executive
Date	21 September 2019
Prepared by	Lynette Wainwright Committee Secretary
Chief Executive Approved	Y
Reference #	GOV1301
Report Title	Receipt of Policy & Regulatory Committee Meeting Minutes

1. EXECUTIVE SUMMARY

To receive the minutes of the Policy & Regulatory Committee meeting held on Tuesday 20 August 2019.

2. RECOMMENDATION

THAT the minutes of the meeting of the Policy & Regulatory Committee held on Tuesday 20 August 2019 be received.

3. ATTACHMENTS

P&R Minutes – 20 August 2019

MINUTES of a meeting of the Policy & Regulatory Committee of the Waikato District Council held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **TUESDAY 20 AUGUST 2019** commencing at **9.00am**.

Present:

Cr JD Sedgwick (Chairperson)
Cr AD Bech
Cr JA Church
Cr DW Fulton
Cr JM Gibb
Cr SL Henderson
Cr SD Lynch [*from 9.05am*]
Cr RC McGuire
Cr FM McNally
Cr BL Main
Cr EM Patterson
Cr NMD Smith [*from 9.01am*]
Cr LR Thomson

Attending:

Mr T Whittaker (Chief Operating Officer)
Ms S O’Gorman (General Manager Customer Support)
Mr R MacCulloch (Acting General Manager Service Delivery)
Ms AM D’Aubert (Consents Manager)
Mr W Hill (Consents Team Leader)
Mr J Wright (Senior Planner)
Ms M May (Community Connections Manager)
Ms A McPhee (Community Resilience Co-ordinator)
Mr M Balloch (Building Quality Manager)
Ms K Newell (Emergency Management Advisor)
Mrs LM Wainwright (Committee Secretary)

Ellen O’Dwyer - Waikato Times

APOLOGIES AND LEAVE OF ABSENCE

Resolved: (Crs Thomson/Main)

THAT an apology be received from His Worship the Mayor Sanson.

CARRIED on the voices

P&R1908/01

CONFIRMATION OF STATUS OF AGENDA ITEMS

Resolved: (Crs Gibb/Church)

THAT the agenda for a meeting of the Policy & Regulatory Committee held on Tuesday 20 August 2019 be confirmed and all items therein be considered in open meeting;

AND THAT all reports be received.

CARRIED on the voices

P&R1908/02

Councillor Smith entered the meeting at 9.01am at the end of the above item.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

CONFIRMATION OF MINUTES

Resolved: (Crs Patterson/Henderson)

THAT the minutes of a meeting of the Policy & Regulatory Committee held on Tuesday 18 June 2019 be confirmed as a true and correct record of that meeting.

CARRIED on the voices

P&R1908/03

REPORTS

Giftng of the Point Playground Equipment
Agenda Item 5.1

The report was received [*P&R1908/02 refers*]. The Community Connections Manager took the report as read. Discussions were held on the following matters:

- Standard of the playground equipment removed from The Point.
- Safety standard when donating equipment to community groups.
- The Council's responsibility once the equipment was donated. It was noted that legal agreements would be drafted excluding Council from liability in relation to future use of the equipment.
- Playground equipment required for the the Whatawhata community.
- Review of the Council's Playground Strategy was required.

Motion: (Crs Fulton/Patterson)

THAT the Committee recommends to Council to approve gifting surplus play equipment, as detailed in the staff report, to the Ngaruawahia Christian Youth Camp as permitted under section 6.5.1 of the Sensitive Expenditure Policy;

AND THAT the Committee has considered the requirements of section 7.5 of the Sensitive Expenditure Policy in making this recommendation.

Amendment (Crs Smith/Main)

That the Policy & Regulatory Committee recommends to Council to approve the gifting of surplus playground equipment, as detailed in the staff report, to the Whatawhata Community, or as otherwise detailed in the staff report, as permitted under section 6.5.1 of the Sensitive Expenditure Policy.

The Amendment was PUT and a division was called.

For	Against	Abstention
Cr JM Gibb	Cr AD Bech	Cr Sedgwick
Cr SL Henderson	Cr JA Church	
Cr SD Lynch	Cr DW Fulton	
Cr RC McGuire	Cr EM Patterson	
Cr FM McInally	Cr LR Thomson	
Cr BL Main		
Cr NMD Smith		

The Amendment was CARRIED and became the substantive motion.

Resolved: (Crs Smith/Main)

That the Policy & Regulatory Committee recommends to Council to approve the gifting of surplus playground equipment, as detailed in the staff report, 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**P&R1908/04**

Councillor Lynch entered the meeting at 9.05am during discussion on the above item.

The meeting adjourned at 9.28am and resumed at 9.43am during debate on the above item.

Civil Defence Emergency Management (CDEM) Monitoring and Evaluation (M&E) Capability Assessment

Agenda Item 5.2

Tabled item: Civil Defence Emergency Management (CDEM) Monitoring and Evaluation (M&E) Capability Assessment

The report was received [P&R1908/02 refers] and the following points were raised:

- The CDEM team was congratulated for their input during the assessment
- A hazards workshop would be held at a later date to highlight improvements required.

Chief Executive's Business Plan

Agenda Item 5.3

The report was received [P&R1908/02 refers] and the Chief Operating Officer highlighted, and responded to questions on, the following points:

- Team Plan sharing session was held in August. Team plans are aligned with Council's One Plan and vision.
- Solid waste review. A workshop would be held in September to give Councillors clear direction on this project.
- A climate crisis meeting was held at Raglan on Sunday, 18 August 2019.

Summary of Applications determined by the District Licensing Committee April-June 2019

Agenda Item 5.4

The report was received [P&R1908/02 refers].

Delegated Resource Consents Approved for the months of June & July 2019

Agenda Item 5.5

The report was received [P&R1908/02 refers] and the following points were raised:

- Pokeno Village Holdings.

ACTION: The Consents Team Leader – West would confirm the reduction in the size of road 17 to vest in the Pokeno Village Holdings Limited subdivision with Cr Church.

There being no further business the meeting was declared closed at 10.02am.

Minutes approved and confirmed this day of 2019.

Cr JD Sedgwick
CHAIRPERSON

Open Meeting

To	Waikato District Council
From	Gavin Ion Chief Executive
Date	20 September 2019
Prepared by	Lynette Wainwright Committee Secretary
Chief Executive Approved	Y
Reference	GOV1310
Report Title	Policy & Regulatory Committee Recommendations

I. EXECUTIVE SUMMARY

The purpose of this report is to seek the Council's approval of the recommendations from the Policy & Regulatory Committee meeting of Tuesday 17 September, as set out below.

The Policy & Regulatory Committee Agenda and Unconfirmed Minutes from its meeting of Tuesday 17 September can be found on the Council website:

<https://www.waikatodistrict.govt.nz/your-council/council-committees-boards/council-committees/policy-and-regulatory-committee>

2. RECOMMENDATION

Approval for Revocation of Policies (P&R1909/05)

THAT Council revoke the policies listed below:

- **As Built Service Plans for subdivision Policy,**
- **Voting as a Ratepayer Policy,**
- **Conservation Lots – fencing of Stands of Native Bush and Other Landscape or Biological Features Swimming Pools – Supervision Standards Policy,**
- **Town Halls – Hire Charges Policy,**
- **Cemeteries – Memorial Headstones Policy,**
- **Funding of amenity and under-verandah lighting Policy,**
- **Out of District fees for Cemeteries Policy,**
- **Community Board and Community Committee Discretionary Funds Policy,**
- **Tree Guideline Policy,**
- **Community Engagement Policy,**

- **Customer Complaints & Compliments Policy,**
- **Working Alone Policy, and**
- **Heavy vehicle impact fee assessment policy.**

Strategic Land Acquisition and Disposal Policy (P&R1909/06)

THAT Council adopts the amended Strategic Land Acquisition and Disposal Policy (attached to Agenda Item 6.2 in the Policy & Regulatory Committee agenda).

Review of Parking in Raglan (P&R1909/07)

THAT Council adopts the amendments to Schedule I of the Public Places Bylaw 2016, as detailed in Attachment I of Agenda Item 6.3 in the Policy & Regulatory Committee agenda.

3. ATTACHMENTS

Nil

Open Meeting

To	Waikato District Council
From	Gavin Ion Chief Executive
Date	September 2019
Prepared by	Lynn Shirley Zero Harm Manager
Chief Executive Approved	Y
Reference #	GOV1301
Report Title	Zero Harm Update

I. EXECUTIVE SUMMARY

The purpose of this report and its attachments is to provide an update on current health and safety performance. Council recognises that compliance is essential but they aspire to achieve best practice in health and safety management, and to create a sustainable zero harm culture, where everyone works safely and goes home safe every day.

Councils' sustainable zero harm culture shall be supported by a health and safety management system of policies, standards and procedures that effectively manage risk and enable best practice by all workers, elected members, contractors, volunteers and visitors.

2. RECOMMENDATION

THAT the report from the Chief Executive be received.

3. BACKGROUND

Capable and Believable Leadership (People)

Safety and Wellness Engagement Conversations

The Chief Executive, Executive Leadership Team (ELT) and People Leaders continue to undertake Safety Engagement Conversations.

A total of 152 Safety Engagement Conversations were recorded in BWare Safety Manager in September.

Health and Wellbeing

The Wellbeing Collective officially launched Council's 10 healthy habits at Chamber Chat on 4th August. The 10 healthy habits and Te Whare Tapa Wha form the foundation of our Wellbeing Programme. To bring our programme to life "Wellbeing Way" has been established in the Ngaruawahia Office. Fruit boxes were sent to the outer offices and

facilities to celebrate the launch for those who were unable to make Chamber Chat in person.



Disciplined Management Systems

Event Management

Seven First Aid (Severity 6) injury events were recorded in September. The following table summarises these events.

Team	Task being undertaken	Event Description	Comments
Waters	Chemical handling	A small amount of caustic splashed under a contractor's face shield when dose line came off while commissioning pump	Event is being investigated
Raglan Holiday Park	Campground duties	Walking to office and rolled ankle on uneven surface	
Animal Control	Pound duties – assisting veterinarian	Vet applied too much pressure on syringe while injecting dog and syringe popped off spraying solution on vet and staff member's face.	Event is being investigated
Raglan Holiday Park	Campground duties	Grounds person was painting fence when they were spear tackled by a camp guest.	
Waters	Inspecting water meter	Small graze to hand while opening meter lid	
Customer Support	Meal break	Cut corner of mouth while drinking from glass that was chipped	
Facilities	Office duties	Staff member had chest pain	Personal medical event

Six Minor Near Miss (Severity 7) events were also reported.

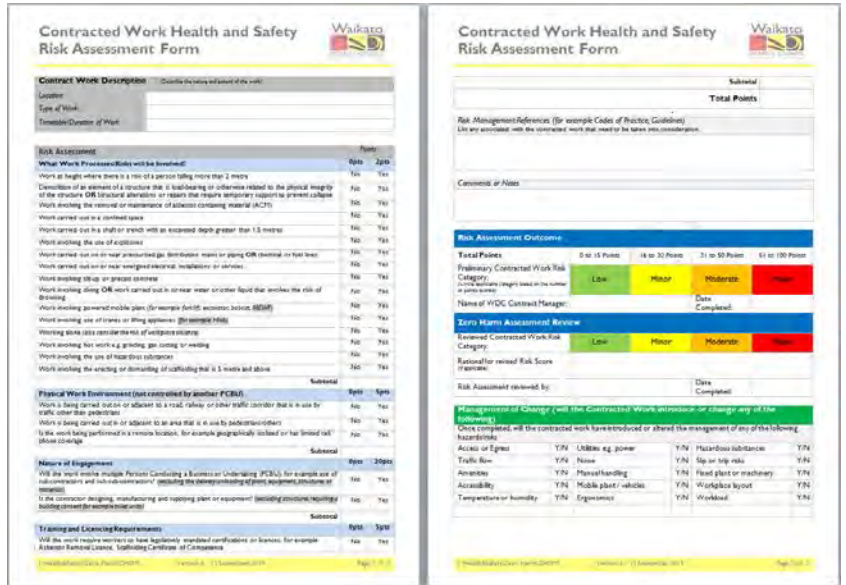
Six Property Damage events were reported in September.

The Zero Harm Dashboard has been generated to illustrate safety performance for September. This is attached for reference.

Contractor Management

Work is still continuing with the Community Projects team to co-design our contractor health and safety management documentation.

Moving forward a health and safety risk assessment is required to be completed for all contracted work to identify the health and safety risks associated with the work, using the following form. The associated process in ProMapp has been updated to reflect these new requirements.



Hazard and Risk Management

Work to document Council’s approach to the identification, assessment and control of health and safety hazards and critical risks has been completed. The following two new standards have been developed;

- ZHSMS 1.4.1 Hazard and Risk Management Standard
- ZHSMS 3.0 Critical Safety Risk Management Standard

These documents are now ready to be reviewed by the Executive Leadership Team (ELT) and Safety Action Team (SAT).

Managed Risks

On Road Driving – Light Vehicles

There were 12 over speed events recorded in September. Only one of the 12 events exceeded 110km per hour and required a formal coaching conversation to be undertaken by the relevant General Manager.

Workplace Violence

Good progress has been made over the last month on implementing controls for managing the risk of Workplace Violence. A Trespass Register has been developed to record details of people that have been trespassed from Council facilities, so this information is more readily accessible. A security risk assessment has also been completed at Raglan Holiday Park by an independent consultant.

Asbestos

An asbestos demolition survey has been completed for the Port Waikato Community Hall to identify any asbestos containing materials (ACM) prior to demolition commencing. This information has been provided to contractors tendering for the work so they can develop an Asbestos Removal Control Plan as required under the Health and Safety at Work (Asbestos) Regulations 2016 and the Approved Code of Practice for the Management and Removal of Asbestos. The Zero Harm Team have also developed an audit tool to ensure the content of

the Asbestos Removal Control Plan provided by the contractor meets the legislative requirements to eliminate or minimize the risks associated with asbestos removal.

4. DISCUSSION AND ANALYSIS OF OPTIONS

4.1 DISCUSSION

This report is to assist Councillors with their due diligence requirements as Officers. The report should start the conversation and provide opportunities for Councillors to raise questions and discuss progress.

4.2 OPTIONS

Council could choose to accept the report or not. Council could ask for additional information if needed.

5. CONSIDERATION

5.1 FINANCIAL

There are no direct financial requirements identified in this report.

5.2 LEGAL

This report is prepared as part of assisting Council with compliance with the Health & Safety at Work Act 2015 and associated Regulations.

Councillors, as Officers under the Health & Safety at Work Act 2015 are required to undertake due diligence to ensure appropriate health and safety systems are in place and operating.

5.3 STRATEGY, PLANS, POLICY AND PARTNERSHIP ALIGNMENT

This report details linkages to policies, standards and applicable strategy documents.

5.4 ASSESSMENT OF SIGNIFICANCE AND ENGAGEMENT POLICY AND OF EXTERNAL STAKEHOLDERS

Highest levels of engagement	Inform <input type="checkbox"/>	Consult <input type="checkbox"/>	Involve <input checked="" type="checkbox"/>	Collaborate <input type="checkbox"/>	Empower <input type="checkbox"/>
-------------------------------------	---	--	---	--	--

State below which external stakeholders have been or will be engaged with:

Planned	In Progress	Complete	
	✓		Internal
	✓		Community Boards/Community Committees
			Waikato-Tainui/Local iwi
			Households
			Business
	✓		Other Please Specify

Council engages with our Community Boards and Community Committees to ensure they are clear on their obligations. Council also undertakes audits and safety engagement conversations in relation to our contractors.

6. CONCLUSION

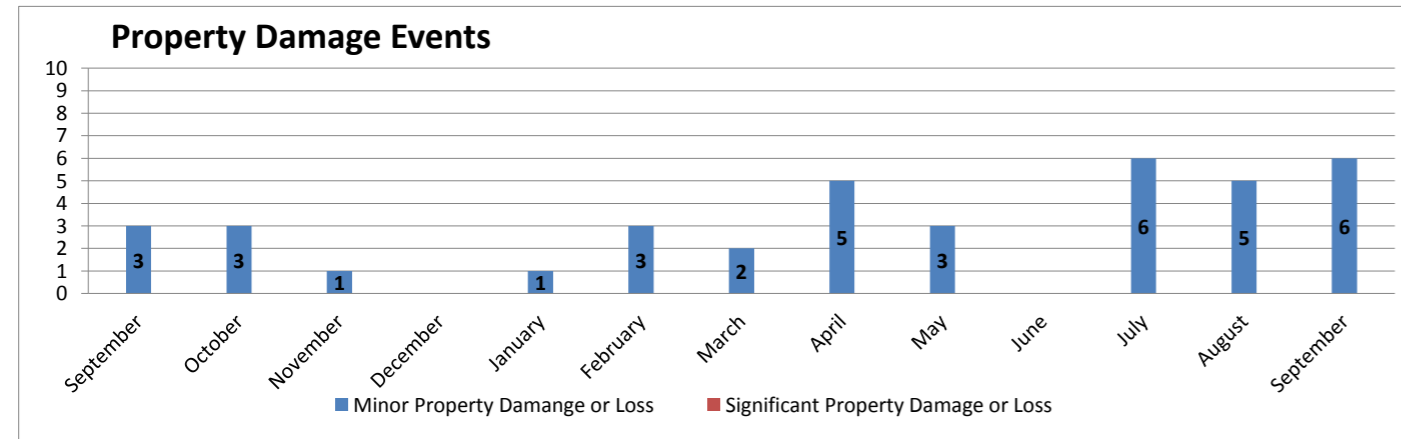
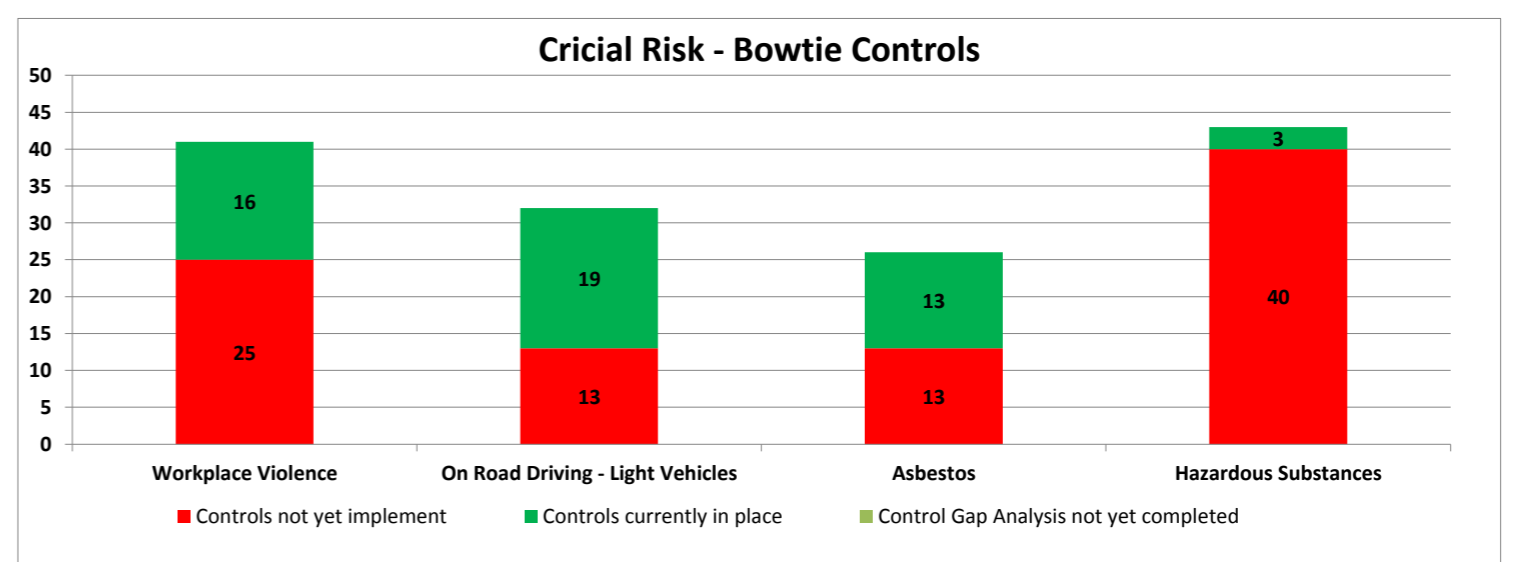
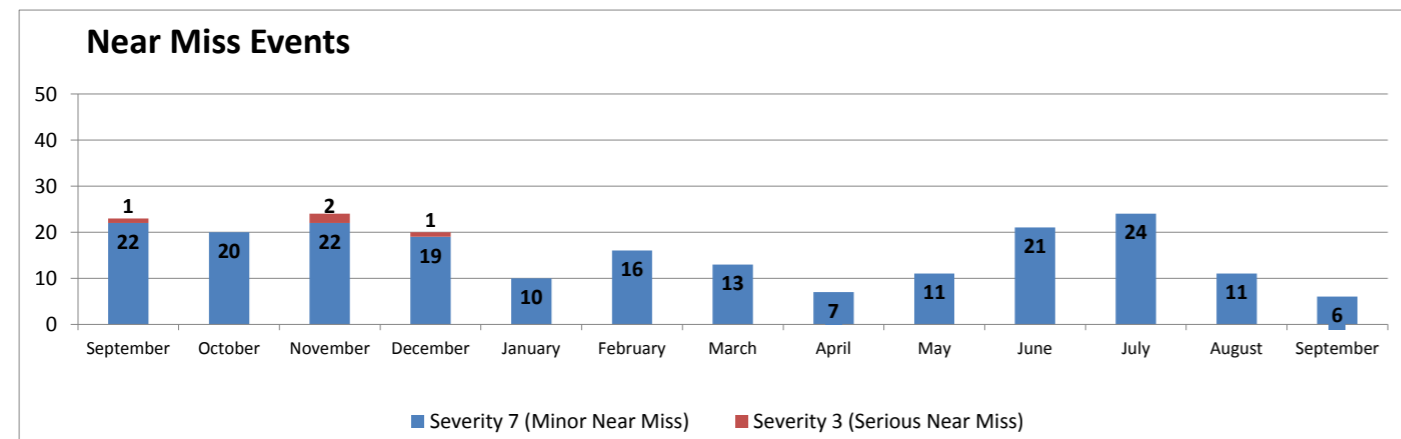
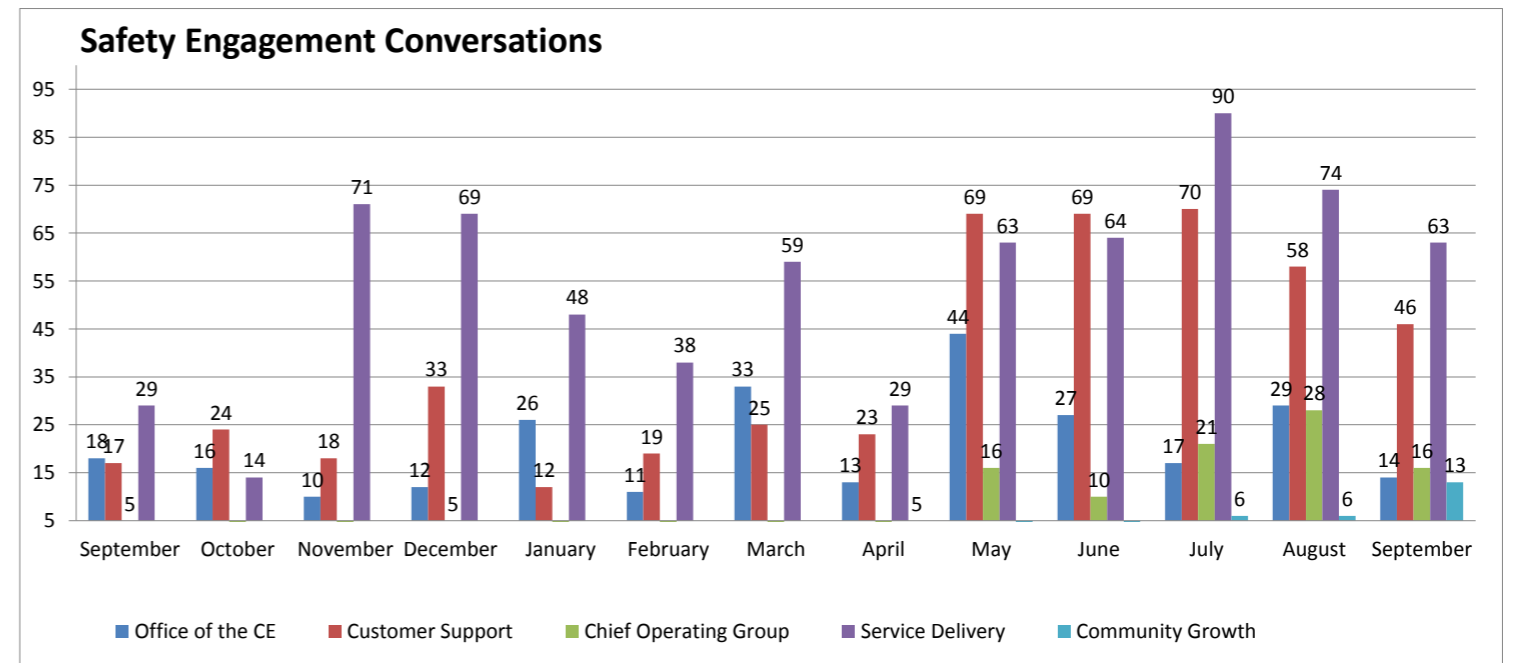
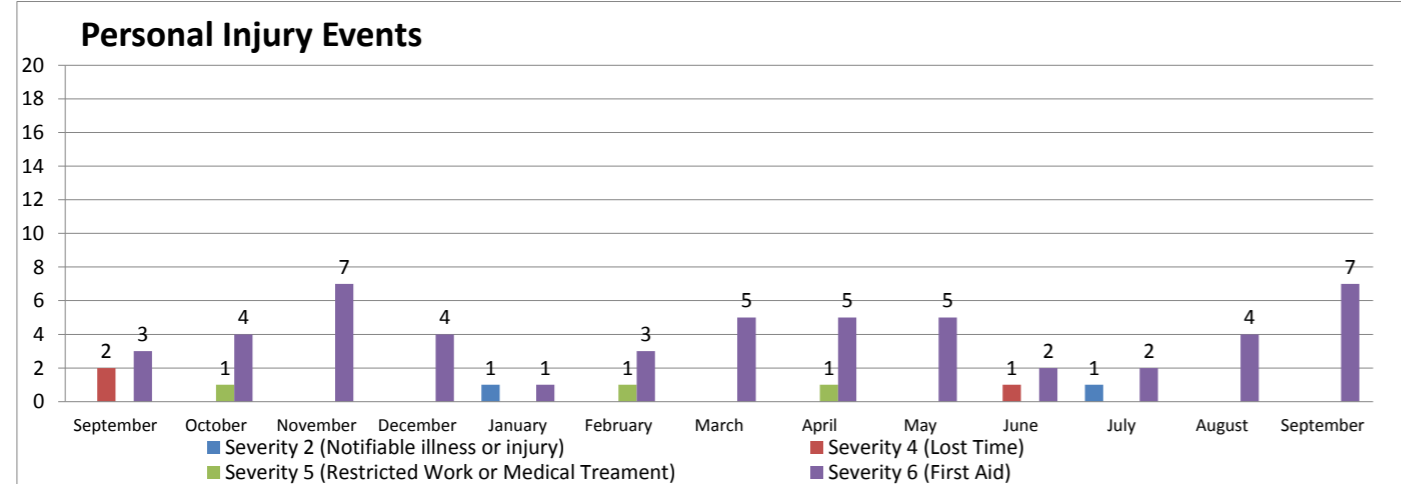
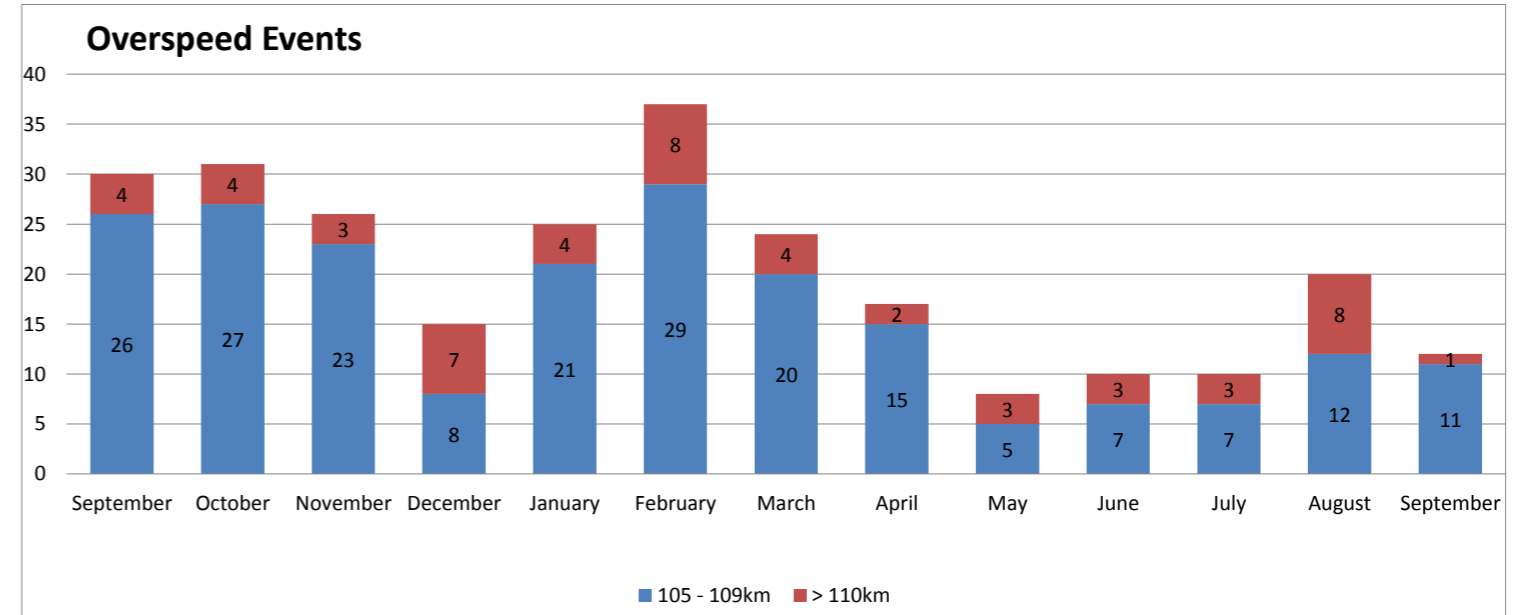
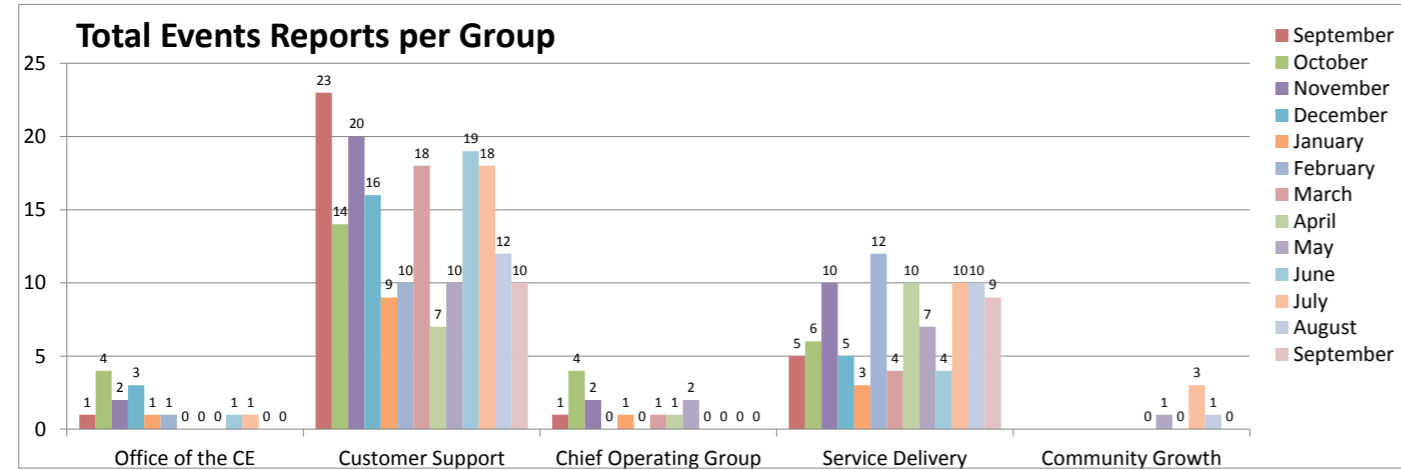
This report provides an update on progress with our Zero Harm systems and processes, and monthly health and safety performance.

7. ATTACHMENTS

Zero Harm Dashboard September 2019

Zero Harm Dashboard - September 2019

As at 27 September 2019



“Work safe, home safe”

Open Meeting

To	Waikato District Council
From	Gavin Ion Chief Executive
Date	27 September 2019
Prepared by	Lynette Wainwright Committee Secretary
Chief Executive Approved	Y
Reference #	GOV1301
Report Title	Receipt of Minutes – Strategy & Finance Committee

I. EXECUTIVE SUMMARY

To receive the minutes of the Strategy & Finance Committee meeting held on Wednesday 28 August 2019.

2. RECOMMENDATION

THAT the minutes of the meeting of the Strategy & Finance Committee meeting held on Wednesday 28 August 2019 be received.

3. ATTACHMENTS

S&F Committee minutes – 28 August 2019

Minutes of a meeting of the Strategy & Finance Committee of the Waikato District Council held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **WEDNESDAY 28 AUGUST 2019** commencing at **9.00am**.

Present:

Cr JM Gibb (Chairperson)
His Worship the Mayor, Mr AM Sanson [until 10.21am and from 10.57am]
Cr AD Bech
Cr JA Church
Cr DW Fulton
Cr SD Lynch
Cr RC McGuire
Cr BL Main
Cr EM Patterson
Cr JD Sedgwick
Cr NMD Smith
Cr LR Thomson

Attending:

Mr B MacLeod (Raglan Community Board Chair)

Mr G Ion (Chief Executive)
Mr C Morgan (General Manager Community Growth)
Mr T Whittaker (Chief Operating Officer)
Ms A Diaz (Chief Operating Officer)
Mr R MacCulloch (Acting General Manager Service Delivery)
Ms C Wratt (Acting Team Leader Resource Management and Policy Team)
Mrs B Connolly (Policy Planner Community Development)
Ms D Dalbeth (Business Improvement Analyst)
Mrs C Pidduck (Legal Counsel)
Mrs R Gray (Senior Committee Secretary)

Ms E O'Dwyer (Waikato Times)

APOLOGIES AND LEAVE OF ABSENCE

Resolved: (Crs Thomson/Church)

THAT an apology be received from Crs Henderson and McInally.

CARRIED on the voices

S&F1908/01

CONFIRMATION OF STATUS OF AGENDA ITEMS

Resolved: (Crs Smith/Sedgwick)

THAT the Chair of the Raglan Community Board, Mr MacLeod, be given speaking rights for the duration of the open section of this meeting.

CARRIED on the voices

S&F1908/02

Resolved: (His Worship the Mayor/Cr Patterson)

THAT the agenda for a meeting of the Strategy & Finance Committee held on Wednesday 28 August 2019 be confirmed and all items therein be considered in open meeting with the exception of those items detailed at agenda item 7 which shall be considered with the public excluded;

AND THAT all reports be received;

AND FURTHER THAT the Committee resolves that the following item be withdrawn from the agenda:

- **Item No. 5.3 – Climate Change (Zero Carbon) Amendment Bill.**

CARRIED on the voices

S&F1908/03

DISCLOSURES OF INTEREST

Councillor Gibb, Councillor Fulton and Councillor Sedgwick advised members of the Committee that they would declare a non-financial conflict of interest in item 5.1 [*District Plan Review Update*].

His Worship the Mayor, Councillor Bech and Councillor Church requested that it be noted that they had a non-financial conflict of interest in item 6.2 [*Final Statements of Intent 2019/20 - Wellbeing Trust*].

Councillor Sedgwick advised that she would declare a non-financial conflict of interest in item 2.1 [*Professional Negligence and Weathertight homes Claims Report*] included in the public excluded section of the meeting.

Councillor Bech advised that he would declare a non-financial conflict of interest in item 2.2 [*Development Agreement Sanderson Group Limited and Tamahere Country Club Limited*] included in the public excluded section of the meeting.

CONFIRMATION OF MINUTES

Resolved: (Crs Thomson/Main)

THAT the minutes of a meeting of the Strategy & Finance Committee held on Wednesday 26 June 2019 be confirmed as a true and correct record of that meeting.

CARRIED on the voices

S&F1908/04

REPORTS

District Plan Review Update
Agenda Item 5.1

The report was received [*S&F1908/03 refers*].

Councillor Gibb vacated the Chair owing to declaring a conflict of interest and withdrew from the meeting. Councillor Bech assumed the Chair for this item. Councillors Fulton and Sedgwick also declared a conflict of interest and withdrew from the meeting.

The report was taken as read. In speaking to the report, the Acting Team Leader Resource Management and Policy Team highlighted the following:

- Ambury Properties Hearing – Stage 1 hearings would be commencing on 30 September 2019 with an opening powhiri on 26 September 2019. The Ohinewai rezoning hearing would be scheduled for 7 June 2020. Stage 2 hearings were likely to take 12 weeks. Options were being investigated for venues to hold the hearings for Stage 2 with the Council Chambers being favoured.

Councillor Bech vacated the Chair following discussion on the above item. Councillors Gibb, Fulton and Sedgwick re-entered the meeting. Councillor Gibb assumed the Chair for the remainder of the meeting.

Consideration of Conservation Fund Applications
Agenda Item 5.2

The report was received [*S&F1908/03 refers*].

The report was taken as read by the Policy Planner Community Development who summarised the report.

ACTION: Feedback is sought on the criteria and results for Conservation Fund applications.

Resolved: (Crs Lynch/Patterson)

THAT Strategy & Finance Committee recommends to Council that the Conservation Fund application of \$4,474.80 from Mike Honiss be approved in full.

CARRIED on the voices

S&F1908/05

Climate Change Response (Zero Carbon) Amendment Bill
Agenda Item 5.3

This item was withdrawn from the agenda [*S&F1908/03 refers*].

General Rate Position for the year ended 30 June 2019
Agenda Item 6.1

The report was received [*S&F1908/03 refers*].

The report was taken as read by the Chief Financial Officer who summarised the report.

The following points were discussed:

- The Chief Executive highlighted the significant level of carry forwards when discussion was held on including additional work.
- Funding source required for three projects, eg District Plan Review, the Horotiu Bridge, and potential works in Council's Ngaruawahia office, that had been raised between the LTP periods.
- The Whatawhata Community Facilities Project.

Resolved: (Crs Smith/Main)

THAT the Strategy & Finance Committee recommends to Council that the 2018/19 surplus of \$2,211,080 is apportioned between the general accounting reserve fund (\$1,100,378) and the gearing for growth and greatness reserve fund (\$1,110,702);

AND THAT 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

S&F1908/06

Final Statements of Intent 2019/20

Agenda Item 6.2

The report was received [S&F1908/03 refers].

The report was taken as read by the Chief Financial Officer who summarised the report.

Summary of Movements in Discretionary Funds

Agenda Item 6.3

The report was received [S&F1908/03 refers].

The report was taken as read by the Chief Financial Officer who summarised the report.

Treasury Risk Management Policy – Compliance Report at 30 June 2019

Agenda Item 6.4

The report was received [S&F1908/03 refers].

The report was taken as read by the Chief Financial Officer who summarised the report and, in response to questions, noted that the focus was currently on opportunities with interest rates and benefits of a credit rating.

Submission on the Local Government Funding and Financing Draft Report

Agenda Item 6.5

The report was received [S&F1908/03 refers].

The report was taken as read by the Chief Financial Officer who summarised the report and responded to questions on the following issues:

- Special purpose vehicle financing options – staff were currently looking at how this would work in setting up a separate company with Council's responsibility for a levy.
- Tourism levy and distribution, eg concern with the impact of tourism on Air B&B in Raglan. Two recommendations were being discussed to support this area.

Resolved: (Crs Sedgwick/Lynch)

THAT the Strategy & Finance Committee approves the submission on the Productivity Commission's Local Government Funding and Financing Draft Report (Attachment D to the staff report).

CARRIED on the voices

S&F1908/07

2018-2019 End of Year Non-Financial Performance Report
Agenda Item 6.6

The report was received [*S&F/1908/03 refers*].

The report was taken as read by the Business Improvement Analyst who summarised the report and responded to questions on the following issues.

- To address priorities as opposed to business as usual – Council was focussing on the survey results in terms of digesting feedback to ensure that staff focussed on priority issues.
- Messages on Councillor mobiles from ratepayers – suggested that the call centre staff, when transferring calls to Councillor mobiles, advise callers that the Councillor may be in meetings and would return their call later.
- Interpretation of information in the survey – cost versus benefit of the survey, eg perception of rates to outcomes compared to playgrounds, underground assets were invisible etc.
- Consultation questions showed less satisfaction with a younger age group. There was a need to look at innovation to engage youth.

His Worship the Mayor withdrew from the meeting at 10.21am and re-entered at 10.57am.

The meeting adjourned at 10.25am at the end of the above item and resumed at 10.57am.

EXCLUSION OF THE PUBLIC

Agenda Item 7

Resolved: (Crs Church/Thomson)

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

Confirmation of Minutes dated Wednesday 29 June 2019.

REPORTS

a. Professional Negligence and Weathertight Homes Claim Report

This resolution is made in reliance on section 48(1)(a) and 48(2)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by sections 6 or 7 of that Act which would be prejudiced by the holding of the whole or the relevant part(s) of the proceedings of the meeting in public 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. Development Agreement Sanderson Group Limited & Tamahere Country Club Limited**

This resolution is made in reliance on section 48(1)(a) and 48(2)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by sections 6 or 7 of that Act which would be prejudiced by the holding of the whole or the relevant part(s) of the proceedings of the meeting in public 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)****CARRIED on the voices****S&F1908/08**

Resolutions S&F1908/09 – S&F1908/11 are contained in the public excluded section of these minutes.

Having resumed the open meeting the following item was released into open meeting:

REPORTS (CONTINUED)

Development Agreement Sanderson Group Limited & Tamahere Country Club Limited
Agenda Item PEX 2.2

It was resolved [*Resolution No. S&F1908/10*] 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: (His Worship the Mayor/Cr Smith)

THAT the Strategy and Finance Committee recommends that Council approve the draft Development Agreement with Sanderson Group Limited and Tamahere Country Club Limited (Attachment 1 to the staff report);

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

CARRIED on the voices'

There being no further business the meeting was declared closed at 11.17am.

Minutes approved and confirmed this day of 2019.

JM Gibb
CHAIRPERSON

Open Meeting

To	Waikato District Council
From	Gavin Ion Chief Executive
Date	27 September 2019
Prepared by	Lynette Wainwright Committee Secretary
Chief Executive Approved	Y
Reference #	GOV1301
Report Title	Strategy & Finance Committee Recommendations

I. EXECUTIVE SUMMARY

The purpose of this report is to seek the Council's approval of the recommendations from the Strategy & Finance Committee meeting of Wednesday 25 September 2019, as set out below.

The Strategy & Finance Committee Agenda and Unconfirmed Minutes from its meeting of Wednesday 25 September 2019 can be found on the Council website:

<https://www.waikatodistrict.govt.nz/your-council/council-committees-boards/council-committees/strategy-and-finance-committee>

2. RECOMMENDATIONS FROM THE STRATEGY & FINANCE COMMITTEE

Waikato District Library Strategy 2019-29 (S&F1909/05)

THAT the Waikato District Library Strategy 2019-29 be adopted.

Notice of Requirement for Rotokauri Greenway Stormwater Designation (S&F1909/06)

THAT Council retrospectively approves the Waikato District Council's submission on Hamilton City Council's Notice of Requirement for the Rotokauri Greenway (Item 6.2 in the Strategy & Finance Committee Agenda);

AND THAT Council delegates authority to the General Manager Community Growth, or his nominee, to speak to the Council's submission at the hearing for the Rotokauri Greenway Notice of Requirement.

3. ATTACHMENTS

Nil

Open Meeting

To	Waikato District Council
From	Gavin Ion Chief Executive
Date	27 September 2019
Prepared by	Lynette Wainwright Committee Secretary
Chief Executive Approved	Y
Reference #	GOV1301
Report Title	Receipt of Minutes – Infrastructure Committee

1. EXECUTIVE SUMMARY

To receive the minutes of the Infrastructure Committee meeting held on Tuesday 27 August 2019.

2. RECOMMENDATION

THAT the minutes of the meeting of the Infrastructure Committee meeting held on Tuesday 27 August 2019 be received.

3. ATTACHMENTS

INF Committee minutes – 27 August 2019

MINUTES for a meeting of the Infrastructure Committee of the Waikato District Council held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **TUESDAY 27 AUGUST 2019** commencing at **9.00am**.

Present:

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

Attending:

Mr B MacLeod (Raglan Community Board)

Mr G Ion (Chief Executive)
Mr C Morgan (General Manager Community Growth)
Mr R MacCulloch (Acting General Manager Service Delivery)
Mr N Wells (Strategic Property Manager)
Ms M May (Community Connections Manager)
Ms M Russo (Corporate Planning Team Leader)
Mr P McPherson (Community Projects Manager)
Ms M Smart (Property Officer)
Mr V Ramduny (Strategic Projects Manager)
Mr R Bayer (Rooding Team Leader)
Ms J Bishop (Contracts & Partnering Manager)
Mrs LM Wainwright (Committee Secretary)

Mr A Wilson (Waikato Regional Council)
Ms E O'Dwyer (Waikato Times Reporter)

APOLOGIES AND LEAVE OF ABSENCE**Resolved: (Crs Church/Sedgwick)****THAT** an apology be received from Councillors Bech and McGuire.**CARRIED on the voices****INF1908/01****CONFIRMATION OF STATUS OF AGENDA ITEMS****Resolved: (Crs Fulton/Gibb)****THAT** the agenda for a meeting of the Infrastructure Committee held on Tuesday 27 August 2019 be confirmed and all items therein be considered in open meeting with the exception of those items detailed at agenda item 7 which shall be considered with the public excluded;**AND THAT** all reports be received;**AND FURTHER THAT** the Committee resolves that the following item be added to the public excluded agenda as a matter of urgency as advised by the Chief Executive:

- Item PEX 2.2 – Te Awa Cycleway – Update and Request for Partial Stopping of Riverglade Drive, Tamahere;

AND FURTHER THAT Mr MacLeod, Chair of the Raglan Community Board be given speaking rights for the duration of the open section of this meeting.**CARRIED on the voices****INF1908/02****DISCLOSURES OF INTEREST**Cr McNally advised members of the Committee that he would declare a non financial conflict of interest in item 6.6 [*191 Main Street, Huntly – Commercial Lease Proposal*].Meeting Note: Councillor Thomson declared an interest in Agenda Item 6.8 [*Te Kopua Land Matters*] at the time that the item was considered.**CONFIRMATION OF MINUTES****Resolved: (Crs Patterson/Sedgwick)****THAT** the minutes of a meeting of the Infrastructure Committee held on Tuesday 25 June 2019 be confirmed as a true and correct record of that meeting.**CARRIED on the voices****INF1908/03**

RECEIPT OF MINUTES**Resolved: (Crs Smith/Gibb)****THAT the minutes of a meeting of the Infrastructure Hearing Panel held on Monday 29 April and Wednesday 10 July 2019 be confirmed as a true and correct record of that meeting.****CARRIED on the voices****INF1908/04****REPORTS**Sport Waikato Report – 1 April 2019 to 30 June 2019
Agenda Item 6.1The report was received [*INF1908/02 refers*].Service Delivery Report for August 2019
Agenda Item 6.2The report was received [*INF1908/02 refers*]. Discussion was held on the following points:

- Elbow Boat Ramp – consultation with interested parties would be held within the next few months.
- Whangarata Cemetery Development – the exact timing for the earthworks and progression of the cemetery was currently unknown and had been parked in with Munro Sportspark due to economies of scale. It was hoped to be completed summer 2019/20. Progress was being made with the crematorium.
- Meremere Library would be opened on Friday 30 August.
- Mercer Community Facility – Feasibility Study - \$100,000 had been allocated for consultation.
- Huntly Memorial Hall – further funding would be required for hall equipment.
- Water fountain at The Point, Ngaruawahia.

ACTION: Staff to complete a costings report for a water fountain at The Point, Ngaruawahia and report back to the September 2019 Infrastructure Committee meeting.

- Urban upgrade at Pokeno Main Street. Works were deferred pending a decision on the resource consent for the Pokeno Supermarket.

The meeting adjourned at 9.18am to hear a short presentation from Mr Andrew Wilson, Waikato Regional Council to explain the reasons for the delay in the commencement of the Pokeno to Pukekohe bus service, and the meeting resumed at 9.36am.

Further discussion was held on the following points:

- Street lighting outages in the Waikato District.

ACTION: Staff would meet with Counties Power to discuss the new callout policy for street lighting. Outcomes would be reported to the September 2019 Infrastructure Committee meeting.

- Inorganics Collection - Date of the inorganic refuse collection had changed.

ACTION: Communication would be made on the change of the inorganic collection date for April 2020.

Central District Reservoir, Ngaruawahia – WEL Easement
Agenda Item 6.3

The report was received [INF1908/02 refers] and summarised by the Strategic Property Manager.

Resolved: (Cr Smith/Patterson)

THAT the Infrastructure Committee recommends 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

INF1908/05

Easement over Dr John Lightbody Reserve, Tuakau
Agenda Item 6.4

The report was received [*INF1908/02 refers*] and summarised by the Strategic Property Manager.

Resolved: (Crs Church/Smith)

THAT the Infrastructure Committee recommends 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).

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

CARRIED on the voices

INF1908/06

Petition for Speed Humps - Tuakau
Agenda Item 6.5

The report was received [*INF1908/02 refers*]. The Corporate Planning Team Leader summarised the report, and noted that pages 69 to 74 of the Agenda had been removed from the online version to protect the privacy of the residents.

Resolved: (Crs Church/Smith)

THAT the Infrastructure Committee accepts the “petition” from the residents of Martindale Lane, Tuakau acknowledging its intent, despite not meeting the criteria for the Petitions Policy 2015;

AND THAT the Infrastructure Committee recommends to Council that the issues raised in the “petition” are addressed as part of the proposed 2019 Speed Limit Bylaw amendments.

CARRIED on the voices

INF1908/07

191 Main Street, Huntly – Commercial Lease Proposal
Agenda Item 6.6

Councillor McNally declared a conflict of interest and did not speak to, or vote on this item.

The report was received [*INF1908/02 refers*] and summarised by the Strategic Property Manager.

Resolved: (Cr Lynch/His Worship the Mayor)

THAT the Infrastructure Committee approves that a commercial lease be granted over the land described in the Schedule to Prithvi Investments Limited for an initial term of three years with two further rights of renewal of three years each;

AND THAT the Chief Operating Officer be delegated authority to execute all documents required to give effect to this resolution.

SCHEDULE

First all the land legally described as being Part allotment 720 of Taupiri Parish comprising 704 metres square and shown bordered in red on the aerial photograph at the foot of this report.

Second all the land legally described as being Stopped road shown on SO plan 508181 comprised in Record of Title 349793 comprising 175 metres square and shown bordered in red on the aerial photograph at the foot of this report.

CARRIED on the voices

INF1908/08

Vesting of Te Otamanui Walkway, Te Kowhai
Agenda Item 6.7

The report was received [*INF1908/02 refers*] and summarised by the Community Connections Manager.

Resolved: (Cr Smith/His Worship the Mayor)

THAT the Infrastructure Committee recommends to Council that Lot 20 of SUB0083/19 (as shown on the subdivision map, attachment 2 to the staff report) should be vested as Local Purpose Reserve;

AND THAT the Committee requests staff to give consideration during the next Long Term Plan to the funding required to support this recommendation.

CARRIED on the voices

INF1908/09

Te Kopua Land Matters
Agenda Item 6.8

Councillor Thomson declared a conflict of interest, withdrew to the public gallery and did not speak to, or vote on this item.

The report was received [*INF1908/02 refers*] and summarised by the Strategic Property Manager.

Resolved: (Crs Gibb/Smith)

THAT the Infrastructure Committee recommends that Council agree 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

INF1908/10

Peehi Houkura Urupaa (at Whatawhata) – Vesting of Land in Local Iwi
Agenda Item 6.9

The report was received [*INF1908/02 refers*] and summarised by the Strategic Property Manager.

Resolved: (Cr Smith/His Worship the Mayor)

THAT the Infrastructure Committee recommends to Council that because Allotment 285 Pukete Parish is no longer required for cemetery purposes the 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;**
- 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 Maori, 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

INF1908/11

The meeting adjourned at 10.30am and resumed at 10.52am.

Onewhero-Tuakau Community Board Proposed Road Name List
Agenda Item 6.10

The report was received [*INF1908/02 refers*]. The Chairperson noted that a Fulton Road already existed within the district; staff should check that it is appropriate to use but retain the name in the list.

Resolved: (Crs Church/Henderson)

THAT the Infrastructure Committee approve the following 27 road names for the Onewhero-Tuakau area in accordance with the Road Naming Policy:

- **Aarts**
- **Abraham**
- **Begrie**
- **Bhana**
- **Booker**
- **Burns**
- **Cooper**
- **Daya**
- **Dorricott**
- **Feather**
- **Fulton**
- **Grant**
- **Hoete**
- **Inanga**
- **Kanga**
- **Komata**
- **Kukutai**
- **Lindner**
- **List**
- **McGahan**
- **Ngaio**
- **Paua**
- **Pipi**
- **Prescott**
- **Raupo**
- **Vicars**
- **Weke.**

CARRIED on the voices

INF1908/12

Pokeno Community Committee Proposed Road Name List
Agenda Item 6.11

The report was received [*INF1908/02 refers*].

Resolved: (Crs Church/Henderson)

THAT the Infrastructure Committee approve the following road names for the Pokeno area in accordance with the Road Naming Policy:

- Clendon
- Otto
- De Velega
- Titchmarsh
- Keen.

CARRIED on the voices

INF1908/13

Tamahere Community Committee Proposed Road Name List
Agenda Item 6.12

The report was received [*INF1908/02 refers*]. Discussion was held on the following issue:

- Double up of some road names in the District – staff noted there was a geographic difference in those cases to avoid confusion and confirmed that the names had been checked through the Road Naming Policy.

Resolved: (Crs Smith/Church)

THAT the Infrastructure Committee approve the following road names for the Tamahere area in accordance with the Road Naming Policy:

- Mahinarangi
- Turongo
- Edge
- Fisher
- Comins
- Jim Thompson
- Pekapeka
- Van der Hum.

CARRIED on the voices

INF1908/14

His Worship the Mayor and Cr Lynch requested their dissenting votes be recorded.

Proposed Road Name for Nigel Beer Subdivision at 1403 Waiuku Road
Agenda Item 6.13

The report was received [INF1908/02 refers].

Resolved: (Crs Church/Henderson)

THAT the Infrastructure Committee approve the following road name for Nigel Beer Subdivision at 1403 Waiuku Road in accordance with the Road Naming Policy:

- **Frederica Close (ROW PVT).**

CARRIED on the voices

INF1908/15

Proposed Road Name for Mark Young Subdivision at 987 and 989 Horotiu Road
Agenda Item 6.14

The report was received [INF1908/02 refers]. The Acting General Manager Service Delivery provided clarification of the Road Naming Policy.

Resolved: (His Worship the Mayor/Cr McNally)

THAT the Infrastructure Committee approve the following road name for Mark Young Subdivision at 987 and 989 Horotiu Road in accordance with the Road Naming Policy:

- **Thetford Lane.**

CARRIED on the voices

INF1908/16

Proposed Road Names for Arrick Ltd Subdivision at 246A and 246B Tenfoot Road, Taupiri
Agenda Item 6.15

The report was received [INF1908/02 refers].

Resolved: (Cr Gibb/His Worship the Mayor)

THAT the Infrastructure Committee approve the following road names for Arrick Ltd Subdivision at 246A and 246B Tenfoot Road, Taupiri in accordance with the Road Naming Policy:

Seetal Gill Lane (ROW PVT)
Taran Place
Arkanda Lane

Preferred choice for subdivision.
Add to Taupiri road name list.
Add to Taupiri road name list.

CARRIED on the voices

INF1908/17

Update on the Hamilton to Auckland Start-up Passenger Rail Service
Agenda Item 6.16

The report was received [*INF1908/02 refers*] and summarised by the Strategic Project Manager.

Minutes of the Regional Transport Committee Meeting of 1 July 2019
Agenda Item 6.17

The report was received [*INF1908/02 refers*].

EXCLUSION OF THE PUBLIC

Agenda Item 7

Resolved: (Crs Gibb/Lynch)

THAT the report of the Chief Executive be received;

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

Confirmation of Minutes dated Tuesday 25 June 2019

REPORTS

- a. **Hamilton to Auckland (H2A) Passenger Rail Start Up Project: 101-105 Tregoweth Lane, Huntly**

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)

Section 7(2)(i)

Section 7(2)(j)

b. Te Awa Cycleway – Update and Request for Partial Stopping of Riverglade Drive, Tamahere

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 7(2)(d)
Section 7(2)(h)
Section 7(2)(j)**

Section 48(1)(a)

CARRIED on the voices

INF1908/18

Resolutions INF1908/19 - INF1908/22 are contained in the public excluded section of these minutes.

Having resumed open meeting and there being no further business the meeting was declared closed at 11.44am.

Minutes approved and confirmed this day of 2019.

DW Fulton
CHAIRPERSON

Open Meeting

To	Waikato District Council
From	Gavin Ion Chief Executive
Date	25 September 2019
Prepared by	Lynette Wainwright Committee Secretary
Chief Executive Approved	Y
Reference #	GOV1301
Report Title	Infrastructure Committee Recommendations

I. EXECUTIVE SUMMARY

The purpose of this report is to seek the Council's approval of the recommendations from the Infrastructure Committee meeting of Tuesday 24 September 2019, as set out below.

At its 24 September 2019 meeting, the Infrastructure Committee received the following property-related reports:

1. New Community Lease – Huntly Mining and Cultural Museum Society Incorporated, 148 Main Street, Huntly (Agenda Item 5.3).
2. New Ground Lease – Tuakau Incorporated Sports Society, Dr Lightbody Reserve, Tuakau (Agenda Item 5.4).
3. New Ground Lease – Raglan Rugby Sports Club, 33 Cross Street, Raglan (Agenda Item 5.5).

In all three cases the Committee resolved to recommend to Council that the respective leases be granted, and delegated executive authority to the Chief Operating Officer (COO).

Section 12 of the Local Government Act 2002 defines Council as a body corporate. Section 9(3)(9)(ii) of the Property Law Act 2007 requires deeds entered into by bodies corporate to be signed by two directors – for Council, this requires two elected members to sign such deeds. The Committee resolutions (in terms of delegating the COO to execute the documents) are therefore currently ultra vires and cannot be actioned. The Committee recommendations require amendment to correct this administrative error and allow the leases to be signed in accordance with noted legislation.

The Infrastructure Committee Agenda and Unconfirmed Minutes from its meeting of Tuesday 24 September 2019 can be found on the Council website:

<https://www.waikatodistrict.govt.nz/your-council/council-committees-boards/council-committees/infrastructure-committee>

2. RECOMMENDATIONS FROM THE INFRASTRUCTURE COMMITTEE

Approval for Public Consultation on the Draft Woodlands Reserve Management Plan and Concept Plan (INF1909/04)

THAT following the October 2019 local authority elections, the Council:

- a. appoint a hearings panel, if required, to hear any submissions received on the Draft Woodlands Reserve Management Plan and Woodlands Concept Plan; and**
- b. appoint a representative from Waikato Tainui to be a member of the hearings panel.**

New Community Lease – Huntly Mining and Cultural Museum Society Incorporated, 148 Main Street, Huntly (INF1909/05)

Note: Second paragraph of this Recommendation is amended in accordance with comments in the Executive Summary.

THAT Council grant a community lease to the Huntly Mining and Cultural Museum Society Incorporated for three years with two rights of renewal for three years each. The lease is to be for part of the Civic Centre as delineated in red on the building plan attached to the staff report (Item 5.3 in the Infrastructure Committee Agenda);

AND THAT Council approves that all documents required to give effect to this resolution are executed in accordance with the provisions of the relevant legislation.

New Ground Lease – Tuakau Combined Sports Society Incorporated, Dr Lightbody Reserve (INF1909/06)

Note: Second paragraph of this Recommendation is amended in accordance with comments in the Executive Summary.

THAT Council grants a lease for the land described below in the second and third Schedule and indicated in red on the aerial photograph located in Attachment I to the staff report (Item 5.4 in the Infrastructure Committee Agenda), to Tuakau Combined Sports Society Incorporated for an initial term of three years with two further rights of renewal of three years each;

AND THAT Council approves that all documents required to give effect to this resolution are executed in accordance with the provisions of the relevant legislation.

SCHEDULE

First all the land legally described as Lot 1 DP 164972 and Pt allot 14 Tuakau Parish (“the Reserve”).

Second the footprint under the building “Clubrooms” as indicated in red on the aerial overview attached to this report.

Third the footprint under the building “Storage Sheds” as indicated in red on the aerial overview attached to the agenda report.

New Ground Lease – Raglan Rugby Sports Club, 33 Cross Street, Raglan (INF1909/07)

Note: Second paragraph of this Recommendation is amended in accordance with comments in the Executive Summary.

THAT Council grants a lease for part of the land described in the Schedule and indicated in red on the aerial photograph attached to the staff report (Item 5.5 in the Infrastructure Committee Agenda), to Raglan Rugby Sports Club for an initial term of three years with two rights of renewal for three years each;

AND THAT Council approves that all documents required to give effect to this resolution are executed in accordance with the provisions of the relevant legislation.

SCHEDULE

Allotment 272 Whaingaroa Parish SO Plan 50346 comprising 0.933 hectares and physically located at 33 Cross Street, Raglan.

Historic Road Legalisations – Klondyke Road, Tuakau and Plateau Road, Te Mata (INF1909/08)

THAT Council approves:

- a. acquiring the lands described in the FIRST and SECOND SCHEDULES subject to:

 - i. an agreement being reached with the registered owners of the lands as to the areas of the lands being acquired (supported by registered survey); and**
 - ii. an agreement being reached with the registered owners of the lands as to the value of the compensation for the lands being acquired (supported by registered valuation); and****
- b. if acquired, that the lands described in the FIRST and SECOND SCHEDULES are declared to be road pursuant to the Public Works Act 1981; and**

- c. that the costs incurred to give effect to this resolution are paid from the existing 'Historic Road Legalisation' Strategic Property budget.

AND THAT the Chief Operating Officer be delegated authority to execute all relevant documentation necessary to give effect to the resolution.

FIRST SCHEDULE ("the Plateau Road Acquisition")

All the land shown in green on the 'Plateau Land Requirement Plan' (refer appendix 1), being a portion of the land legally described as being Part Section 4 Block X Karioi Survey District held in Record of Title 579396 (comprised as part of the total landholdings for 652 Kawhia Road, Te Mata).

SECOND SCHEDULE ("the Klondyke Road Acquisition")

All the land shown in green on the 'Klondyke Land Requirement Plan' (refer appendix 2), being a portion of the land legally described as being Section 3 Block X Onewhero Survey District held in Record of Title SA272/273 (comprised as part of the total landholdings for 654 Klondyke Road, Tuakau).

Partial Acquisition for Road – Puriri Street, Raglan (INF1909/09)

THAT Council approves:

- a. acquiring the land described in the **SCHEDULE** subject to:
 - i. an agreement being reached with the registered owners of the land as to the area of land being acquired (supported by registered survey); and
 - ii. an agreement being reached with the registered owners of the land as to the value of the compensation for the land being acquired (supported by registered valuation); and
- b. if acquired, that the land described in the **SCHEDULE** is declared to be road pursuant to the Public Works Act 1981; and,
- c. that the costs incurred to give effect to this resolution are paid from existing roading budgets.

AND THAT the Chief Operating Officer be delegated authority to execute all relevant documentation necessary to give effect to the resolution.

SCHEDULE

All the land shown on the 'Land Requirement Plan' (refer appendix 1 to the staff report (Item 5.7, Infrastructure Committee Agenda)), being a portion of the land legally described as being Lot 1 DP 17542 held in Record of Title SA484/167 ("9 Puriri Street").

3. ATTACHMENTS

Nil

Open Meeting

To	Waikato District Council
From	Gavin Ion Chief Executive
Date	27 September 2019
Prepared by	Lynette Wainwright Committee Secretary
Chief Executive Approved	Y
Reference #	GOV1301
Report Title	Receipt of Minutes – Waters Governance Board

I. EXECUTIVE SUMMARY

To receive the minutes of the Waters Governance Board meeting held on Thursday 29 August 2019.

2. RECOMMENDATION

THAT the minutes of the meeting of the Waters Governance Board meeting held on Thursday 29 August 2019 be received.

3. ATTACHMENTS

WGB Committee minutes – 29 August 2019

MINUTES of a meeting of the Waters Governance Board Meeting of the Waikato District Council held in Committee Rooms 1 & 2, District Office, 15 Galileo Street, Ngaruawahia on **THURSDAY 29 AUGUST 2019** commencing at **9.13am**.

Present:

Ms R Schaafhausen (Chair)
Mr D Wright
Mr G Dibley
Mr GJ Ion (Chief Executive, Waikato District Council)
Ms J Colliar (Intern)

Attending:

Mr I Cathcart (General Manager Service Delivery)
Ms C Nutt (Project Manager)
Ms C Pidduck (Legal Counsel)
Mr K Pavlovich (Waters Manager)
Mr V Ramduny (Strategic Projects Manager)
Mrs R Gray (Senior Committee Secretary)

The Chair opened the meeting and expressed thanks from the Board members to staff on achieving the signing of the contract which was completed on 15 August 2019.

APOLOGIES AND LEAVE OF ABSENCE

All members were present.

CONFIRMATION OF STATUS OF AGENDA ITEMS

Resolved: (Mr Ion/Mr Wright)

THAT the agenda for a meeting of the **Waters Governance Board Meeting** held on **Thursday 29 August 2019** be confirmed and all items therein be considered in open meeting with the exception of those items detailed at agenda item 6 which shall be discussed with the public excluded;

AND THAT the Board resolves that the following matter be discussed at an appropriate time during the course of the meeting:

- **Scheduling for Future Meetings.**

CARRIED on the voices

WGB1908/01

DISCLOSURES OF INTEREST

It is noted that Mr Dibley is a Board Member of Water New Zealand.

It is noted that Ms Schaafhausen is the Chair of the Freshwater Iwi Leaders Group.

It is noted that Mr Wright is the Chair of Wellington Water Limited and also a director of Waimea Water Ltd.

CONFIRMATION OF MINUTES

Resolved: (Mr Ion/Mr Wright)

THAT the minutes of a meeting of the Waters Governance Board Meeting held on Wednesday 24 July 2019 be confirmed as a true and correct record of that meeting.

CARRIED on the voices

WGBI908/02

REPORTS

Update on the Hamilton to Auckland Corridor Initiative
Agenda Item 5.1

The Strategic Projects Manager, Vishal Ramduny, presented on the Hamilton to Auckland Corridor Initiative and the Board Intern, Ms Colliar, presented on the three waters component of the initiative. Both responded to questions on the following issues:

- A number of co-design workshops had been held to develop the River Communities Spatial Plans. Engagement had been held with all the relevant community boards and community committees and further engagement was planned with public sector organisations and the private sector (including utility providers).
- The Sub-regional Three Waters study covered urban and rural environments. A boundaryless view had been taken.
- It was important to look at options for development without impacting the linkages between three waters infrastructure and the blue/green network.
- At the Future Proof Implementation Committee meeting held on 15 August 2019, it was noted that Waters should be a key focus area of the Hamilton to Auckland Corridor Initiative.
- The views of mana whenua on water matters reflected a true partnership approach.
- Agreement by collective parties on the geographic scope, and 'all of river' approach with particular focus on the Waikato River Catchment area.
- The key parties involved in the project were the Future Proof partners and central government (through the Department of Internal Affairs).
- Phase Two of the study (full technical study) remained unfunded. This would be scheduled to start in October 2019.

- A moratorium had been placed in Hamilton around water provision for any additional wet industry.
- Next steps were to complete the strategic business case, input into the spatial planning projects and to complete Phase Two, subject to funding.

Resolved: (Mr Dibley/Mr Wright)

THAT the report from the Chief Executive be received.

CARRIED on the voices

WGBI908/03

The meeting adjourned at 9.53am and resumed at 11.37am.

Mobilisation Plan
Agenda Item 5.2

The report was taken as read by the General Manager Service Delivery who highlighted, and responded to questions on, the following issues:

- The risk of determining staff numbers retained in this area.
- Future Board meetings would focus on a structured agenda to ensure appropriate provision for proper governance oversight over transition periods.
- In addition, reports are also expected on managing affordability on water charging for vulnerable people in the community and on giving effect to the roles and responsibilities of the Board.

Resolved: (Mr Wright/Mr Dibley)

THAT the report from the General Manager Service Delivery be received.

CARRIED on the voices

WGBI908/04

EXCLUSION OF THE PUBLIC

Agenda Item 6

Resolved: (Ms Schaafhausen/Mr Wright)

THAT the report from the Chief Executive be received;

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

Confirmation of Minutes dated Wednesday 24 July 2019

REPORTS

a. Watercare Contract Approval Confirmation

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)(i)
Section 7(2)(j)**

Section 48(1)(a)

b. Te Kauwhata Water Association Water Supply Network

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)(i) and (ii)
Section 7(2)(i)**

Section 48(1)(a)

CARRIED on the voices

WGB1908/05

Resolutions WGB1908/06 – WGB1908/09 are contained in the public excluded section of these minutes.

Having resumed the Open Meeting the following item was discussed.

Scheduling for Future Meetings

Add.Item

Discussion was held on scheduling a meeting date in December and it was agreed that it be held on Monday 16 December 2019 at 12.30pm.

ACTION: Agenda item for the next meeting: Scheduling of Meeting Dates for 2020.

There being no further business the meeting was declared closed at 12.52pm.

Minutes approved and confirmed this

day of September 2019.

Rukumoana Schaafhausen
CHAIRPERSON

Open Meeting

To	Waikato District Council
From	Gavin Ion Chief Executive
Date	11 September 2019
Prepared by	Vishal Ramduny Strategic Projects Manager
Chief Executive Approved	Y
DWS Document Set #	ECM 2348475
Report Title	Minutes of the Future Proof Implementation Committee meeting held on 15 August 2019

I. EXECUTIVE SUMMARY

The purpose of this report is for Council to receive the minutes of the Future Proof Implementation Committee ('FPIC') meeting held on 15 August 2019 at Hampton Downs.

This was the inaugural meeting of the expanded Future Proof partnership with central government (represented by ministers Phil Twyford and Nanaia Mahuta); Auckland Council (Deputy Mayor Bill Cashmore); the Franklin Local Board (Ms Angela Fulljames) and Auckland iwi (represented by Gavin Anderson of the Mana Whenua Kaitiaki Forum) present.

This meeting formalised bringing together these key players in the Hamilton to Auckland Corridor Initiative together with the established Future Proof partners (Waikato District Council, Hamilton City Council, Waikato Regional Council, Waipa District Council, Tainui Waka Alliance and Ngā Karu Atua o te Waka.

The members received an introduction to the Future Proof partnership and an update on the Hamilton to Auckland Corridor Initiative.

The following actions arose from the meeting.

- Adding Three Waters as a key focus area in the work programme together with the other focus areas (Stronger Corridor Connections, Papakura-Pokeno Sub-Region, River Communities, Hamilton-Waikato Metropolitan Spatial Plan, New Tools and Options to Unlock Full Potential);
- A stronger focus on (and involvement from) the Ministry for Business, Innovation & Employment (MBIE) regarding economic development matters in all the initiatives;
- In the short term, resourcing the next stage of the Hamilton-Waikato mass transit plan development;

- Completing the Hamilton-Waikato and the River Community spatial plans and associated implementation programmes/packages by mid-2020 and;
- Wider socialisation of the corridor initiative with the private sector, NGOs, academics and community groups.

The minutes of the meeting are attached.

2. RECOMMENDATION

THAT the report from the Chief Executive be received.

3. ATTACHMENTS

Minutes of the Future Proof Implementation Committee held on 15 August 2019.



Implementation Committee – Minutes – Open

Time and Date	1.10pm 15 August 2019	
Venue	Hampton Downs Event Centre, 20 Hampton Downs Road, Te Kauwhata	
Members		
All Future Proof matters:	Bill Wasley Allan Sanson Dynes Fulton Dave Macpherson Martin Gallagher Parekawhia McLean Rangipipi Bennett Rukumoana Schaafhausen Jim Mylchreest Liz Stolwyk Bob Simcock Alan Livingston	Independent Chair, Future Proof Mayor, Waikato District Council / Deputy Chair Deputy Mayor, Waikato District Council Councillor, Hamilton City Council Deputy Mayor, Hamilton City Council Tainui Waka Alliance Ngā Karu Atua o te Waka Waikato-Tainui Mayor, Waipa District Council Councillor, Waipa District Council Councillor, Waikato Regional Council Chairperson, Waikato Regional Council
Hamilton-Auckland Corridor matters:	Hon Phil Twyford Hon Nanaia Mahuta Bill Cashmore Angela Fulljames Gavin Anderson	Minister for Economic Development, Urban Development & Transport Minister for Māori Development & Local Government Deputy Mayor, Auckland Council Chairperson, Franklin Local Board Mana Whenua Kaitiaki Forum
Presenters	Ken Tremaine Ernst Zollner Blair Bowcott Luke O'Dwyer Andrew Parsons Jackie Colliar Vishal Ramduny Clive Morgan Mark Tamura David Shepherd	Future Proof Ministry of Housing and Urban Development Hamilton City Council Hamilton City Council Hamilton City Council Hamilton City Council Waikato District Council Waikato District Council Waikato Regional Council KiwiRail
Committee Advisor	Michelle White	Future Proof
Apologies	Andrew King Ross I'Anson Ngarimu Blair Karen Wilson	Mayor, Hamilton City Council Regional Relationships Director, NZ Transport Agency Mana Whenua Kaitiaki Forum Mana Whenua Kaitiaki Forum

1. Welcome and Introduction

Sam Toka, Waikato-Tainui, formally welcomed participants to the meeting.

The Independent Future Proof Chair, Bill Wasley, welcomed and acknowledged the members seated around the table, and in particular the new members, Minister Twyford, Minister Mahuta, Deputy Mayor Cashmore, Chairperson Fulljames, and Gavin Anderson.

Waikato-Tainui was acknowledged and thanked for making the mihimihi / whakatau.

The Hamilton to Auckland Corridor Steering Group and technical groups were acknowledged for their efforts and work on the Corridor Plan.

This meeting marks a significant milestone for the partnership. It is ten years on from the launch of the Future Proof Strategy in 2009. This arrangement is unique, where the Crown is a key part of the partnership.

There is efficiency on building what already exists and to expand the Future Proof partnership for Corridor Plan matters.

Members and participants seated around the table introduced themselves.

The apologies were accepted.

Resolved: (Councillor Macpherson/Rukumoana Schaafhausen)

That the apologies be received.

2. Future Proof Implementation Committee Agreement and Appointments

The report was taken as read and the recommendations were approved.

Resolved: (Mayor Mylchreest/Deputy Mayor Fulton)

That the Future Proof Implementation Committee:

1. ***Receives this report.***
2. ***Endorses the updated FPIC Agreement.***
3. ***Appoints the following members to the expanded FPIC for Hamilton to Auckland Corridor matters:***

Central Government Representatives – Ministers of the Crown	Minister Phil Twyford Minister Nanaia Mahuta
Auckland Mana Whenua Kaitiaki Forum	Ngarimu Blair Karen Wilson Gavin Anderson
Auckland Council	Deputy Mayor Bill Cashmore Franklin Local Board Chair Angela Fulljames

4. ***Appoints Rukumoana Schaafhausen as the Waikato-Tainui representative on the FPIC.***

3. Introduction to Future Proof

Deputy Chair of the Future Proof Implementation Committee, Mayor Sanson, introduced Future Proof. The Future Proof Strategy was launched nearly ten years ago, in September 2009, by Prime Minister John Key and Kingi Tuheitia.

The partnership was originally set up to provide certainty around land use, in order to secure funding for the Waikato Expressway.

The partnership has built a good working relationship and has learnt to speak with once sub-regional voice. The founding partners include the Waikato Regional Council, Waikato District Council, Waipa District Council, Hamilton City Council, tāngata whenua, with input from the NZ Transport Agency.

The new partners were acknowledged.

Resolved: (Mayor Sanson/Councillor Macpherson)

That the Future Proof Implementation Committee:

1. ***Receives this report.***
2. ***Notes the background information on Future Proof.***

4. National Policy, Tools and Framework Updates

Minister Twyford acknowledged Future Proof and the work that has taken place during the past year. This is a special opportunity which starts and finishes with the river. It is about all lives, people, history, the natural environment, and transport connections coming together. New Zealand has growth pressures, which can be challenging, but challenges can also create opportunities. This is an opportunity to do things differently, taking a collaborative and joined-up approach. We need to make room for growth, but also accommodate and plan for it. Prosperous, happy and healthy wellbeing is central.

Minister Mahuta noted that she was present at the launch of Future Proof in 2009. A lot has happened during the last ten years. Parekawhia McLean was acknowledged for bringing iwi into the conversation. Communities have their own identify and this needs to be preserved. We need to preserve what is unique to the Waikato. Wellbeing is central to these discussions.

Minister Mahuta outlined some national policy updates, including the RMA reforms and three waters review.

5. Hamilton to Auckland Corridor Plan

Ken Tremaine introduced the presentation on the Hamilton to Auckland Corridor Plan and acknowledged Natalie van Rossen (NZ Transport Agency) and Kim Jonson (Waikato Regional Council) for their work on the Corridor Plan.

A video on the Corridor Plan was viewed. The video can be found on the Future Proof website: <http://www.futureproof.org.nz/corridor-plan/>

The focus areas for the Corridor Plan include:

- New focus area: waters
- Focus area 1: stronger corridor connections
- Focus area 2: Papakura-Pokeno sub-region

- Focus area 3: river communities
- Focus area 4: Hamilton-Waikato sub-region
- Focus area 5: new tools and options to unlock full potential

The layers for the Corridor Plan include the environment, connections, and places to live and work. The technical workstreams, under these layers, include:

- Papakura-Pokeno sub-region
- River communities
- Hamilton-Waikato Metro Spatial Plan
- Mass Transit Plan
- Start-up and rapid rail business cases
- Sub-regional three waters investigation
- Blue-green network planning

a. New focus area: Waters

Andrew Parsons (Future Proof Water Policy Group Chair) and Jackie Colliar (Sub-Regional Three Waters Study project lead, Hamilton City Council) presented the Waikato Sub-Regional Three Waters Study and Mark Tamura (Waikato Regional Council) presented on flooding and drainage infrastructure.

Andrew acknowledged the partnership for its support, including iwi, councils, and crown agencies (in particular Richard Ward), and Jackie for her work on this project.

Andrew reiterated Minister Twyford's comment, that everything starts and finishes with the river.

Challenges around three waters management were outlined, including water allocation, wastewater non-compliance, and very large financial cost to meet current and future needs.

This study is an opportunity to: take an integrated catchment approach to achieve Te Ture Whaimana; unlock the economic potential of the corridor; take a boundaryless and collaborative approach; and, enable the other Hamilton-Auckland Corridor Plan initiatives. This project is fundamental to achieving the Hamilton to Auckland Corridor Plan and Vision and Strategy.

Phase 1 has been funded by the Waikato Regional Council, Waipa District Council, Hamilton City Council, Waikato District Council and Watercare. There has been significant collaboration and a high degree of support.

Phase 2 is not yet funded. Funding support will be sought from the partners.

Some communities have more pressing issues than others.

Comments on the initiative include:

- Minister Mahuta acknowledged the project and noted that collaboration is required. She asked if there had been thought to broaden the scope of Phase 2 to focus on elements of implementation. Jackie replied that thinking has evolved since the start of the project. It has become apparent that implementation needs to be addressed, for example, how do we deliver a shared wastewater treatment plant.

- The Vision and Strategy was discussed. The Vision and Strategy is unique to the Waikato region. In order to achieve the Vision and Strategy we will need to think differently, take a boundaryless approach, and look at the catchment as a whole.
- Rukumoana Schaafhausen reiterated the comments above and supported the addition of waters as a new focus area. This project is fundamental to achieving the Vision and Strategy.
- The importance of waters was noted, and that funding is required for Phase 2.
- Minister Mahuta urged councils to look at service delivery and how Government would contribute towards that. She noted that this study is positioned very well in terms of the waters reform. The business case method to follow includes - planning, procurement, and funding and financing for a 10-30 year period.
- Parekawhia McLean agreed that implementation needs to be included in the study and noted that waters should be a number one priority for all.
- Waikato Regional Council commented that the Vision and Strategy is the Waikato region's priority, and that Auckland region and Watercare will have other priorities. How will the Auckland lens be taken into account? Jackie replied that the scope of the project is the Waikato River catchment, but with an initial focus on the Future Proof sub-region. Watercare is a partner in the project.
- Watercare's 30-year plan was noted.
- Scale gives procurement opportunities.
- There is opportunity for ongoing conversations through the Future Proof Water Policy Group.

Mark outlined the slide on drainage and flood protection. Flood and drainage infrastructure keeps the land useable. The management of this systems starts at the Lake Taupo control gates and includes the land south of the Bombay hills.

b. Focus area 1: Stronger corridor connections

Gareth Fairweather (NZ Transport Agency) and David Shepherd (KiwiRail) presented focus area 1.

The key benefit is a long-term consistent and system-wide view. There are exciting opportunities to: create vibrant, well connected places; improve access to jobs and opportunities; make room for growth; increase choice and deliver mode shift (public transport, walking and cycling); reduce emissions and congestion; improve health and active lifestyle.

An integrated and multi-layered approach includes: rapid intercity rail; mass transit corridors connecting key hubs; enhanced local public transport networks; and excellent walking, cycling and urban realm.

A phased approach is being taken towards better intercity connectivity:

- Phase 1: Hamilton-Auckland start up service
- Phase 2: start-up next steps
- Phase 3: rapid intercity rail - indicative business case

In terms of Phase 3, consultants will be engaged soon, and a scope prepared.

An integrated approach is key to delivering stronger corridor connections. Working as a partnership allows us to explore opportunities that could exist.

Comments on focus area 1 include:

- Hamilton City Council is supportive of the start-up and rapid rail.
- Regional rail connections with Hamilton were raised.
- Hamilton City Council would like to see connections from Auckland airport to Waikato built into the Puhinui upgrade.
- It was noted that Phase 1 won't deliver what the customers want i.e., a frequent and on time service; this falls into Phase 2.
- Hamilton City Council noted that we need to be given guidance on funding priorities.
- Urban centres don't work without good mobility. The worse the mobility, the smaller the employment market. There has been good investment in roads, but unless we integrate rapid transit, we will simply hand chronic congestion to the next generation. We must move towards multi modal. The intention is that the start-up rail will evolve into a good and efficient milk run. Rapid rail will effectively unite labour markets, which will result in a huge economic uplift.
- Perekawhia supported the presentation and focus.

c. Focus area 2: Papakura-Pokeno sub-region

Deputy Mayor Cashmore (Auckland Council) presented focus area 2.

Penny Pirrit was acknowledged for the work she has done for Auckland Council.

Seventy percent of growth is expected inside the urban area. The area has already experienced significant population growth, and more is expected. Many Waikato residents are coming into Auckland for employment. The creation of employment is important - housing and employment growth go hand in hand. Five private businesses in the Franklin area are spending a significant amount of money on growing their businesses.

Chair Fulljames reiterated that employment is a priority. Fifty percent of the population in the Pukekohe area migrate daily for employment (in 2010 the figure was 70%).

Drury-Opāheke Structure Plan: there are a number of key challenges, including a legacy deficit in the transport networks, the current transport network being at or over capacity, and transport infrastructure funding shortfall (of at least \$2 billion). Due to these challenges, the approach being taken is to pause rezoning from future urban to urban.

Comments on focus area 2 include:

- Waikato Regional Council welcomed Auckland Council to the partnership.
- A lot of the demand that Waikato is experiencing is due to the overflow from Auckland. The fundamental question is - rather than allowing the flow over to the Waikato, how do you fix Auckland's land supply issue? Deputy Mayor Cashmore replied that Auckland has more than adequate land for growth; however, the challenge is the value of land.
- There was discussion on the number of dwellings currently enabled.
- The cost of land needs to come down and the City must be allowed to grow up.
- Southern Auckland is part of the challenge and opportunity.
- We have a different set of challenges facing us today. Water, soil and the environment need to be kept in front and centre.

d. Focus area 3: River communities

Clive Morgan and Vishal Ramduny (Waikato District Council) presented focus area 3.

The strong presence of wāhi tiotū and wāhi toiora have directed and shaped future development options. The following have informed thinking: rivers, lakes, mountains, access to the Expressway, east-west road connections, rail access options, public transport services, major assets that can be redeveloped, and high-quality soils.

Meremere: TGH has lodged a Provincial Growth Fund application for a feasibility study.

Te Kauwhata: Waikato District has already undertaken a lot of planning work in Te Kauwhata.

Pokeno: there is ongoing and strong market interest in Pokeno, given its strategic location. A key priority for Pokeno is the central area. The areas shown by yellow stripes on the map show where Pokeno could grow, subject to infrastructure.

Huntly: a key priority for Huntly is to revitalize the town centre. The purple stars on the map indicate opportunities with Housing NZ. There are also iwi aspirations in Huntly.

Ohinewai and Taupiri: new residential development options are indicated in Ohinewai and Taupiri.

Comments on focus area 3 include:

- Concerns were raised on the impact developing Ohinewai would have on aspirations to rejuvenate Huntly. Vishal replied that there is room for residential growth in Huntly; however, there is little industrial land. The connection between Ohinewai and Huntly is important. The Ohinewai proposal would bring social and economic benefits to Huntly.

e. Focus area 4: Hamilton-Waikato Metro Spatial Plan

Luke O'Dwyer (Metro Spatial Plan project lead, Hamilton City Council) presented focus area 4.

This project represents an opportunity to see how the Metro Plan area can grow differently. This is the fastest growing area in New Zealand. The project is about - an alternative future, productivity, prosperity, not business as usual, and a boundaryless approach.

Waters is fundamental for the success of this project.

The outputs on the maps represent thinking to date, from various organisations.

The preferred form is a mixture of city densification and nodal development, underpinned by a mass transit network.

There are a number of areas for further testing, including north west, Taupiri/Hopuhopu, Ruakura east, Airport south, Hamilton CBD, and areas for significant regeneration.

Mass transit is fundamental and a game changer. There is a unique opportunity to create a mass transit network that aligns with the Metro Plan work.

Comments on focus area 4 include:

- Zoning reform is another key enabler to enable intensification within the rapid transit corridor.

f. Focus area 5: New tools and options to unlock full potential

Blair Bowcott (Hamilton City Council) presented focus area 5.

There are a range of opportunities through the 20 key initiatives - how do we realise the potential benefits from the initiatives. Existing and new tools need to be applied in innovative and effective ways. We require a new way of working that is agile, transformative and solution focused. Business as usual sits at one end of the spectrum and legislative reform and Central Government mandate sits at the other end.

There are increasing conversations around 'city deal'. An implementation package for the Corridor Plan could comprise a 'partnership deal' which might:

- Be based on a geographic area.
- Require a firm commitment from the partners to deliver outcomes.
- Clarify funding arrangements.
- Take a 30-year view.

How bold are we willing to be to deliver transformational change?

Comments on focus area 5 include:

- Population projections were raised and if we are basing our planning on accurate statistics. At some point growth will stabilise. Blair replied that our planning is based on the best information available. We need to be game ready in order to respond - lead in infrastructure and clarity on work programme. The sub-region sits at the heart of the golden triangle with good connections to Auckland. The fundamentals are present for further growth.
- There is a history of councils consistently underestimating growth. Migration is a key driver and this doesn't appear to be slowing down. There is a risk of underestimating growth.

g. Next key milestones

Ernst Zollner (Ministry of Housing and Urban Development) outlined some of the next key milestones. Some of the initiatives e.g. Sub-Regional Three Waters Study and Metro Plan, will be moving into phase 2. The river community spatial plans will move into implementation in 2020.

Resolved: (Parekawhia McLean/Councillor Macpherson)

That the Future Proof Implementation Committee:

- 1. Receives this report.***
- 2. Notes the interconnected nature of the 20 Hamilton to Auckland Corridor Plan initiatives.***
- 3. Notes the update on the initiatives provided in this report and the associated presentation, and that they are still a work in progress.***
- 4. Supports the overall direction of the initiatives and agree to move to Phase 2 of these workstreams on the basis that progress is reported on to the next meeting.***
- 5. Agrees to include 'waters' as an additional focus area.***

6. General Business

Three current Future Proof Implementation Committee members will not be returning next triennium. The Chair acknowledged Chair Livingston, Councillor Simcock and Deputy Mayor Fulton for their support and contribution to Future Proof. Chair Livingston and Councillor Simcock have been involved with Future Proof since it was first adopted in 2009. All three members have taken a strategic view, provided considered and wise advice, and have understood and valued the partnership approach. Their valuable contribution is acknowledged. He extended best wishes to those standing in the forthcoming local government elections.

7. Close

The Deputy Chair of the Future Proof Implementation Committee provided some closing thoughts. He acknowledged Chair Livingston, Councillor Simcock and Deputy Mayor Fulton for their valuable contribution. Minister Twyford and Minister Mahuta were acknowledged for their participation and membership on the Future Proof Implementation Committee. Auckland Council was also acknowledged for their participation and membership.

Minister Twyford provided some closing thoughts. Having listened to all the presentations today, it is clear that there is a lot to play for, and a high level of collaboration. We have to collectively commit to work in a different way. We need early wins to demonstrate value. There is much more to gain than to lose. It is better to be in the partnership, than to be out. We now have to start telling the story of what we are doing.

Minister Twyford thanked the public servants for their outstanding work.

Minister Mahuta acknowledged Chair Livingston, Councillor Simcock and Deputy Mayor Fulton for their contribution. We need to continue into the next phase of the Corridor Plan. The next phase will/must give clearer visibility of staging/timing and the people element.

Minister Mahuta thanked the group for the opportunity to be part of the conversation.

The Chair then invited relevant partner members to sign the Future Proof Implementation Agreement that had earlier been approved by the Committee.

The Chair closed the meeting.

The meeting was closed at 3:45pm

Open Meeting

To	Waikato District Council
From	Gavin Ion Chief Executive
Date	27 September 2019
Prepared by	Lynette Wainwright Committee Secretary
Chief Executive Approved	Y
Reference #	GOV1301
Report Title	Receipt of Taupiri Community Board Minutes

1. EXECUTIVE SUMMARY

To receive the minutes of the Taupiri Community Board meeting held on Monday 12 August 2019.

2. RECOMMENDATION

THAT the minutes of the meeting of the Taupiri Community Board meeting held on Monday 12 August 2019 be received.

3. ATTACHMENTS

TCB Minutes – 12 August 2019

MINUTES of a meeting of the Taupiri Community Board held in the Memorial Hall, Greenlane Road, Taupiri on **MONDAY 12 AUGUST 2019** commencing at **6.01pm.**

Present:

Ms D Lovell (Chairperson)
Cr JM Gibb
Cr EM Patterson
Mr H Lovell [from 6.04pm]
Ms J Morley [from 6.18pm]
Ms J Pecékajus
Mr R Van Dam

Attending:

His Worship the Mayor, Mr AM Sanson

Mr RJ MacCulloch (Acting General Manager Service Delivery)
Mr V Ramduny (Strategic Projects Manager)
Mrs RJ Gray (Senior Committee Secretary)

APOLOGIES AND LEAVE OF ABSENCE

Resolved: (Ms Lovell/Cr Patterson)

THAT an apology be received from Ms Ormsby-Cocup;

AND THAT an apology for lateness be received from Mr Lovell and Ms Morley.

CARRIED on the voices

TCBI908/01

CONFIRMATION OF STATUS OF AGENDA ITEMS

Resolved: (Ms Lovell/Cr Gibb)

THAT the agenda for a meeting of the Taupiri Community Board held on Monday 12 August 2019 be confirmed and all items therein be considered in open meeting;

AND THAT all reports be received.

CARRIED on the voices

TCBI908/02

DISCLOSURES OF INTEREST

There were no disclosures of interest.

CONFIRMATION OF MINUTES

Resolved: (Ms Lovell/Ms Pecékajus)

THAT the minutes of a meeting of the Taupiri Community Board held on Monday 10 June 2019 be confirmed as a true and correct record of that meeting.

CARRIED on the voices

TCBI908/03

REPORTS

Public Forum

Agenda Item 5.1

The following item was discussed at the Public Forum:

- A member of the public advised of her interest in standing for the community board in the upcoming local authority elections.

Mr Lovell entered the meeting at 6.04pm during discussion on the above item.

Presentation – Draft Pokeno & Surrounds Spatial Plan Update

Agenda Item 5.2

The report was received [*TCBI 908/02 refers*] and discussion was held.

The Strategic Projects Manager provided an apology for Mr Zollner (Ministry for Housing & Urban Development) owing to illness, and advised that the presentation was on the Huntly and Surrounds Spatial Plan Update.

Tabled: Huntly What If Draft Spatial Plan

The Strategic Projects Manager provided a powerpoint presentation on the Draft Spatial Plan for Ohinewai, Huntly and Taupiri and provided background information on the Hamilton Auckland Corridor and the intent for the corridor and communities.

The key focus points discussed were:

- River communities
- Recognising flooding risk
- Key corridors
- Key residential options

- Industrial/residential opportunities
- Taupiri East Business Park
- Challenges and key constraints/challenges
- Placemaking in Huntly.

A question was raised for a Park & Ride by the roundabout in Taupiri. It was advised that the Engagement Team was looking at ways of using better public transport.

ACTION: The Strategic Projects Manager agreed to provide feedback on the Draft Spatial Plan to future Taupiri Community Board meetings, and to request Waikato Regional Council to present to members on the next Transport Review.

Ms Morley entered the meeting at 6.18pm during discussion on this item.

Discretionary Fund to 31 July 2019

Agenda Item 5.3

The report was received [TCB1908/02 refers] and discussion was held.

The Chair shared photos from the Taupiri Bowling Club showing work carried out for which the Board provided funding, and noted the thanks expressed to the Board.

Taupiri Works and Issues Report

Agenda Item 5.4

The report was received [TCB1908/02 refers] and discussion was held.

The following additional item was discussed:

- Parking on Murphy Lane – safety concern with a truck parking on the wrong side of the road noting it is not against the law but night lights must be on the front and back.

ACTION: His Worship the Mayor suggested that the Acting General Manager Service Delivery contact the Transport Association to discuss this issue.

Year to Date Service Request Report

Agenda Item 5.5

The report was received [TCB1908/02 refers] and discussion was held.

Taupiri Community Plan
Agenda Item 5.6

The Chair spoke of attempts to have the Taupiri Community Plan updated and hoped to be involved in this project going forward at Council.

Chairperson's Report
Agenda Item 5.7

The Chair gave a verbal report on the following:

- Few issues with Orini Bridge.
- The garden plan on Te Putu Street and SH1, had not been touched for over 12 months. It was advised that owing to a commitment to Zero Harm, NZTA had stopped working on gardens on State Highways and there was now a need to find a different way of working on these.
- Signs knocked over on Orini Road roundabout, also Te Putu Street. These were reported to NZTA.
- Plaque for Bob Byrne Park – Mrs Byrne had expressed her thanks with the state of the park and wished to have a plaque placed on the cemetery wall, rather than erected at the park. She wanted to give a donation to the Board for this.

Councillors' Report
Agenda Item 5.8

Cr Gibb and Cr Patterson gave a verbal overview on current Council issues including:

- Full Council meeting on 12 August 2019 approved the Cemetery Bylaw for consultation regarding purchasing of plots.

PROJECTS

Project Update – Bridge Development
Agenda Item 6.1

Cr Gibb gave a verbal update that included:

- Project going well with some activity in creating a crane pad construction and lay down areas by the Urupa.
- Possible completion February 2020/March 2020.
- A newsletter would be sent out in the near future to inform the community of the upgrade.

Open Meeting

To	Waikato District Council
From	Gavin Ion Chief Executive
Date	27 September 2019
Prepared by	Lynette Wainwright Committee Secretary
Chief Executive Approved	Y
Reference #	GOV1301
Report Title	Receipt of Raglan Community Board Minutes

1. EXECUTIVE SUMMARY

To receive the minutes of the Raglan Community Board meeting held on Tuesday 13 August 2019.

2. RECOMMENDATION

THAT the minutes of the meeting of the Raglan Community Board meeting held on Tuesday 13 August 2019 be received.

3. ATTACHMENTS

RCB Minutes – 13 August 2019

MINUTES of a meeting of the Raglan Community Board held in the Supper Room, Town Hall, Bow Street, Raglan on **TUESDAY 13 AUGUST 2019** commencing at **1.33pm**.

Present:

Mr RJ MacLeod (Chairperson)
Cr LR Thomson
Mr PJ Haworth
Mrs GA Parson

Attending:

Mr TG Whittaker (General Manager Strategy & Support)
Mr K Pavlovich (Waters Manager)
Ms N Marvin (BECA)
Mrs RJ Gray (Committee Secretary)

Mr N Peart (Surfside Christian Life Centre)
Ms Willoughby and Ms K Woolf (Waikato Junior Boardriders)
12 Members of the Public

APOLOGIES AND LEAVE OF ABSENCE

Resolved: (Mr MacLeod/Cr Thomson)

THAT an apology be received from Mrs Kereopa, Mr Oosten and Mr Vink.

CARRIED on the voices

RCBI908/01

CONFIRMATION OF STATUS OF AGENDA ITEMS

Resolved: (Mr MacLeod/Mrs Parson)

THAT the agenda for a meeting of the Raglan Community Board held on Tuesday 13 August 2019 be confirmed and all items therein be considered in open meeting;

AND THAT all reports be received.

CARRIED on the voices

RCBI908/02

DISCLOSURES OF INTEREST

Mr Haworth advised members of the Board that he would declare a non-financial conflict of interest in item 5.4 [*Surfside Christian Life Centre – Raglan’s Christmas in the Park*].

CONFIRMATION OF MINUTES

Resolved: (Mr MacLeod/Mr Haworth)

THAT the minutes of a meeting of the Raglan Community Board held on Tuesday 11 June 2019 be confirmed as a true and correct record of that meeting.

CARRIED on the voices

RCBI908/03

REPORTS

Public Forum

Agenda Item 5.1

The following matters were discussed during the Public Forum:

- Questions raised regarding design and consultation on reserves, in particular Whale Bay, freedom camping and parking. It was noted that the Enforcement Officer had full time employment across the Waikato district. Concerns to be raised through a service request either at the Raglan Office or online on the Council website.
- Concern from the Soccer Club with the proposed footpath through the Domain – requested consultation where the path would be installed. Noted that a Working Group had been set up.
- A service request would be completed to address the question of the removal of the bike rack outside the Raglan Roast.
- Pump Track – concern with some slumping on the side of the track and work would be carried out for the longevity of the track.

ACTION: Cr Thomson agreed to contact the contractor regarding concerns with the Pump Track.

Raglan Community Board Workshop – Proposed Allocation to XZW Fundraising Food Waste Collection

Agenda Item 5.2

The report was received [RCBI908/02 refers] and discussion was held.

Resolved: (Mr MacLeod/Cr Thomson)

THAT Raglan Community Board allocates an amount of \$4,000 from the Discretionary Fund in support of Xtreme Zero Waste Fundraising Food waste collection.

CARRIED on the voices

RCBI908/04

Discretionary Fund Report to 31 July 2019
Agenda Item 5.3

The report was received [RCB1908/02 refers] and discussion was held.

The Chief Operating Officer clarified, to a member of the public, how the Discretionary Fund operated and the allocation of funds.

Surfside Christian Life Centre – Raglan’s Christmas in the Park
Agenda Item 5.4

The report was received [RCB1908/02 refers] and discussion was held.

Mr Haworth declared a conflict of interest and did not speak to, or vote on this item.

Mr Peart provided an overview in support of the application.

Resolved: (Mrs Parson/Mr MacLeod)

THAT an allocation of \$4,000.00 is made to the Surfside Christian Life Centre towards the cost of the Raglan’s Christmas in the Park.

CARRIED on the voices

RCB1908/05

Waikato Junior Boardriders – NZ’s National Scholastic Surfing Championships (held in Raglan)
Agenda Item 5.5

The report was received [RCB1908/02 refers] and discussion was held.

Ms Willoughby and Ms Woolf provided an overview in support of the application.

Resolved: (Cr Thomson/Mr Haworth)

THAT an allocation of \$1,109.00 is made to the Waikato Junior Boardriders towards the cost of the event.

CARRIED on the voices

RCB1908/06

Raglan Works & Issues Report: Status of Items August 2019
Agenda Item 5.6

The report was received [RCB1908/02 refers] and discussion was held.

Issues discussed from Register:

- Action Plan – Manu Bay Breakwater – work in progress, following agreed process. To revisit how the detailed monitoring statistics had gone with Ecoast, noting that the Fishing Club was also carrying out a process of monitoring.

ACTION: A request was made for the Acting General Manager Service Delivery to provide an updated report on the Manu Bay Breakwater to the Board meeting in September 2019.

- Gilmore Street Upgrade and Stormwater Upgrade – some consultation held with residents this month.
- Raglan Wastewater Treatment Plant – refer to Agenda Item 5.7.

Update on Raglan Wastewater Consenting Process
Agenda Item 5.7

The report was received [RCB1908/02 refers] and discussion was held.

The Waters Manager provided an overview and answered questions from the Board Members. Ms Mavin, BECA, spoke of the technical work being carried out since the last Board meeting.

Resolved: (Mr MacLeod/Cr Thomson)

THAT the report, as detailed in the 13 August 2019 agenda of the Raglan Community Board, be used as a reference to understand progress underway with the discharge consent application project.

CARRIED on the voices

RCB1908/07

Year to Date Service Request Report
Agenda Item 5.8

The report was received [RCB1908/02 refers].

Chairperson's Report
Agenda Item 5.9

The report was received [RCB1908/02 refers].

Open Meeting

To	Waikato District Council
From	Gavin Ion Chief Executive
Date	27 September 2019
Prepared by	Lynette Wainwright Committee Secretary
Chief Executive Approved	Y
Reference #	GOV1301
Report Title	Receipt of Ngaruawahia Community Board Minutes

1. EXECUTIVE SUMMARY

To receive the minutes of the Ngaruawahia Community Board meeting held on Tuesday 13 August 2019.

2. RECOMMENDATION

THAT the minutes of the meeting of the Ngaruawahia Community Board meeting held on Tuesday 13 August 2019 be received.

3. ATTACHMENTS

NCB Minutes – 13 August 2019

MINUTES of a meeting of the Ngaruawahia Community Board held in the Committee Rooms 1 & 2, District Office, 15 Galileo Street, Ngaruawahia on **TUESDAY 13 AUGUST 2019** commencing at **6.00pm**

Present:

Ms R Kirkwood (Chair)
Ms W Diamond
Ms K Morgan
Cr JM Gibb
Cr E Patterson

Attending:

Mr GJ Ion (Chief Executive)
Lianne Van den Bemd [*until 6.20pm*]
Mrs T King (Committee Secretary)

Members of the public
Jack Ayers
Maipi Tahapehi
Anne Ramsay
Venessa Rice

APOLOGIES AND LEAVE OF ABSENCE

Resolved: (Cr Gibb/Ms Morgan)

THAT an apology be received from Mr J Whetu and Ms J Stevens

CARRIED on the voices

NCBI908/01

CONFIRMATION OF STATUS OF AGENDA ITEMS

Resolved: (Cr Gibb/Ms Diamond)

THAT the agenda for a meeting of the Ngaruawahia Community Board held on Tuesday 13 August 2019 be confirmed and all items therein be considered in open meeting;

AND THAT all reports be received.

CARRIED on the voices

NCBI908/02

DISCLOSURES OF INTEREST

There were no disclosures of interest.

CONFIRMATION OF MINUTES

Resolved: (Cr Patterson/Cr Gibb)

THAT the minutes of a meeting of the Ngaruawahia Community Board held on Tuesday Tuesday 11 June 2019 be confirmed as a true and correct record of that meeting.

CARRIED on the voices

NCB1908/03

PUBLIC FORUM

The following items were discussed at the Public Forum:

- The suitability of the wood chip that had been used for the Ngaruawahia Playground ground cover. Wood chip was used to compliment the 'natural' look of the playground. Wood chip would be replaced, and decomposing and unhygienic matters would be addressed, as and when required.
- Recycled playground material from the dog park delivered to the High School. Cr Patterson informed the Board that he was working with staff on this issue. The Chief Executive highlighted that the Council complied with standards for playground equipment, which is why the equipment was replaced. Other parties would need to comply with health and safety and other requirements.

ACTION: Cr Patterson to continue to work with staff and the High School.

- Inorganic Collection – Discussions with potential contractors were continuing to find a feasible timeframe and arrangement to balance cost-effectiveness and sustainable recycling.
- Ngaruawahia Library/Memorial Hall – Refurbishment of the Memorial Hall was currently on hold due to high costs for repair. Options, including costs, would be communicated to the community as part of the decision-making process after the October elections.

REPORTS

Discretionary Fund Report to 31 July 2019

Agenda Item 6.1

The report was received [*NCB1908/02 refers*] and discussion was held.

Ngaruawahia Senior Citizens & Friendship Club – Land to Sea Event
Agenda Item 6.2

The report was received [NCB1908/02 refers] and discussion was held.

Resolved: (Gibb/Morgan)

THAT an allocation of \$1,525.00 is made to the Ngaruawahia Senior Citizens and Friendship Club towards the cost of their Land to Sea event.

CARRIED on the voices

NCB1908/04

Access Road Renewal, Ngaruawahia Cemetery
Agenda Item 6.3

The report was received [NCB1908/02 refers] and discussion was held.

Resolved: (Cr Patterson/Cr Gibb)

THAT the Ngaruawahia Community Board approves the design proposal for construction of the access road to the Ngaruawahia Cemetery (Jackson Street Entrance).

CARRIED on the voices

NCB1908/05

Ngaruawahia Community Board Works and Issues Report
Agenda Item 6.4

The report was received [NCB1908/02 refers] and the following additional items were discussed:

Ngaruawahia Playground Point

- The use of woodchips as the ground/surface cover.
- Consideration for a drinking fountain near the playground.

The Point Buildings

- Lease and maintenance issues dealt with under the Reserve Management Plan.

Ngaruawahia Community Board Resolution/Action Register
Agenda Item 6.5

The report was received [NCB1908/02 refers] and discussion was held.

Resolved: (Ms Morgan/Ms Diamond)

THAT the following item be added to the Register:

- **The Community Board requests Council initiate the correct process and undertake community consultation to revert 'The Point' back to the original name Te Huinga o Ngaa Wai.**

CARRIED on the voices

NCBI908/06

Year to Date Service Request Report
Agenda Item 6.6

The report was received [NCBI908/02 refers] and discussion was held.

Chairperson's Report
Agenda Item 6.7

There was no report given.

Councillors' Report
Agenda Item 6.8

Crs Gibb and Patterson provided an overview on the following Council issues:

- Cr Patterson updated the Board on the opening of the new playground at the Point; reserve planting; proposed update to the Cemeteries Bylaw to permit the purchase of up to two plots (at any time).
- Cr Gibb attended the recent memorial planting in memory of Jayden Nerihana Tepu and Moareen Rameka.
- Cr Gibb would be attending the drop-in session at the Community House on Wednesday.

Community Board Members' Report
Agenda Item 6.9

Members provided a verbal report on the following issues:

- Council was thanked for supporting Maaori representation on Council committees.
- The Community Board had some achievements for the triennium and was leaving a legacy for the next community board to carry on.
- Ms Morgan noted the June 2019 Police meeting went well and attendance by members of the Community Board sent a positive message.

Open Meeting

To	Waikato District Council
From	Gavin Ion Chief Executive
Date	27 September 2019
Prepared by	Lynette Wainwright Committee Secretary
Chief Executive Approved	Y
Reference #	GOV1301
Report Title	Receipt of Huntly Community Board Minutes

1. EXECUTIVE SUMMARY

To receive the minutes of the Huntly Community Board meeting held on Tuesday 20 August 2019.

2. RECOMMENDATION

THAT the minutes of the meeting of the Huntly Community Board meeting held on Tuesday 20 August 2019 be received.

3. ATTACHMENTS

HCB Minutes – 20 August 2019

MINUTES of a meeting of the Huntly Community Board held in the Riverside Room, Civic Centre, Main Street, Huntly on **TUESDAY 20 AUGUST 2019** commencing at **6.00pm**.

Present:

Ms K Bredenbeck
Mrs D Lamb
Mr C Rees
Cr S Lynch
Cr F McInally

Attending:

His Worship the Mayor, Mr AM Sanson
Cr JD Sedgwick

Mrs V Jenkins (People & Capability Manager)
Mr V Ramduny (Strategic Projects Manager)
Mr N Johnston (Funding & Partnerships Manager)
Ms L van den Bemd (Community Development Advisor)
Sergeant J Stableford (NZ Police)
Mrs Anscombe (Huntly Community Patrol)
Ms Lamb and Ms Te Anga (Huntly Community Angels @ Friendship House)
Mrs RJ Gray (Senior Committee Secretary)

ELECTION OF CHAIRPERSON

His Worship the Mayor called for nominations for a Chairperson for this meeting.

One nomination was received. Mrs Lamb nominated Ms Bredenbeck, seconded by Cr McInally.

As there was only one nomination, His Worship duly declared Ms Bredenbeck elected as the Chairperson for this meeting.

Resolved: (Mrs Lamb/Cr McInally)

THAT Ms Bredenbeck be appointed as Chairperson for this meeting.

CARRIED on the voices

HCBI908/01

APOLOGIES AND LEAVE OF ABSENCE**Resolved: (Cr McInally/Cr Lynch)****THAT an apology be received from Mr Farrar, Ms Langlands and Mrs Stewart.****CARRIED on the voices****HCBI908/02**

An apology was noted from Ms Comins, the Youth Representative on the Board.

CONFIRMATION OF STATUS OF AGENDA ITEMS**Resolved: (Cr Lynch/Mrs Lamb)****THAT the agenda for a meeting of the Huntly Community Board held on Tuesday 20 August 2019 be confirmed and all items therein be considered in open meeting;****AND THAT all reports be received;****AND FURTHER THAT Cr Sedgwick be granted speaking rights for the full meeting;****AND FURTHER THAT the Board resolves that the following item be withdrawn from the agenda:**

- **Item No. 6.7 Te Wharekura o Rakaumangamanga – Buses.**

CARRIED on the voices**HCBI908/03****DISCLOSURES OF INTEREST**Cr McInally advised members of the Board that he would declare a non-financial conflict of interest in item 6.3 [*Huntly Community Patrol – Vehicle Maintenance and Petrol*].Ms Bredenbeck advised members of the Board that she would declare a non-financial conflict of interest in item 6.5 [*Huntly Community Angels & Friendship House – Christmas in the Park 2019*].**CONFIRMATION OF MINUTES****Resolved: (Mr Rees/Cr Lynch)****THAT the minutes of a meeting of the Huntly Community Board held on Tuesday 18 June 2019 be confirmed as a true and correct record of that meeting.****CARRIED on the voices****HCBI908/04**

PUBLIC FORUM

Agenda Item 5

The following items were discussed at the public forum:

- CCTV Camera: The Board was thanked for advancing CCTV, for the health and safety of people in Huntly.
- Gardens: Noted the quick response regarding the gardens in Fry Lane
- Algae & Lichen: the requested clean up had been completed.
- Street bumps: Advice given was that noise levels were raised with the installation of street bumps and some residents had asked for them to be removed from their street. Advice was given for members of the public to complete a Service Request if required.
- Concave mirrors: An enquiry was made regarding concave mirrors and advice given was to complete a Service Request.
- Dumping of litter: An enquiry was made regarding the dumping of litter on the streets. It was noted that the streets were cleaned on a regular basis, but not the matter of paper in Main Street.
- Broken sign: It was advised of a broken sign in the north end of town near I-Site. Advice was given to complete a Service Request.
- Davies Park: Discussion held on Davies Park of which advice was given that it was owned by Waikato Rugby League, not by Council.

REPORTS

NZ Police Update

Agenda Item 6.1

The report was received [*HCB1908/03 refers*]. Sergeant John Stableford spoke of the following key issues:

- Several robberies in the town
- 3 homicide investigations over the past month.
- 2 police officers stationed at Te Kauwhata
- 6 additional officers to be stationed at Huntly.

Discretionary Fund Report to 31 July 2019

Agenda Item 6.2

The report was received [*HCB1908/03 refers*] and discussion was held.

The Community Development Advisor was asked to speak to this report.

ACTION: The Community Advisor agreed to look into the commitments that have not been paid out yet.

Huntly Community Patrol – Vehicle Maintenance and Petrol
Agenda Item 6.3

The report was received [*HCBI 908/03 refers*].

Cr McNally declared a conflict of interest and took no part in discussion or voting on this item.

Mrs Anscombe spoke in support of the funding application.

Resolved: (Cr Lynch/Mrs Lamb)

THAT the funding application be accepted;

AND THAT an allocation of \$1,000 is made to the Huntly Community Patrol towards the costs of maintaining the vehicle and petrol.

CARRIED on the voices

HCBI 908/05

Waikato District Crime Prevention Technology Trust – Huntly CCTV Project
Agenda Item 6.4

The report was received [*HCBI 908/03 refers*].

The Funding & Partnerships Manager provided an overview and spoke in support of the funding application.

Resolved: (Ms Bredenbeck/Mrs Lamb)

THAT an allocation of \$10,000 is made to Waikato District Crime Prevention Technology Trust towards the cost of their Huntly CCTV Project.

CARRIED on the voices

HCBI 908/06

Huntly Community Angels & Friendship House – Christmas in the Park 2019
Agenda Item 6.5

The report was received [*HCBI 908/03 refers*].

Ms Bredenbeck declared a conflict of interest and took no part in discussion or voting on this item. She withdrew from the Chair and Cr Lynch assumed the Chair for this item.

Ms Lamb and Mrs Te Anga spoke in support of the funding application.

Resolved: (Cr McNally/Mr Rees)

THAT an allocation of \$3,410.50 is made to Huntly Community Angels & Friendship House for their Christmas in the Park 2019.

CARRIED on the voices

HCBI908/07

Ms Bredenbeck assumed the Chair for the following items.

Presentation – Draft Pokeno & Surrounds Spatial Plan Update
Agenda Item 6.6

The report was received [*HCBI 908/03 refers*].

The Strategic Projects Manager advised the presentation would be on the Draft Ohinewai, Huntly and Taupiri Spatial Plan Update, not for Pokeno as noted in the agenda report.

The key issues were:

- Strong emphasis on spatial planning in looking at growth potential in the corridor.
- Focus on the river communities in the District.
- Physical constraints were a key consideration for planning for the entire corridor.
- Objectives and structure, key corridors, and places to work.
- Constraints recognised of flood hazard areas and subsidence.
- Recognised core sense of place, and good social infrastructure.
- Recognised potential role of a future transport hub.
- Recognised the longer term bus and rail options, Ohinewai and Taupiri.
- Proposed housing developments, eg West of Huntly Power Station, regenerating Housing NZ properties in Huntly East and West, and business development in Ohinewai.
- Employment opportunities, eg Huntly North, Ohinewai, East Mine and Speedway area.
- Huntly town centre regeneration.
- Recognised Iwi aspirations in the Plan.
- Possible concepts for Huntly Central.

Te Wharekura O Rakaumangamanga - Buses
Agenda Item 6.7

This item was withdrawn from the agenda [*HCB1908/03 refers*].

Huntly Community Plan Update
Agenda Item 6.8

The report was received [*HCB1908/03 refers*].

Actions were being put in place following the Board's workshop to move forward with developing the Plan.

Huntly Works & Issues Report: Status of Items August 2019
Agenda Item 6.9

The report was received [*HCB1908/03 refers*] and discussion was held on items listed in the register.

Additional Item discussed:

- Flags in Main Street had become dilapidated over time, and the Board should look at replacement of these.

ACTION: Community Board Members requested to discuss replacement of flags at the September 2019 meeting.

Year to Date Service Request Report
Agenda Item 6.10

The report was received [*HCB1908/03 refers*] and a brief discussion was held.

Councillors' and Board Members' Reports
Agenda Item 6.11

Cr Lynch provided a verbal report on meetings attended eg:

- Public Police Meeting
- Public Meeting regarding the road name proposal for Fisher Road and Ralph Road
- Workshops
- Council meetings
- 2 candidate information evenings
- Councillor meeting at Huntly Library

- Zero Harm meeting
- Fundraiser meetings
- Liaison with Ratepayers.

There being no further business the meeting was declared closed at 7.15pm.

Minutes approved and confirmed this day of 2019.

K Langlands
CHAIRPERSON

Open Meeting

To	Waikato District Council
From	Gavin Ion Chief Executive
Date	27 September 2019
Prepared by	Lynette Wainwright Committee Secretary
Chief Executive Approved	Y
Reference/Doc Set #	GOV1301
Report Title	Receipt of Meremere Community Committee Minutes

1. EXECUTIVE SUMMARY

To receive the minutes of the Meremere Community Committee meeting held on Thursday 8 August 2019.

2. RECOMMENDATION

THAT the minutes of the meeting of the Meremere Community Committee held on Thursday 8 August 2019 be received.

3. ATTACHMENTS

MMCC Minutes – 8 August 2019

MINUTES of a meeting of the Meremere Community Committee held at the Meremere Community Hall, Heather Green Avenue, Meremere on **THURSDAY 08 AUGUST 2019** commencing at **7.00pm**.

Present:

Mr J Katu (Chairperson)
Ms M Tararo (Secretary)
Mr B Brown
Mr J Harman
Ms C Heta

Attending:

His Worship the Mayor, AM Sanson
Cr J Sedgwick

Mr M Balloch (Building Quality Manager)

APOLOGIES AND LEAVE OF ABSENCE

Resolved: (Mr Harman/Ms Heta)

THAT an apology be received from Mr D Creed.

CARRIED on the voices

MMCCI906/01

CONFIRMATION OF STATUS OF AGENDA ITEMS

Resolved: (Mr Harman/Ms Heta)

THAT the agenda for a meeting of the Meremere Community Committee held on Thursday 13 June 2019 be confirmed and all items therein be considered in open meeting;

AND THAT all reports be received.

CARRIED on the voices

MMCCI906/02

DISCLOSURES OF INTEREST

There were no disclosures of interest.

CONFIRMATION OF MINUTES**Resolved: (Mr J Harman/Ms C Heta)****THAT the minutes of a meeting of Meremere Community Committee held on Thursday 8 August 2019 be confirmed as a true and correct record of that meeting.****CARRIED on the voices****MMCCI906/03****REPORTS****Works & Issues Report**

Agenda Item 5.1

The report was received [*MMCCI906/02 refers*] and discussion was held on the following items.

- A meeting took place today (Thursday August 8th) regarding the provision of current health services from its existing venue (Te Puea Ave) to the Meremere Community Centre. In attendance were members of the Meremere Community Committee and Te Kauwhata Health Services.
- **Outcome of meeting:** An agreement was reached by both parties that upon notification to vacate the current space they occupy, Te Kauwhata Health Centre will provide these services from the Meremere Community Centre building at an agreed rental price of \$70.00 per day.
- **Questions raised that require further investigation and/or action:**
 - (a) Wheelchair access ramp will need to be installed at the centre.
 - (b) Will WIFI be available?
 - (c) Will the provision of power continue to be a Council expense?
Niall will find out the answers to questions (b) and (c) and confirm with Merv.
- The new library building will be under CCTV surveillance and alarmed.

Councillor's Report

Agenda Item 5.2

Cr Sedgwick gave an overview on the following items:

- Funding to acquire security cameras is currently available for communities such as Meremere.
- New library will be completed by late August to early September. Project team will contact the Committee within the next fortnight.

- A full time Police Officer is now based in Te Kauwhata with the possibility that he will be joined by at least 2 additional staff.

His Worship the Mayor gave an overview on the following items:

- Growth of Waikato district – particularly Pokeno, Tuakau and Ohinewai.
- Update on Sleepyhead factory set to be built in Ohinewai: Building of this site has already commenced with the consents process currently underway. An application to bring the hearing forward has been received and will no doubt be approved. To facilitate the building of this factory and future opportunities for growth, the owners have purchased 176 ha of farmland in Ohinewai which is situated on the corner of Lumsden and Tahuna Roads.
- Supermarket planned for Te Kauwhata and Pokeno.
- Hi-speed rail currently in the works with central government working on a business case to see this rail network come to fruition.
- Meremere re: Central corridor project. Discussions are currently underway with Waikato-Tainui regarding the development of land for the purposes of contributing to growth in the district.
- Pokeno Market: A discussion about relocating the Pokeno Sunday market to Mercer. His Worship the Mayor and Mr Brown will make further enquiries.

Discretionary Fund Report to 30 May 2019

Agenda Item 5.4

The report was received [MMCC1906/02 refers] and discussions were held on the following items:

- Mr Brown has made an offer to the Committee to purchase from him, a commercial grade water blaster. It is in excellent condition with receipts available upon request.

Resolved: (Mr Katu/Mr Harman)

THAT the Meremere Community Committee purchase the waterblaster from Mr Brown at an agreed cost of \$1,900.00.

CARRIED on the voices

MMCC1906/03

<p>ACTION: Mr Brown to forward an invoice for payment to the Meremere Community Committee.</p>

Open Meeting

To	Waikato District Council
From	Gavin Ion Chief Executive
Date	27 September 2019
Prepared by	Lynette Wainwright Committee Secretary
Chief Executive Approved	Y
Reference/Doc Set #	GOV1301
Report Title	Receipt of Pokeno Community Committee Minutes

1. EXECUTIVE SUMMARY

To receive the minutes of the Pokeno Community Committee meeting held on Tuesday 13 August 2019.

2. RECOMMENDATION

THAT the minutes of the meeting of the Pokeno Community Committee held on Tuesday 13 August 2019 be received.

3. ATTACHMENTS

PCC Minutes – 13 August 2019



POKENO COMMUNITY COMMITTEE

MINUTES of the monthly Pokeno Community Committee meeting held in the Pokeno Hall, Pokeno, on 13th August 2019, commencing at 7.00pm.

Committee Members Present: Helen Clotworthy, Todd Miller, Janet McRobbie, Wayne Rodgers, Charles Hackett, Morris Roberts, Cr Jacqui Church, Cr Stephanie Henderson

WDC Staff in Attendance: Clive Morgan, Paul McPherson, Peter Clark

Councillors in Attendance Mayor Allan Sanson

Community Members Members of the public attended.

1 APOLOGIES: Apologies received from Ric Odom, Kris Hines, Doug Rowe, Tricia Graham, Lance Straker

Moved that the apologies be accepted: Helen Clotworthy

Seconded: Charles Hackett

2 CONFIRMATION OF THE STATUS OF THE AGENDA

Moved that the apologies be accepted: Helen Clotworthy

Seconded: Charles Hackett

3 DISCLOSURE OF INTEREST

There was no disclosure of interest

4. CONFIRMATION OF THE MINUTES

Moved Helen Clotworthy

Seconded Janet McRobbie

5. REPORTS

5.1 Presentation – Draft Pokeno & Surrounds Spatial Plan Update

Plan was presented focusing on the strategic long-term planning requirements for Pokeno and other “river community: towns.

5.2 Opportunity to Review Draft Pokeno Community Committee Charter

1. Term changed from 3 years to 2 years to encourage engagement.
 - a. Moved Helen, 2nd Charles - 6 votes for, 0 votes against - Passed.
2. Request removal of reference to “Local Government Act”.
3. Keep committee membership at 12, and quorum at 5.
4. Further discussed required to confirm acceptable absences
5. Mayor Sanson recommended new draft is forwarded to council to ensure it complies with relative legislation.

5.3 Works and Issues

1. Paul (Community Projects Facilitator) and Peter (Design Team Leader) presented the Pokeno urban upgrade plan.
2. The road around the Pokeno School (Helenslee Rd, Pokeno Rd) are scheduled to have footpaths, curbing, drainage prioritised Summer 2019, to ensure safe movement of students.
3. Munro Rd Bridge is budgeted for replacement in the LTP for FY2023.
4. Clarification was provided about the intersection of Helenslee Rd and Munro Rd. With future subdivision and roading plans, that intersection will become a cross intersection, potentially controlled by lights.
5. Members of the community raised concerns about localised flooding and in particular under the expressway overbridge. Council will investigate.
6. Members of the community raised concerns over the lack of a rubbish bin at the Kowhai Downs waterfall.
7. The Committee discussed the proposed careers evening. Paul is to contact Julie to discuss further.

5.4 YTD Service Requests tabled

5.5 LTP Update

The Growth Strategy is being reviewed.

5.6 Civil Defence Update

Todd provided an update on the community’s civil defence response plan. 1st activation of the plan was during the localised water outage which identified the lack of community resilience on the whole. Council activated their EOC to provide oversight and logistical support, including the provision of a water tanker of “potable” water.

5.7 Schedule discussed

Jessica of Community Support will present in September.
Richard Clarke from Council will visit

5.8 Councillors Reports

Councillors did not have any further reports to table.

5.9 Committee Reports

Meet and greet is going well with 26 – 30 people attending.
Community Hall has had new wiring and lights installed
Community Committee elections will be scheduled for November, after completion of the Local authority elections.

ACTION LIST

- Council to investigate localised flooding concerns, in particular under expressway bridge.
- Paul to contact Julie to discuss proposed careers evening.

There being no further business Helen thanked our visitors declared the meeting closed at 21:15pm. The next meeting to be held on 10 September 2019 at 7.00pm

Open Meeting

To	Waikato District Council
From	GJ Ion Chief Executive
Date	24 September 2019
Prepared by	Christine Pidduck Legal Counsel
Chief Executive Approved	Y
Reference/Doc Set #	GOV1318 / 2362261
Report Title	Waikato District Crime Prevention Technology Trust – Retrospective exemption from being classified as Council Controlled Organisation

I. EXECUTIVE SUMMARY

The Waikato District Crime Technology Trust 2019 Deed (“Trust Deed”) was retrospectively approved by Council at their August 2019 meeting. Under clause 8.2 of the Trust Deed, the Council agreed to consider the applicability and desirability of an exemption being granted to the Trust from Council Controlled Organisation status in accordance with section 7 of the Local Government Act 2002 (LGA).

Section 7(3) of the LGA allows the Council to exempt a small organisation that is not a council trading organisation, for the purposes of section 6(4) of the LGA. Section 7(5) of the LGA sets out the matters to be considered before the Council makes a decision to exempt, all of which were considered as the Trust Deed was drafted and executed.

However, under section 7(4) of the LGA an exemption must be granted by resolution of the local authority. This explicit resolution has not been made, therefore it is recommended that Council retrospectively exempt the Waikato District Crime Prevention Technology Trust from being classified as a council controlled organisation.

2. RECOMMENDATION

THAT the report from the Chief Executive be received;

AND THAT pursuant to section 7(3) of the Local Government Act 2002 (“LGA”) Waikato District Council, as at 28 May 2019, exempt the Waikato District Crime Prevention Technology Trust (the “Trust”) from being classified as a council controlled organisation, for the purposes of section 6(4)(i) of the LGA;

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

- (a) The Trust is not a council-controlled trading organisation;**
- (b) The Trust is a small organisation with charitable objectives to contribute to the safety and wellbeing of the Waikato District;**
- (c) There is a cost benefit to the Trust and Council not having to comply with the statement of intent and monitoring provisions set out in Part 5 of the LGA; and**
- (d) The Trust's activities are restricted to the Waikato District and are confined in nature.**

3. BACKGROUND

Council resolved in March 2016 to revoke the previous Deed of Trust in favour of a new Deed of Trust. This was to extend the area of jurisdiction of the new Trust, given that the size of the district increased with the incorporation of part of the Franklin district in 2010.

Council subsequently resolved in August and December 2017 to amend the composition of the Trustees of the Trust to three community representatives from the Waikato District; and two elected members of the Council. New Zealand Police representatives and a Council staff member were removed as Trustees so they could provide support and act as advisors, rather than perform the role and functions of a Trustee.

The Deed of Trust was further amended in May 2019 to address some practical issues being experienced with the operation of the Trust. These issues mainly pertain to the flexibility of Trustee membership and achievement of meeting quorums. Cr Lisa Thomson was appointed as a Trustee following the resignation of Mr Clint Baddeley.

The purposes of the Trust remain the same.

4. DISCUSSION AND ANALYSIS OF OPTIONS

4.1 DISCUSSION

The Trust is classified as a council controlled organisation in accordance with section 6(1)(b)(ii) of the LGA, as pursuant to Clause 6.3 of the Trust Deed Council has the power to appoint, reappoint and remove trustees. The Trust is therefore obligated to comply with certain governance and accountability requirements under Part 5 of the LGA, unless otherwise exempted.

In terms of Part 5 of the LGA, the Trust will no longer have to supply statements of intent, or half-yearly and annual reports which provide performance related information and assessments and audited financial reports. The Council will still have a role in the appointment of Trustees, as well as a monitoring role with regard to the achievement against Trust objectives.

4.2 OPTIONS

- (a) Council can continue with the status quo and not change the Trust's status as a council controlled organisation. This would mean that the Trust would have to continue to comply with the governance and accountability requirements under Part 5 of the LGA.
- (b) Council can exempt the Trust from being classified as council controlled organisation, thus reflecting the intent of the Trust, and further reducing operational costs. This is the preferred option.

5. CONSIDERATION

5.1 FINANCIAL

Operational costs associated with Part 5 compliance will be reduced.

5.2 LEGAL

Section 7(3) of the LGA authorises Council to exempt a small organisation from being classified as a council controlled organisation.

5.3 STRATEGY, PLANS, POLICY AND PARTNERSHIP ALIGNMENT

NIL

5.4 ASSESSMENT OF SIGNIFICANCE AND ENGAGEMENT POLICY AND OF EXTERNAL STAKEHOLDERS

This does not trigger Council's Significance and Engagement Policy.

6. CONCLUSION

Retrospective exemption of the Trust is recommended to streamline the operations of the Trust. An exemption will remove the obligation to comply with the requirements relating to council controlled organisations.

7. ATTACHMENTS

NIL

Open Meeting

To	Waikato District Council
From	Clive Morgan General Manager Community Growth
Date	27 September 2019
Prepared by	Stacey Solomon Corporate Planner
Chief Executive Approved	Y
Reference #	GOV1301/2361102
Report Title	Adoption of the Annual Report and Summary 2018/19

I. EXECUTIVE SUMMARY

The Local Government Act 2002 (LGA) requires Council to adopt its Annual Report and Summary by 31 October each year. The Annual Report 2018/19 compares the actual activities and performance of Council against the intended activities and performance of the Council as specified in the Long Term Plan 2018-28 (LTP). The Annual Report and Summary 2018/19 are reporting on the first year of the current LTP.

Audit New Zealand have completed their onsite audit, and an unmodified audit opinion with verbal clearance for the Annual Report and Summary 2018/19 has been received.

It is recommended that the audited Annual Report and Summary 2018/19 be adopted by Council.

2. RECOMMENDATION

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

AND THAT the audited Annual Report and Summary 2018/19 be adopted.

3. BACKGROUND

The Local Government Act 2002 requires Council to adopt its Annual Report and Summary by 31 October each year. The Annual Report is the Council's accountability document to its ratepayers and the wider community for each financial year (1 July – 30 June). In general terms, the Annual Report tells the community how we are delivering on our strategic direction and vision (Liveable, Thriving and Connected Communities). More specifically, it tells them:

- How we performed on the work programme and levels of service we set out in our Annual Plan (which is derived from the LTP), and KPIs which are established in the LTP
- How we performed financially (e.g.: what did we do with the funds we received, what the balances of our assets and liabilities are, and what our cash position is, etc).

The audit process has been completed and the final audit opinion will be incorporated into the Annual Report and Summary 2018/19 document following Council adoption.

4. CONSIDERATIONS

4.1 Legal

The Annual Report and Summary 2018/19 is prepared in accordance with Section 98 of the Local Government Act 2002, and must be adopted within four months from the end of the financial year. The report must be publicly available within one month of adoption.

4.2 Engagement

This year the Annual Report Summary has been developed as a self-contained section at the front of the Annual Report. We are also developing a page on our website that will present the Summary in a more interactive way to our residents and ratepayers. Previously the Summary has been prepared as a newsheet style document and hardcopy circulated to households in the district.

The main rationale for the change to digital presentation of the Summary is to increase cost effectiveness.

Staff corresponded with AuditNZ to confirm that presenting the Summary primarily online was appropriate for the purpose of the document. AuditNZ confirmed that it was, provided that hardcopies be made available for inspection at Council service centres and libraries, or on request by those who are unable or do not wish to view the summary online.

To support this, an article will be included in the October/November 2019 LINK newsletter encouraging people to view the Summary on the website. The article will also state that hardcopies are available at Council service centres, as well as on request.

5. ATTACHMENTS

Annual Report and Summary 2018/19 - *to be circulated under separate cover*

Open Meeting

To	Waikato District Council
From	GJ Ion Chief Executive
Date	23 September 2019
Prepared by	C Bailey Finance Manager
Chief Executive Approved	Y
Reference #	GOV1318/ 2357548
Report Title	Funding for Karioitahi Hall

I. EXECUTIVE SUMMARY

The Karioitahi Hall is a cross-boundary hall situated in the northern part of our district. Unlike the arrangements we have with other local authorities where cross-boundary targeted rates are levied and collected on behalf of another Council, Auckland fund their halls by way of a general rate therefore the number of properties in the Karioitahi Hall catchment decreased as a result.

The issue of cross boundary subsidisation was instead addressed by way of the LTCCP Contribution Reserve, established as part of the Franklin integration with Waikato, with the understanding that hall boundaries in the area would be reviewed through a subsequent Long Term Plan process.

The LTCCP Contribution Reserve was used in full by the end of the 2017/18 financial year, however, as there were no catchment adjustments made through the 2018-28 Long Term Plan the hall continues to have a funding shortfall.

2. RECOMMENDATION

THAT the report from the Chief Executive be received;

AND THAT Council approves that the Karioitahi Hall shortfall in funding of \$2,906 per annum for the 2018/19 and 2019/20 rating years be funded from the General Accounting Reserve Fund.

3. BACKGROUND

The Karioitahi hall was transferred to Council as part of the Franklin transition in 2010. The catchment area for the hall targeted rate spanned both the Waikato and Auckland boundaries. For the first few years, Auckland Council rated residents living within their

jurisdiction and transferred those funds to Council. In 2012, Auckland Council ceased this practice in recognition of the fact that Council was also benefiting from its ratepayers not funding halls administered and funded by Auckland Council. This essentially means that Council ratepayers enjoy the benefit of Auckland funded halls and Auckland residents enjoy the benefits of Council funded halls. Ceasing the transfer of funds was part of a quid pro quo arrangement.

Council passed resolutions to fund the shortfall of \$2,906 for the rating years from 2012/13 to 2017/18 inclusive for the Karioitahi hall.

4. DISCUSSION AND ANALYSIS OF OPTIONS

4.1 DISCUSSION

The Hall Committee are seeking permanent funding of the \$2,906 per annum to compensate for the fact that Auckland Council do not contribute to the cost of operating the hall. The committee has had discussions with the committees of two neighbouring halls and during 2017/18, in readiness for the 2018-28 Long Term Plan, attempted to finalise boundary realignment between all three halls to equitably distribute rates income. For this reason no application for funding was made. An agreement has not been finalised, and the Committee will require staff support to make this happen for a broader catchment rate to be in place for the 2020/21 financial year.

4.2 OPTIONS

Council could;

- Do nothing – the hall will need to operate on \$1,450 a year which is insufficient to maintain and insure the building. This is likely to result in deterioration in the hall condition over time.
- Agree to fund the shortfall from an alternative source. It is suggested that the general accounting reserve fund is used for this purpose, or alternatively, rural ward discretionary funding.

5. CONSIDERATION

5.1 FINANCIAL

At \$1,450 a year, the maintenance of the hall and its surrounds will be minimal. With minimal maintenance, the building is likely to deteriorate at a more rapid rate than expected.

6. CONCLUSION

The Karioitahi Hall Committee has requested additional funding support in lieu of lost income as a result of the 2010 local government reorganisation. It is proposed to fund the

shortfall of \$5,812 via the General Accounting Reserve Fund until a new catchment is in place.

7. ATTACHMENTS

Nil

Open Meeting

To	Waikato District Council
From	Clive Morgan General Manager Community Growth
Date	23 September 2019
Prepared by	Katherine Overwater Senior Policy Planner
Chief Executive Approved	Y
Reference #	GOV1301 / 2358168
Report Title	Council Submissions on Proposed National Policy Statements for Urban Development and Highly Productive Land – For Approval

I. EXECUTIVE SUMMARY

The Ministry for the Environment (MfE) and Ministry of Primary Industries (MPI) have released two discussion documents for the proposed National Policy Statement on Urban Development and National Policy Statement on Highly Productive Land.

Waikato District Council has an opportunity to submit on the Proposed National Policy Statements for Urban Development (NPS-UD) and Highly Productive Land (NPS-HPL) before the submission period closes on 10th October 2019.

Council staff have undertaken a workshop on Tuesday 17th September 2019 with Councillors to discuss the draft National Policy Statement discussion documents and have since collated feedback from the Councillor's on both proposed National Policy Statements.

Attached is a copy of Council's submissions on the two proposed National Policy Statement's.

2. RECOMMENDATION

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

AND THAT Council's submission on the proposed **National Policy Statement for Urban Development (Attachment A to the staff report)** is approved and lodged with the **Ministry for the Environment**;

AND FURTHER THAT Council's submission on the **Proposed National Policy Statement for Highly Productive Land (Attachment B to the staff report)** is approved and lodged with the **Ministry of Primary Industries**.

3. BACKGROUND

The discussion documents for the National Policy Statement for Urban Development (NPS-UD) and National Policy Statement for Highly Productive Land (NPS-HPL) were released for consultation by the Ministry for the Environment and Ministry of Primary Industries in August 2018.

National Policy Statements are instruments used under section 52(2) of the Resource Management Act 1991. They state objectives and policies for matters of national significance which assist Council's in the development of planning tools such as the District Plan and decision making such as plan changes and resource consents.

Council staff have undertaken a workshop with Councillors on Tuesday 17th September 2019 to discuss the draft National Policy Statement discussion documents and have since collated feedback from the Councillor's in preparation of the final submissions attached to this report.

The timeframes for both submissions to be submitted are 10th October 2019.

National Policy Statement – Urban Development

The key points from the submission on the NPS-UD are as follows:

- Council supports a National Policy Statement on Urban Development; specifically, the need to provide more direction to ensure development is concentrated around urban centres and is an appropriate density, while achieving high quality amenity outcomes.
- Council recognises that the NPS-UD cannot be achieved without the supporting infrastructure in place.
- Council recognises the importance of the NPS-UD and supports the inclusion of being part of a Major Urban Centre. However the application of some of the proposed policies in Waikato District's small townships needs to be better understood, for example the requirements for higher density development around town centres.
- Council intends to undertake the housing and business capacity assessment with partner councils for the entirety of the district regardless of the area influenced by major urban centres as the benefits of the assessment helps Council to understand the different demands and markets across the district.
- Council supports the requirement for the Future Development Strategy and the strengthening of requirements. The realignment of timing to better inform Long Terms Plans and Infrastructure Strategies and to have the Future Development Strategy informed by the Housing and Business assessment is both logical and practical.

- Council supports the addition of zone descriptors; however the timing of the policy having immediate effect will prove challenging due to the Waikato District Proposed Plan being underway with hearings.
- Council would like to have some flexibility on where intensification is located in the district. There are many areas unsuitable for intensification in the Waikato, including some small town / village centres that do not have adequate public transport or large catchments. Council supports having intensification in suitable catchments accessible by active transport modes and frequent public transport.
- The insertion of Policy 6D to apply during the consenting process would prove challenging without having completed the identification of the most suitable areas for higher density development in the Waikato District. Developers could use this tool to achieve higher density development on the outskirts of a town (i.e. next to an expressway inter-change)
- The Waikato District is of such a scale that our towns service large rural catchments that are not covered by public transport. It is not practical to remove on-site car parking requirements in our towns where off-site car parking sites/buildings may not be feasible due to the scale and size of our towns. Council supports removing minimum car parking requirements in and around areas that provide for more intensive development and areas that are serviced by public transport, but acknowledges that those travelling into our towns from rural areas not serviced by public transport will still need somewhere to park. This policy would work best in cities that are well serviced by public transport.
- Council supports undertaking the Housing and Business assessments and the monitoring indicators, which provide good indications of what the market is doing. Council supports publishing the monitoring indicators at least annually and would like to see Government agencies be more consistent in the data that they provide.
- Council supports engaging with iwi and haapu. Council has strong relationships with partners where Joint Management Agreements are in place and is continuously looking at improved ways to engage with iwi and, more locally, haapu in the areas in which planning is being undertaken.
- Council supports working with infrastructure providers; these relationships are a focus for Waikato District and are continuously being developed. Working with iwi, infrastructure providers and government agencies such as the Ministry of Education and the District Health Boards across local authority boundaries is essential to create cohesive planning outcomes for communities.
- The National Policy Statement for Highly Productive Land needs to have clear direction on how to undertake the cost benefit analysis when areas for urban development are in conflict with Highly Productive Land.

National Policy Statement – Highly Productive Land

The key points from the submission on the NPS-HPL are as follows:

- Waikato District Council’s most significant concern is that our towns and villages are largely surrounded by LUC 1 – 3 soils.
- NPS-HPL provides the framework for both Regional and District Councils to implement the NPS. However there is still a large amount of work to do in order to identify areas of highly productive land and implement the NPS to have an impact on Council’s decision making processes.
- Council have concerns regarding the definitions of highly productive land and how this relates to “urban development” and “urban expansion”. Further clarity about which zoning and types of development are included in these around would assist Council.
- Waikato District Council would like to understand more about the definition of highly productive land applying to parcels which contain at least 50% or 4 hectares of land defined as Land Use Capability 1- 3 (whichever is the lesser). Specifically, Council would like to understand whether it was not possible to capture smaller parcels of land due to the scale of the LUC maps or another reason.
- Council suggests that peat soils are considered to be “highly productive”.
- Council supports the need for this NPS given that decision makers are often trying to find a balance between competing issues and without the correct tools to direct and guide decision making it is difficult to give priority to highly productive land.
- Council suggest that more thought is applied to Maaori land being excluded from the NPS-HPL definition, as there may be an impact on their traditional ways of living.
- Council raise concerns in respect to reverse sensitivity. Council are of the view that reverse sensitivity effects are generally well covered in District Plans and should be managed at a localised level.
- Appendix A to Policy 1 may require additional thought in terms of the criteria for assessing highly productive land.
- A tiered approach to the LUC classes would assist Council greatly.
- Depending on which areas of the district are defined as “highly productive land”, this will determine Council’s response to Policy 2.
- Council envisage policies 2(c) and 2(d) which relate to maintaining highly productive land for primary production as potentially being difficult to implement without further guidance on what is deemed to be inappropriate subdivision, use and development.

- Council supports a template or additional guidance on cost benefit analysis to ensure national consistency.
- Council are concerned that policy such as Plan Change I to the Waikato Regional Plan, which seeks to improve water quality, means that the cost benefit analysis may not favour primary production.
- The policy does not address cross-boundary effects or the impact that Future Urban Zoning within other jurisdictions may have on our district's primary productive land.
- Council are concerned that if urban expansion on high class soils is enabled through Future Urban Zones or areas already identified for future urban development there will be an impact on areas of highly productive land within our District.
- Further guidance or direction needs to be provided as to what minimum lot sizes would need to be to ensure highly productive land is retained, provided it does not take away from the communities' right to influence the "best fit" subdivision provisions for their communities.
- It would be helpful for some national consistency in regards to setting a minimum lot size (where Councils can go tighter if they need to). This would be more cost effective and potentially avoid litigation.
- Council question the implementation of policies 6(b) and 6(c) and how this work will be undertaken given that private plan changes are funded privately and relate to specific areas of land (owned by the developer/applicant). These tasks would impose cost and additional work that Council would need to undertake (i.e. economic assessments).
- Council are uncertain as to how Policy 7, which relates to the consideration of resource consent applications, will work in practice in the absence of District Plans not providing strong direction through objectives and policies that reflect the NPS-HPL (i.e. minimum lot sizes, directing development away from highly productive land).
- Until highly productive land is defined by the Regional Council, it is difficult for Council to know what the "right fit" will be in terms of District Plan provisions that Council could use.
- The proposed two year timeframe may be a challenge where new plan provisions need to be prepared in accordance with Schedule 1. Council suggests that 3 years might be more realistic.

4. CONCLUSION

While Council are generally supportive of the need for the National Policy Statement's for Urban Development and Highly Productive Land, Council recognise that the proposed policy statements present a number of key concerns for our district and Council, which have been highlighted above in the key points.

For this reason it is important that Council does submit submissions on these documents to shape the outcome for the Waikato District and Council.

5. ATTACHMENTS

- A Council Submission on National Policy Statement on Urban Development
- B Council Submission on Proposed National Policy Statement for Highly Productive Land
 - a. Council Submission on National Policy Statement for Highly Productive Land Appendix 1 LUC soil classes for the Waikato District
 - b. Council Submission on Highly Productive Land Appendix 2 Maori Land Court Blocks
 - c. Council submission on Highly Productive Land Appendix 3 LINZ Maaori Land Parcels

If calling, please ask for
Donna Tracey



10 October 2019

Ministry for the Environment
PO Box 10362
Wellington 6143

Postal Address

Private Bag 544
Ngaruawahia, 3742
New Zealand

0800 492 452
www.waikatodistrict.govt.nz

Sent by email: nps-udconsultation@mfe.govt.nz

Dear Sir/Madam

SUBMISSION ON PROPOSED NATIONAL POLICY STATEMENT FOR URBAN DEVELOPMENT

Thank you for the opportunity to submit on the Proposed National Policy Statement on Urban Development.

Please find attached the Waikato District Council's submission, which has been formally approved by the Council on 7th October 2019.

Should you have any queries regarding the content of this submission please do not hesitate to contact Donna Tracey – Strategic Planning Team Leader by email Donna.Tracey@waidc.govt.nz or phone 0800 492 452.

Yours faithfully

Gavin Ion
CHIEF EXECUTIVE

Introduction

The Waikato District Council (the Council) appreciates the opportunity to make a submission on the Proposed National Policy Statement for Urban Development (NPS-UD).

The Council spans more than 400,000 hectares between Hamilton City and Auckland City. The council comprises of six towns (the largest being Huntly with approximately 7800 people) and multiple villages of various sizes. The Waikato District has strong employment, social and economic relationships with both Hamilton City and Auckland City. The Council recognises the importance of the NPS-UD and supports the inclusion of being part of a Major Urban Centre, however the application of some of the proposed policies in our small townships needs to be better understood.

Concern about the timing of implementing some policies will be challenging due to the hearing timetable of our proposed district plan.

Consultation Questions

Question 1.

Do you support a national policy statement on urban development that aims to deliver quality urban environments and make room for growth? Why/Why not?

- *Are there other tools under the RMA, other legislation or non-statutory tools that would be more effective in achieving a quality urban environment and making room for growth?*

The council supports a National Policy Statement on Urban Development. Providing more direction to ensure development is concentrated around urban centres and is at an appropriate density, while achieving high quality amenity outcomes, is essential. It is noted that this cannot be achieved without the supporting infrastructure, for which the Productivity Commission's inquiry into local government funding and financing is crucial to address the infrastructure funding constraints that councils currently face.

Question 2.

Do you support the approach of targeting the most directive policies to our largest and fastest growing urban environments? Why/why not?

- *Do you support the approach used to determine which local authorities are categorised as major urban centres? Why/why not?*
- *Can you suggest any alternative approaches for targeting the policies in the NPS-UD?*

The council supports targeting the most directive policies to the Major Urban Centres that are growing the fastest. The Waikato District has strong employment, social and economic relationships with both Hamilton City and Auckland City. The Council recognises the importance of the NPS-UD and supports the inclusion of being part of a Major Urban Centre, however the application of some of the proposed policies in our small townships needs to be better understood. Waikato District currently does not have any townships greater than 10,000 people (urban environment) but in the next 30 years could have up to five towns reach 10,000 people (Tuakau, Pokeno, Te Kauwhata, Huntly or Ngaruawahia). Some of the policies applicable to the major urban centres would be inappropriate for our small towns and villages, so further clarification and definition is required. Some policies i.e. PA6A-PA6C should only apply in the areas

influenced by a major urban centre (Hamilton or Auckland). In these cases, the influence field should include townships that have critical mass and public transport and potentially be within a certain distance of a major urban centre. Council intends to undertake the housing and business capacity assessment with partner councils for the entirety of the district, regardless of the area influenced by major urban centres, as the benefits of the assessment helps council to understand the different demands and markets across the district.

Question 3. Do you support the proposed changes to FDSs overall? If not, what would you suggest doing differently?

- *Do you support the approach of only requiring major urban centres to undertake an FDS? Would there be benefits of requiring other local authorities to undertake a strategic planning process?*
- *What impact will the opposed timing of the FDS have on statutory and other planning processes? In what ways could the timing be improved?*

The council supports the requirement of the Future Development Strategy and the strengthening of the requirements. The realignment of timing to better inform Long Term Plans and Infrastructure Strategies and to have the Future Development Strategy informed by the Housing and Business assessment is both logical and practical. When giving regard to the Future Development Strategy during resource consent processing, it could be challenging to give weight if the document is inconsistent with the Regional Policy Statement. Guidance would be helpful in terms of which document would have primacy for resource consent processing (e.g. the most recent one).

Question 4. Do you support the proposed approach of the NPS-UD providing national level direction about the features of a quality urban environment? Why/why not?

- *Do you support the features of a quality urban environment stated in draft objective O2? Why/why not? (see discussion document, page 26)*
- *What impacts do you think the draft objectives O2-O3 and policies P2A-P2B will have on decision-making (see discussion document, page 26)?*

We support enabling quality urban environments that offer access to choice of homes, jobs, social interactions and high quality open space.

Objectives O2-O3 and policies P2A-P2B all talk directly to Council's vision of creating Liveable, Thriving and Connected Communities and should achieve sound planning outcomes when applied.

When making decisions on consent applications, the requirement for decision makers to have regard to the benefits and costs of the urban development may result in additional costs passed on the applicant, if technical advice is sought as part of the consenting process. The scale and level of detail required as part of the cost-benefit analysis should be relative to the size and complexity of an application.

Question 5. Do you support the inclusion of proposals to clarify that amenity values are diverse and change over time? Why/why not?

- *Do you think these proposals will help to address the use of amenity to protect the status quo?*
- *Can you identify any negative consequences that might result from the proposed objective and policies on amenity?*
- *Can you suggest alternative ways to address urban amenity through a national policy statement?*

Council acknowledges that amenity values differ between individuals and communities, and land use activities (e.g. light industrial areas may require different types and levels of amenity than residential areas). This policy could go some way to move away from the status quo in some communities, however it is likely not strong enough in doing so. Due to the nature of how amenity is viewed by individuals and its subjectivity, being able to measure providing for diversity is always going to be challenging, further guidance around this would be beneficial.

Question 6. Do you support the addition of direction to provide development capacity that is both feasible and likely to be taken up? Will this result in development opportunities that more accurately reflect demand? Why/why not? (see questions A1 - A5 at the end of the form for more questions on policies for Housing and Business Development Capacity Assessments)

Council supports the addition of 'likely to be taken up' to put a more realistic lens on the capacity assessment, however this could prove difficult to measure and will be subjective as some land owners might not be forthcoming about their development plans. A standard method is needed to quantify and define the likelihood of take up, so that all local authorities can provide a like-for-like test and comparable results.

Question 7. Do you support proposals requiring objectives, policies, rules, and assessment criteria to enable the development anticipated by the zone description? Why/why not?

- *Do you think requiring zone descriptions in district plans will be useful in planning documents for articulating what outcomes communities can expect for their urban environment? Why/why not?*
- *Do you think that amenity values should be articulated in this zone description? Why/why not?*

Council supports the addition of zone descriptors, however the timing of this policy having immediate effect will prove challenging due to the Waikato Proposed District Plan hearings being underway when this is expected to take effect. Policy 5A should apply when implementing the planning standards (April 2024). This would also align to having a decision released on the proposed plan (expected July 2021).

The addition of amenity values could help guide the resource consent process so the outcomes of the type of development are clear. Continuous monitoring to ensure the plan is delivering on the type of development expected in each zone is essential.

Question 8. Do you support policies to enable intensification in the locations where its benefits can best be achieved? Why/why not? (for more detail on the timing for these policies see discussion document, page 53)

- *What impact will these policies have on achieving higher densities in urban environments?*
- *What option/s do you prefer for prescribing locations for intensification in major urban centres? Why?*
 - *Option 1 (the descriptive approach)*
 - *Option 2 (the prescriptive approach)*
- *If a prescriptive requirement is used, how should the density requirement be stated? Please provide a suggestion below (for example, 80 dwellings per hectare, or a minimum floor area per hectare).*
- *What impact will directly inserting the policy to support intensification in particular locations through consenting decisions have?*

Council supports Option 1 - the descriptive approach. Council would like to have some flexibility on where intensification is located in the district. There are many areas unsuitable for intensification in the Waikato, including some small town / village centres that do not have adequate public transport or large catchments. Council supports having intensification in suitable catchments accessible by active transport modes and frequent public transport. The insertion of Policy 6D to apply during the consenting process would prove challenging without having completed the identification of the most suitable areas for higher density development in the Waikato District. Developers could use this tool to achieve higher density development on the outskirts of a town (i.e. next to an expressway inter-change) in particular under P6A where not all of a) - d) need to be met. P6A should state that higher-density should occur in areas that have two or more of the following.

Question 9. Do you support inclusion of a policy providing for plan changes for out of sequence greenfield development and/or greenfield development in locations not currently identified for development?

- *How could the example policy better enable quality urban development in greenfield areas (see discussion document, page 37)?*
- *Are the criteria sufficiently robust to manage environmental effects to ensure a quality urban environment, while providing for this type of development? (see example policy in discussion document, page 37)*
- *To what extent should developers be required to meet the costs of development, including the costs of infrastructure and wider impacts on network infrastructure, and environmental and social costs (recognising that these are likely to be passed on to future homeowners/beneficiaries of the development)? What impacts will this have on the uptake of development opportunities?*
- *What improvements could be made to this policy to make development more responsive to demand in suitable locations beyond areas already identified for urban development?*

Council seeks further direction on this policy if it was to support it. The enablement of greenfield development areas not identified in future development strategies could result in developments that are not contiguous to existing urban areas. The policies as drafted apply only to greenfield

developments but could equally also apply to infill or intensification developments which council would support. Infrastructure to support long-term development needs to also consider the short and medium term whilst considering the effects on the existing network. All infrastructure and development costs need to be met by the developer and this should be made clear in the policy, though it should also be made clear that simply 'paying its way' is not in itself adequate justification for occurring outside an intended growth sequence, planned growth area or settlement pattern.

Question 10. Do you support limiting the ability for local authorities in major urban centres to regulate the number of car parks required for development? Why/why not?

- *Which proposed option could best contribute to achieving quality urban environments?*
 - *Option 1: removing the ability for local authorities to regulate the requisite number of car parks*
 - *Option 2: removing the ability for local authorities to set minimum car park requirements*
 - *Option 3: removing the ability for local authorities to set minimum car park requirements in areas providing for more intensive development.*
- *What would be the impact of removing car park minimums in just high- and medium- density, commercial, residential and mixed use areas, compared with all areas of a major urban centre?*
- *How would the 18 month implementation timeframe impact on your planning processes?*
- *What support should be considered to assist local authorities when removing the requirement to provide car parking to ensure the ongoing management of car parking resources?*

Council supports option 3 if these policies are retained. The Waikato District is of such a scale that our towns service large rural catchments that are not covered by public transport. It is not practical to remove on-site car parking requirements in our towns where off-site car parking sites/buildings may not be feasible due to the scale and size of our towns. Council supports removing minimum car parking requirements in and around areas that provide for more intensive development and areas that are serviced by public transport, but acknowledges that those travelling into our towns from rural areas not serviced by public transport will still need somewhere to park. This policy would work best in cities that are well serviced by public transport.

Question 11. Do you think that central government should consider more directive intervention in local authority plans?

- *Which rules (or types of rules) are unnecessarily constraining urban development?*
- *Can you identify provisions that are enabling higher density urban development in local authority plans that could be provided for either nationally or in particular zones or areas?*
- *Should a minimum level of development for an individual site be provided across urban areas (for example, making up to three storeys of development a permitted activity across all residential zones)?*
- *Given the potential interactions with the range of rules that may exist within any given zone, how could the intent of more directive approaches be achieved?*

Council acknowledges that a review of plans should be undertaken to see if some rules are unnecessary and place undue cost on developments. In this review, it would need to be acknowledged that most rules are in place for other important purposes besides increasing urban development capacity; for example, height rules in relation to amenity view shafts in beachside towns such as Raglan, or site coverage rules in areas where there are challenging stormwater issues.

Question 12. Do you support requirements for all urban environments to assess demand and supply of development capacity, and monitor a range of market indicators? Why/why not?

Council supports undertaking the Housing and Business assessments and the monitoring indicators, which provide good indications of what the market is doing. Council supports publishing the monitoring indicators at least annually and would like to see Government agencies be more consistent in the data that they provide.

Taking into account issues of concern to iwi and hapuu (see discussion document, page 48)

Question 13. Do you support inclusion of policies to improve how local government works with iwi, hapuu and whaanau to reflect their values and interests in urban planning? Why/why not?

- *Do you think the proposals are an appropriate way to ensure urban development occurs in a way that takes into account iwi and hapuu concerns?*
- *How do you think local authorities should be directed to engage with Maaori who do not hold mana whenua over the urban environment they are currently living in?*
- *What impacts do you think the proposed NPS will have on iwi, hapuu and Maaori?*

Council supports engaging with iwi and hapuu. Council has strong relationships with partners where Joint Management Agreements are in place and is continuously looking at improved ways to engage with iwi and, more locally, hapuu in the areas in which planning is being undertaken.

Coordinated planning (see discussion document, page 50)

Question 14. Do you support amendments to existing NPS-UDC 2016 policies to include working with providers of development and other infrastructure, and local authorities cooperating to work with iwi/hapuu?

Council supports working with infrastructure providers; these relationships are a focus for Waikato District and are continuously being developed. Working with iwi, infrastructure providers and government agencies such as the Ministry of Education and the District Health Boards across local authority boundaries is essential to create cohesive planning outcome for communities.

Question 15. What impact will the proposed timing for implementation of policies have?

If calling, please ask for
Donna Tracey



Timing for implementation of some policies could prove challenging for Council, particularly the plan changes for intensification needing to be notified within 18 months. Ideally a decision would be released on the Proposed District Plan before we undertook a variation to it. Council will consider opportunities to include intensification within the scope of responding to submissions, however this may not be achievable. It would be more practical to implement policies when implementing the Planning Standards to reduce costs and workload when undertaking the Schedule 1 process.

Question 16. What kind of guidance or support do you think would help with the successful implementation of the proposed NPS-UD?

An update to the guidance document for the Future Development Strategy would be beneficial. Further development and consistency on the data provided for the monitoring indicators is essential.

Question 17. Do you think there are potential areas of tension or confusion between any of these proposals and other national direction? If so, please identify these areas below and include any suggestions you have for addressing these issues.

The National Policy Statement for Highly Productive Land needs to have clear direction on how to undertaken the cost-benefit analysis when areas for urban development are in conflict with Highly Productive Land.

If calling, please ask for
Will Gauntlett



10 October 2019

Ministry for Primary Industries
PO Box 2526
Wellington 6140

Sent by email: soils@mpi.govt.nz

Ngaruawahia Office
(Head Office)
15 Galileo Street, Ngaruawahia, 3720
Ph: 07 824 8633
Fax: 07 824 8091

Area Offices
Huntly Ph: 07 828 7551
Raglan Ph: 825 8129
Tuakau Ph: 0800 492 452

Postal Address
Private Bag 544, Ngaruawahia 3742
New Zealand

0800 492 452
www.waikatodistrict.govt.nz

Dear Sir/Madam

SUBMISSION ON PROPOSED NATIONAL POLICY STATEMENT FOR HIGHLY PRODUCTIVE LAND

Thank you for the opportunity to submit on the Proposed National Policy Statement on Highly Productive Land.

Please find attached the Waikato District Council's submission which has been formally approved by the Council on 7th October 2019.

Should you have any queries regarding the content of this submission please do not hesitate to contact Will Gauntlett by email Will.Gauntlett@waidc.govt.nz or phone (07) 824 8633.

Yours faithfully

Gavin Ion
CHIEF EXECUTIVE



Submission on the National Policy Statement for Highly Productive Land

1.0 Introduction

The Waikato district is largely a rural district with increasing urban growth pressures from Auckland in the north and Hamilton in the south. The Waikato District includes the largest portion of the Hamilton to Auckland Corridor, which will see additional growth pressures for our towns and villages generating a need to expand. As our submission sets out, the majority of our towns and villages are located predominantly on what the proposed National Policy Statement defines as “highly productive land”.

Agricultural and horticultural activities within the Waikato District contribute significantly to the economy at both a regional and national scale. It is therefore a key priority for Council to protect these industries and to ensure that subdivision and land use development do not compromise these activities for future generations.

Table 1 below indicates that the Waikato District is comprised of approximately 34% high class soils along with a wide range of primary production activities across the district.

Table 1.

LUC Class	% Coverage of the District
1	2
2	20
3	12
4	13
5	0
6	42
7	8
8	1
Other (i.e. quarries)	2

The Waikato District Council generally supports the intention of the proposed National Policy Statement for Highly Productive Soils (NPS-HPL) and understands that urban development growth pressures are compromising the nation’s highly productive land, particularly high class soils. National direction on this issue has been needed for a long time, particularly to assist decision makers with direction and guidance that can influence the management of our district’s highly productive land.

This submission sets our Council’s key areas of interest in the proposed NPS and suggests areas where more detail might be required in order to ensure Council can implement the objectives and policies of the NPS. Rather than addressing each specific question in the discussion document, Council has focused on the key aspects of the proposed National Policy Statement which we would like to provide comment on.

Waikato District Council is looking forward to working with the Waikato Regional Council to collaborate and work through the identification of our district’s highly productive land based on the criteria provided in the National Policy Statement.

2.0 Defining Highly Productive Land

Waikato District Council supports defining highly productive land given the values and benefits associated with it both intrinsically and biologically. In the Waikato district, our highly productive land has significant economic, amenity, landscape, cultural, ecological and biological value.

The Waikato is an ideal location for food production, given the proximity to Auckland, Hamilton and Tauranga. One of the most important considerations for our district's existing food hubs is that they need to be close to existing infrastructure and transportation routes to make it economically viable for operators to grow primary produce. It is also important to note that the Waikato district shares with Auckland Council the unique growing conditions available in Pukekohe, which are highly valued not only for highly productive soils, but the climate in this area which means that conditions for food production are optimal. There are not many places in New Zealand where this is the case.

While the NPS-HPL provides the framework for both Regional and District Councils to implement more specific direction in Regional Policy Statements, Regional Plans and District Plans, there is still a large amount of work to do in order to identify areas of highly productive land and implement the NPS to have an impact on Council's decision making processes.

One of the Waikato District Council's most significant concerns is that our towns and villages are largely surrounded by LUC 1 – 3 soils, and the NPS definition of LUC 1 - 3 will apply while work is being carried out to identify more precise areas of highly productive land that Council must protect and other areas where flexibility is needed. Following this work an approach will need to be adopted through our District Plan with better policy direction for our high class soils. For example Council might determine it needs to protect all LUC 1 soils and have more flexibility with subdivision and development on LUC 2 - 3 soils based on certain criteria.

Appendix I provides the Land Use Capability soil classes across the Waikato district and highlights that the locations of the soils coincide with the district's towns and villages and urban areas. For example as shown in **Figure I** below, in the north of the district, areas such as Pokeno and Tuakau are surrounded by LUC1- 3 soils.

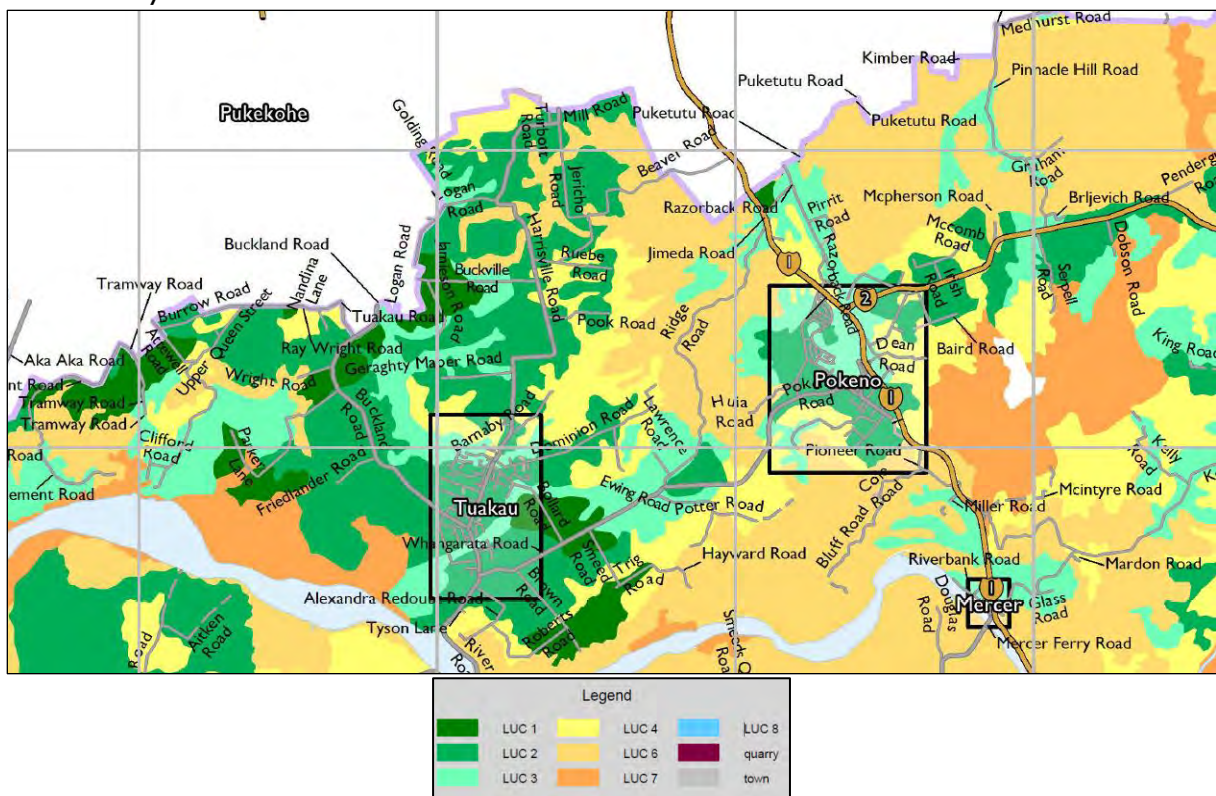


Figure I. Map of Tuakau and Pokeno showing high class soils.

For this reason Council have concerns about the definitions relating to “urban development” and “urban expansion” activities which are intended to be restricted on highly productive land by the NPS. Council questions whether the intent of “urban expansion” is to capture lifestyle zones such as Waikato District Council’s Country Living or Village Zones.

Waikato District Council would like to understand more about the reasoning of the definition of highly productive land applying to parcels which contain at least 50% or 4 hectares of land defined as Land Use Capability 1 - 3 (whichever is the lesser). WDC wish to understand whether it was not possible to capture smaller parcels of land due to the scale of the LUC maps or another reason.

Additionally, Council needs some direction as to whether peat soils are considered to be “highly productive” given that the current Waikato Regional Policy Statement includes them in their definition of high class soils. Council supports peat soils being included as highly productive land.

Key points:

- Waikato District Council’s most significant concern is that our towns and villages are largely surrounded by LUC 1 – 3 soils.
- NPS-HPL provides the framework for both Regional and District Councils to implement the NPS. However there is still a large amount of work to do in order to identify areas of highly productive land and implement the NPS to have an impact on Council’s decision making processes.
- Council have concerns regarding the definitions of highly productive land and how this relates to “urban development” and “urban expansion”. Further clarity about which zoning and types of development are included in the NPS would greatly assist Council.
- Waikato District Council would like to understand more about the definition of highly productive land applying to parcels which contain at least 50% or 4 hectares of land defined as Land Use Capability 1- 3 (whichever is the lesser). Specifically, Council would like to understand whether it was not possible to capture smaller parcels of land due to the scale of the LUC maps or another reason.
- Council suggests that peat soils are considered to be “highly productive”.

3.0 Current RMA Decision Making Toolbox

While sections 5, 6 and 7 of the Resource Management Act 1991 (the Act) are of importance to decision makers in both plan change, private plan change and resource consent decisions, decision makers are often trying to find a balance between competing issues. Without the correct tools to direct and guide decision makers, often those issues with better policy direction get priority over those that do not.

Historically, versatile soil has not been a top priority for decision makers, given the lenient subdivision and landuse development provisions that have been included in older District Plans, which has led to unintended consequences. Additionally, historical plan changes and structure plans have not considered high class soils/versatile land with the intention of protection in mind. This has resulted in additional urban development, including lifestyle development on high class soils. Tamahere, an area on the periphery of Hamilton south east is a good example of this, as shown in **Figure 2** below.

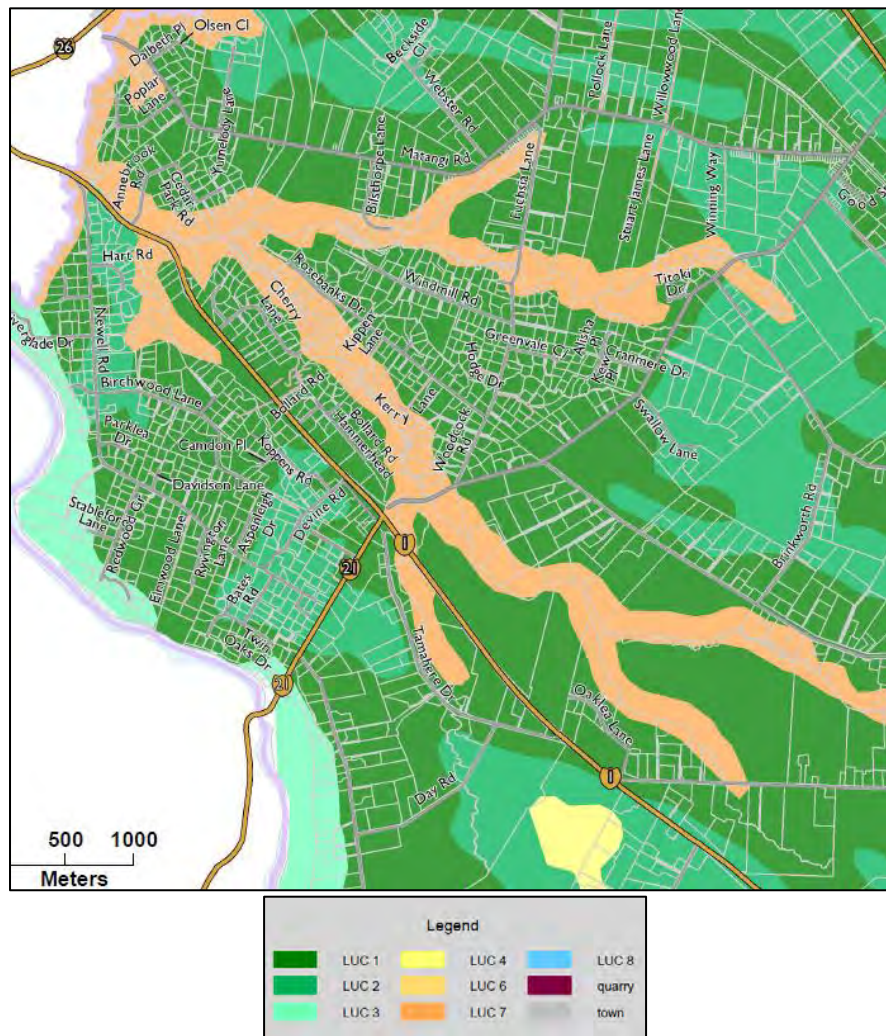


Figure 2. Map of Tamahere showing high class soils.

An additional example of the difficulties Council have had with respect to imposing rules in the District Plan's was in relation to conservation lot subdivision rules within the Rural Zone has the potential compromise high class soils if additional lots are to land on highly productive land. However the competing interest is to promote biodiversity and in the absence of strong direction on highly productive land, Council had to compromise an equally important issue because it did not have the policy in place to give more priority to highly productive land.

Key points:

- Council supports the need for this NPS given that decision makers are often trying to find a balance between competing issues and without the correct tools to direct and guide decision making it is difficult to give priority to highly productive land.

4.0 Applying NPS-HPL to Maori Freehold Land

Waikato District Council is concerned about the NPS-HPL applying to Maori Freehold Land. The proposed District Plan policy framework for Maori Freehold land enables Maori landowners to develop their landholdings with papakainga development and we have proposed permissive provisions for this which aligns with the Waikato Regional Policy Statement.

Appendices 2 and 3 illustrate the location of Maaori Freehold Land blocks, which shows that 245 out of 682 (35%) Maaori Land blocks from the Maori Land Court data are located on LUCI – 3 soils. 629 out of 1,599 (39%) Maaori land blocks from the Land Information New Zealand data are located on LUCI – 3 soils.

Waikato District Council recognises that landowners are already constrained by many other barriers and the NPS has the potential to add an additional barrier. Council also acknowledges that it needs to meet its obligations in terms of section 6, 7 and 8 of the Resource Management Act, which may be at odds if Council cannot ensure Maori landowners that they can use their land for traditional ways of living.

Council suggest that Maaori land is further considered in the context of the NPS-HPL definition having regard to the ability for Maaori landowners to have papakaainga housing development to ensure the NPS does not impact on the traditional ways of living for Maaori landowners. Council suggests that perhaps no more than 1 – 3% of the site or a maximum area for development may be an appropriate solution to provide a balanced approach.

5.0 Proposed Objectives

5.1 Objective 1: Recognising the benefits of highly productive land

- **To recognise and provide for the value and long-term benefits using highly productive land for primary production.**

Waikato District Council support the general direction of this objective.

5.2 Objective 2: Maintaining the availability of highly productive land

- **To maintain the availability of highly productive land for primary production for future generations.**

Waikato District Council support the general direction of this objective. However there is concern regarding the wording “maintain the availability”, as Council questions how this objective would be practically implemented and measured. Our view is that there does need to be some flexibility. Whether this is in policy direction or guidance, either in our view would be appropriate.

Without yet knowing which areas of our District will be defined “highly productive land” by the Waikato Regional Council, Council will need to ensure that a balance is achieved.

Key points for Objective 2:

- Council questions the wording “maintain the availability” and how this objective would be practically implemented and measured.
- There does need to be some flexibility, as Council do not yet know which areas of our district will be defined “highly productive land”.

5.3 Objective 3: Protecting for inappropriate subdivision, use and development

- **To protect highly productive land from inappropriate subdivision use and development, including by:**

- **Avoiding subdivision and land fragmentation that compromises the use of highly productive land for primary production;**
- **Avoiding uncoordinated urban expansion on highly productive land that has not been subject to a strategic planning process; and**
- **Avoiding and mitigating reverse sensitivity effects from sensitive and incompatible activities within and adjacent to highly productive land.**

Council understands what this objective is seeking to achieve. However there is concern regarding the term “avoiding” and how Council would practically implement the Objective. It is our understanding that the intention of the NPS is not to effectively “sterilise” land from any future uses. Given case law on the terminology used, this term would essentially mean Council would need to prohibit landuse and subdivision activities on highly productive land.

Given that our District is largely LUC 1, 2 and 3 around our towns and villages, there is concern that this objective would overly constrain these areas. The discussion paper asks the question about what is “inappropriate subdivision, use and development” on highly productive land. Our view is that this is very difficult to determine and does need to be evaluated at a local level generally through the resource consent process or by Council identifying what activities they do not want to occur on highly productive land.

We also raise concerns in respect to the last point in terms of reverse sensitivity, as Council are of the view that reverse sensitivity effects are generally well covered in District Plans. WDC do not agree that the NPS should impose policy to manage reverse sensitivity effects. These should be managed at a localised level by Territorial Authorities. This issue also goes beyond the issue of protecting productive land and relates to protecting rural land use, which is not the focus of this NPS.

Key points for Objective 3:

- Council question the term “avoiding” and how Council would practically implement the Objective.
- Given that our District is largely LUC 1, 2 and 3 around our towns and villages, Council are concerned that this objective would constrain these areas.
- Council raise concerns in respect to reverse sensitivity. Council are of the view that reverse sensitivity effects are generally well covered in District Plans and should be managed at a localised level.

6.0 Proposed Policies

6.1 Policy 1 – Identification of Highly Productive land

1.1 Regional Councils must identify areas of highly productive land using the criteria set out in Appendix A and:

- **Map each area of highly productive land; and**
- **Amend their regional policy statements to identify areas of highly productive land within the region**

1.2 Territorial authorities must amend their district plans to identify highly productive land identified by the relevant regional council under Policy 1.1.

Waikato District Council is supportive of the Regional Council providing the maps identifying areas of highly productive land and anticipates this being a collaborative process with the Waikato Regional Council and all TAs in the region. One of the challenges for the District Council in regards to the mapping is the cost of this work to ensure that the map information is at a scale that is appropriate and useable for Council and the public. Waikato District Council would support the mapping being undertaken by central government.

Given the locations of LUC 1, 2 and 3 soils and areas that may be deemed “productive” in our District, this will be the most important piece of work. Appendix A to Policy 1 may require additional thought in terms of the criteria for assessing highly productive land. This work does require resource and will impose a cost on Council.

An additional comment is that a tiered approach to the LUC classes would assist Council greatly (i.e. similar to the approach taken by the Auckland Unitary Plan with “elite” soils being LUC 1 and “prime soils” being LUC 2 and 3. This would mean that Council could take a more restrictive or flexible approach in terms of managing and protecting these soils, depending on their location.

Key points for Policy 1:

- Appendix A to Policy 1 may require additional thought in terms of the criteria for assessing highly productive land.
- A tiered approach to the LUC classes would assist Council greatly.

6.2 Policy 2 – Maintaining Highly Productive land for primary production

Local authorities must maintain the availability and productive capacity of highly productive land for primary production by making changes to their regional policy statements and district plans to:

- a. Prioritise the use of highly productive land for primary production**
- b. Consider giving greater protection to areas of highly productive land that make a greater contribution to the economy and community;**
- c. Identify inappropriate subdivision, use and development of highly productive land; and**
- d. Protect highly productive land from the identified inappropriate subdivision use and development.**

Depending on which areas of the district are defined as “highly productive land”, this will determine Council’s response to this policy. For example, currently the Operative Waikato District Plan and Proposed Waikato District Plan include a single Rural Zone, which comprises a wide range of parcel sizes and productive activities. Council may need to consider the future of the Rural Zone and consider options (i.e. a Rural Production Zone, mixed Rural Zone, Rural Coastal Zone, or Countryside Living Zone) to ensure productive areas are afforded higher levels of protection.

Council envisage policies (c) and (d) as being a difficult policy to implement and questions how Council determines what “inappropriate subdivision” is. As mentioned previously, subdivision is generally assessed on a case by case basis and while Council can identify landuse and development that may be inappropriate in the District Plan, it is always difficult and often comes down to location and the merit of a proposal. It is also difficult to anticipate what might be inappropriate subdivision, use and development without knowing what activities Council might need to accommodate in the district plan in the future.

Key points for Policy 2:

- Depending on which areas of the district are defined as “highly productive land”, this will determine Council’s response to this policy.
- Council envisage policies (c) and (d) as potentially being difficult to implement without further guidance on what is deemed to be inappropriate subdivision, use and development.

6.3 Policy 3 – New urban development on highly productive land.

Urban expansion must not be located on highly productive land unless:

- a. There is a shortage of development capacity to meet demand (in accordance with the NPS-UDC methodologies and definitions); and**
- b. It is demonstrated that this is the most appropriate option based on a consideration of:**
 - **A cost-benefit analysis that explicitly considers the long-term costs associated with the irreversible loss of highly productive land for primary production;**
 - **Whether the benefits (environmental, economic, social and cultural) from allowing urban expansion on highly productive land outweigh the benefits of the continued use of that land for primary production; and**
 - **The feasibility of alternative locations and options to provide for the required demand, including intensification of existing urban areas.**

Given that our towns and villages are largely surrounded by LUC 1 – 3 soils, the location of urban expansion is a critical issue for Waikato District Council. In the short-term, the most important aspect of Policy 3 is the criteria of (b). Waikato District Council considers additional direction and support for Council’s is needed to determine the most appropriate option.

In the longer term, depending on the direction from the Regional Council, Waikato District Council may find that our towns and villages are overly constrained by this Policy, as our District has been identified as “high growth” in the NPS-UDC due to our proximities to both Hamilton City in the south and Auckland in the north.

Council would like further direction on Policy (b) in regards to cost benefit analysis and considers a template would provide direction to Council and would ensure a consistent approach/methodology nationally. Without this, Council are concerned that this policy may open the door to development.

Council are also concerned that policy such as Plan Change 1 to the Waikato Regional Plan will have an impact on how Council considers the implementation of Policy 3, given that Plan Change 1 seeks to improve water quality, which means that the cost benefit analysis does not necessarily favour primary production. The effect of this plan change is to limit the yield and production in terms of both agriculture and horticulture.

The policy does not address cross-boundary effects or the impact that Future Urban Zoning within other jurisdictions may have on our district's primary productive land. For example, the Future Urban Zoning identified around Pukekohe in the Auckland Unitary Plan adjoins our territorial boundary. The same exists at the interface of the Hamilton territorial boundary, where new areas are planned for future urban development. Waikato District Council are concerned that if urban expansion on high class soils is enabled through Future Urban Zones or areas already identified for future urban development, then there will be an impact on areas of highly productive land within our District. Council are likely to find more pressure for zone changes on our side of the territorial boundary. Council are seeking guidance in respect to these cross-boundary effects at the interface of the future urban zoning.

Key points for Policy 3:

- In the short-term, the most important aspect of Policy 3 is the criteria of (b).
- Council considers additional direction and support for Councils is needed to determine the most appropriate option.
- The Waikato District has been identified as "high growth" in the NPS-UDC due to our proximities to both Hamilton City in the south and Auckland in the north.
- Council supports a template or additional guidance on cost benefit analysis to ensure national consistency.
- Council are concerned that policy such as Plan Change 1 to the Waikato Regional Plan, which seeks to improve water quality, means that the cost benefit analysis may not favour primary production.
- The policy does not address cross-boundary effects or the impact that Future Urban Zoning within other jurisdictions may have on our district's primary productive land.
- Council are concerned that if urban expansion on high class soils is enabled through Future Urban Zones or areas already identified for future urban development there will be an impact on areas of highly productive land within our District.

6.4 Policy 4 – Rural Subdivision and Fragmentation

Territorial authorities must amend their district plans to manage rural subdivision to avoid fragmentation and maintain the productive capacity of highly productive land, including by:

- a. Setting minimum lot size standards for subdivision located on highly productive land to retain the productive capacity of that land;**
- b. Incentives and restrictions on subdivisions to help retain and increase the productive capacity of highly productive land; and**
- c. Directing new rural lifestyle development away from areas of highly productive land.**

While the intent of the policy is understood, Waikato District Council are of the view that further guidance or direction needs to be provided as to what minimum lot sizes would need to be to ensure highly productive land is retained. Subdivision minimum lot sizes differ greatly from Council to Council depending on interpretation of what a "productive" lot size is.

While it would be helpful for some national consistency on this policy, Councils do need the flexibility to ensure that communities have input into the process of determining what subdivision provisions are

“best fit” for their aspirations. Some national direction on minimum lot sizes could potentially save Council’s litigating rural subdivision provisions.

Council would also like additional guidance or direction on the incentives and restrictions on subdivisions referred to in policy (b), given that this also could vary from Council to Council. Waikato District Council is concerned that if transferable subdivision regimes are used as incentives, this can lead to sporadic unplanned growth, unless directed to certain areas (in which case it is a better option to zone the land). In order to achieve consistent implementation of the policy, some assistance would be beneficial. Council welcome a case study on the transferable subdivision regime in the former Franklin District Plan.

In regards to policy (c), Waikato District Council have proposed similar policy in the Proposed District Plan. It is a challenge to direct rural lifestyle development away from areas of highly productive land where subdivision opportunities exist. For example, in the Waikato District, where a title is eligible for subdivision within the rural area, it can subdivide and create an additional lot. Council would need to adopt a new subdivision regime to address this policy. As above, Council requires direction as to what minimum lot size is appropriate in the Rural Zone.

Key points for Policy 4:

- Further guidance or direction needs to be provided as to what minimum lot sizes would need to be to ensure highly productive land is retained, provided it does not take away from the communities’ right to influence the “best fit” subdivision provisions for their communities.
- It would be helpful for some national consistency in regards to setting a minimum lot size (where Councils can go tighter if they need to). This would be more cost effective and potentially avoid litigation.

6.5 Policy 5 – Reverse Sensitivity

Territorial authorities must recognise the potential for sensitive and incompatible activities within and adjacent to areas of highly productive land to result in reverse sensitivity effects and amend their district plans to:

- a. Identify the typical activities and effects associated with primary production activities on highly productive and that should be anticipated and tolerated in rural areas;**
- b. Restrict new sensitive and potentially incompatible activities on highly productive land to ensure these do not compromise the efficient operation of primary production activities;**
- c. Establish methods to avoid or mitigate reverse sensitivity effects including through setbacks and the design of developments; and**
- d. Establish methods to avoid or mitigate reverse sensitivity effects at the interface between areas of highly productive land and adjacent residential and rural lifestyle zones.**

While these policies are well intended to address reverse sensitivity issues, Council do not agree that the NPS should impose policy to manage reverse sensitivity effects. These should be managed at a localised level by Territorial Authorities. This issue also goes beyond the issue of protecting productive land and relates to protecting rural land use, which is not the focus of this NPS.

Every productive activity has such individualised effects dependant on the scale of the activity. If a District Plan is working in practice it should ensure reverse sensitivity effects are well considered at the time of decision making, particularly in respect to subdivision and zoning changes.

One of the biggest challenges for Council is to ensure the interface between rural and urban land is managed. Council also face this challenge with the industrial/residential interface. It is Council's view that reverse sensitivity effects should be managed at the time any plan change or subdivision is considered and rules or conditions of consent applied at the time decisions are made.

Key points for Policy 5:

- Council do not agree that the NPS should impose policy to manage reverse sensitivity effects.
- Reverse sensitivity effects should be managed at a localised level by Territorial Authorities.

6.7 Policy 6 – Consideration of private plan changes

When considering a request for a private plan change for urban expansion on highly productive land, or to rezone an area of highly productive land to rural lifestyle use, local authorities must have regard to:

- a. **The alignment of the request with relevant local authority statutory and non-statutory plans and policies relating to urban growth and highly productive land;**
- b. **The benefits (environmental, economic, social and cultural) from the proposed use of land compared to benefits from the continued use of that land for primary production; and**
- c. **Whether there are alternative options for the proposed use on land that has less value for primary production.**

Waikato District Council generally supports this policy and agrees that private plan changes should consider the impact on highly productive land. However in regards to the implementation of policy (b) Council questions how this work will be undertaken given that private plan changes are funded privately and these tasks would impose cost and additional work that Council would need to undertake (i.e. economic assessments). It is our view that the private developers should cover these costs and this should be made more explicit.

In regards to policy (c), Council considers this needs to be deleted from the NPS as private developers will often only be looking at one location (i.e. the land they own), hence won't necessarily be looking at alternative options. Alternatively the wording "options available to the developer for the proposed use..." could be used.

Key points for Policy 6:

- Council question the implementation of policies (b) and (c) and how this work will be undertaken given that private plan changes are funded privately and relate to specific areas of land (owned by the developer/applicant).
- These tasks would impose cost and additional work that Council would need to undertake (i.e. economic assessments).
- It is Council's view that private developers should cover costs and this should be made more explicit.
- Policy (c) either needs to be deleted or alternative wording used.

6.8 Policy 7 – Consideration of resource consent applications for subdivision and urban expansion on highly productive land

When considering an application for subdivision or urban expansion on highly productive land, consent authorities must have regard to:

- a. The alignment of the application with relevant local authority statutory and non-statutory plans and policies relating to urban growth and highly productive land;**
- b. The extent to which the subdivision or development will impact on the existing and future use of the land for primary production;**
- c. The practical and functional need for the subdivision or urban expansion to occur at that location;**
- d. The potential for reverse sensitivity effects and proposed methods to avoid or mitigate potential adverse effects on, and conflicts with, lawfully established activities; and**
- e. The benefits (environmental, economic, social and cultural) from the proposed activity compared to the long- term benefits that would occur from the continued or potential use of the land for primary production.**

Resource consent applications must include a site-specific Land Use Capability Assessment prepared by a suitably qualified expert.

Waikato District Council supports the intent of Policy 7 in general. However it is uncertain how the matters Council must have regard to will work in practice in the absence of District Plans not providing strong direction through objectives and policies that reflect what the NPS-HPL is seeking (i.e. minimum lot sizes, directing development away from highly productive land).

If policy 7 were to be directly inserted into the District Plan without going through the Schedule 1 process, it would still lack the clarity that decision makers need from the rule framework, for example rural subdivision or rules that direct different methods if development or subdivision is located on highly productive land.

Section 104(1)(b)(iii) of the Resource Management Act enables resource consent planners to consider policy 7 in resource consent decisions, but is only one aspect for consideration and if the rules in the District Plan are relatively permissive in regards to activities within the zone, on balance the decision maker may struggle to decline the application. For instance a rule in the District Plan may enable subdivision as a restricted discretionary activity and the applicant may meet all of the rule criteria and demonstrate compliance with the matters of discretion (which may or may not refer to highly productive land).

Policy 7(d) in regards to reverse sensitivity is a matter that is generally covered by District Plans and therefore we question whether it needs to be in the National Policy Statement.

Key points for Policy 7:

- Council are uncertain as to how this policy will work in practice in the absence of District Plans not providing strong direction through objectives and policies that reflect the NPS-HPL (i.e. minimum lot sizes, directing development away from highly productive land).
- On balance decision makers may struggle to decline resource consent applications.
- Council questions whether reverse sensitivity is a matter that needs to be in the National Policy Statement.

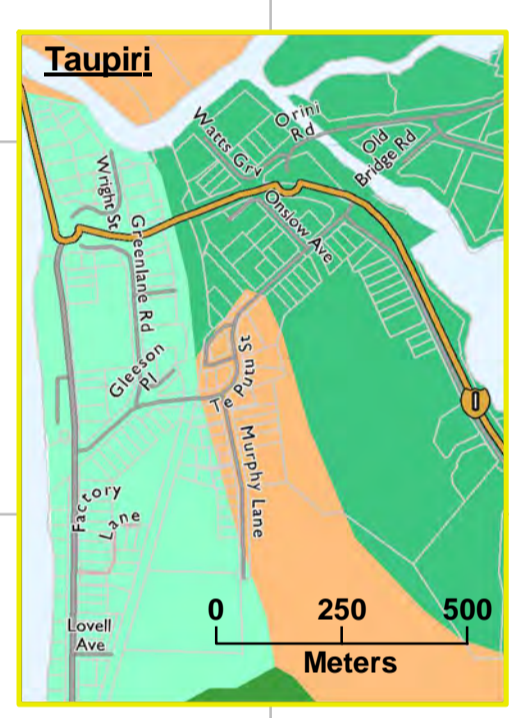
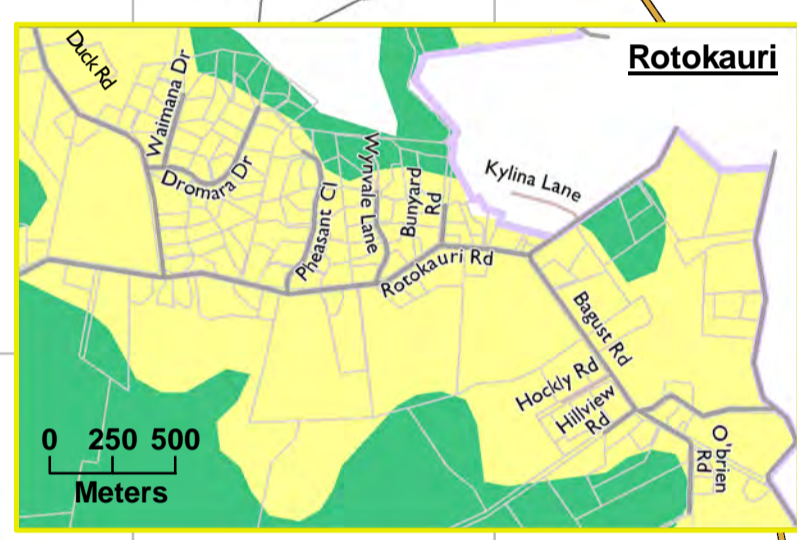
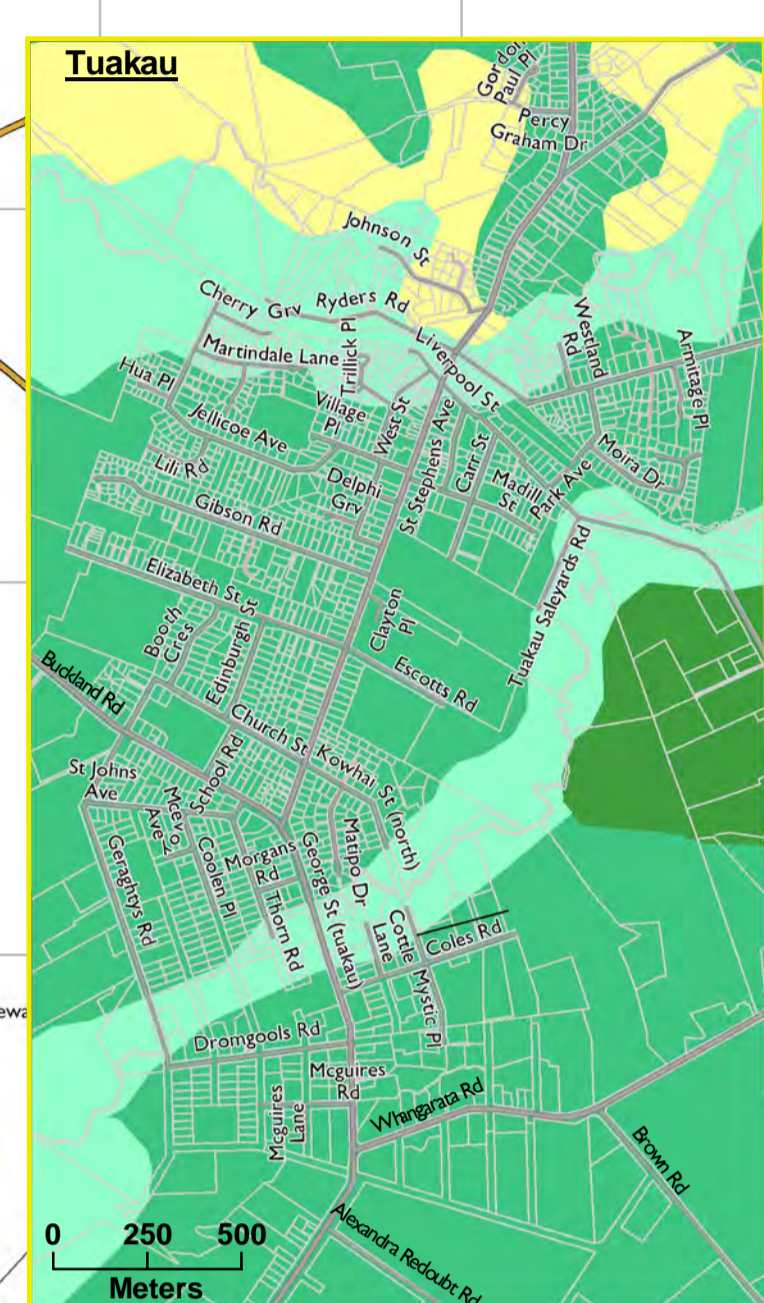
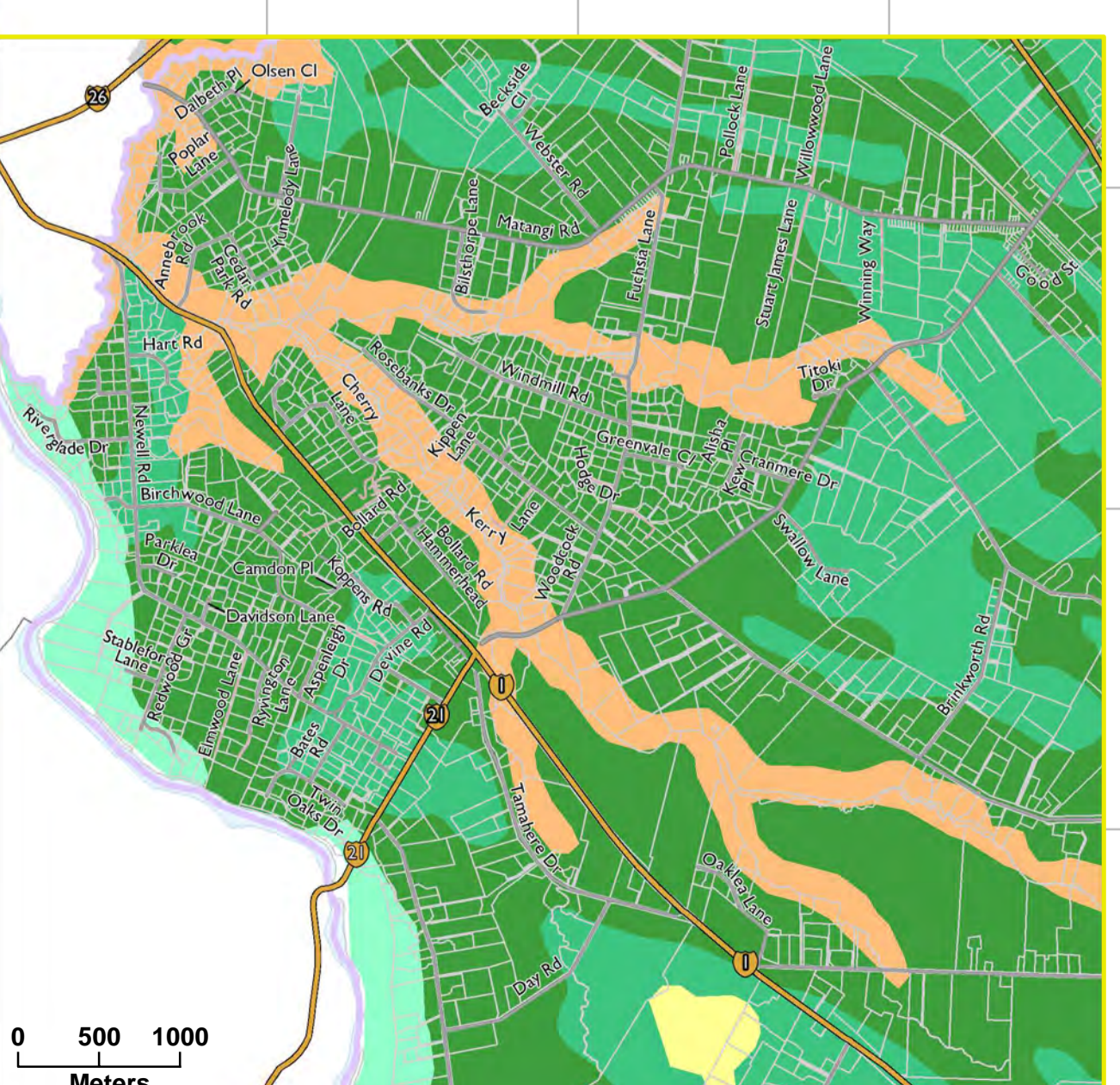
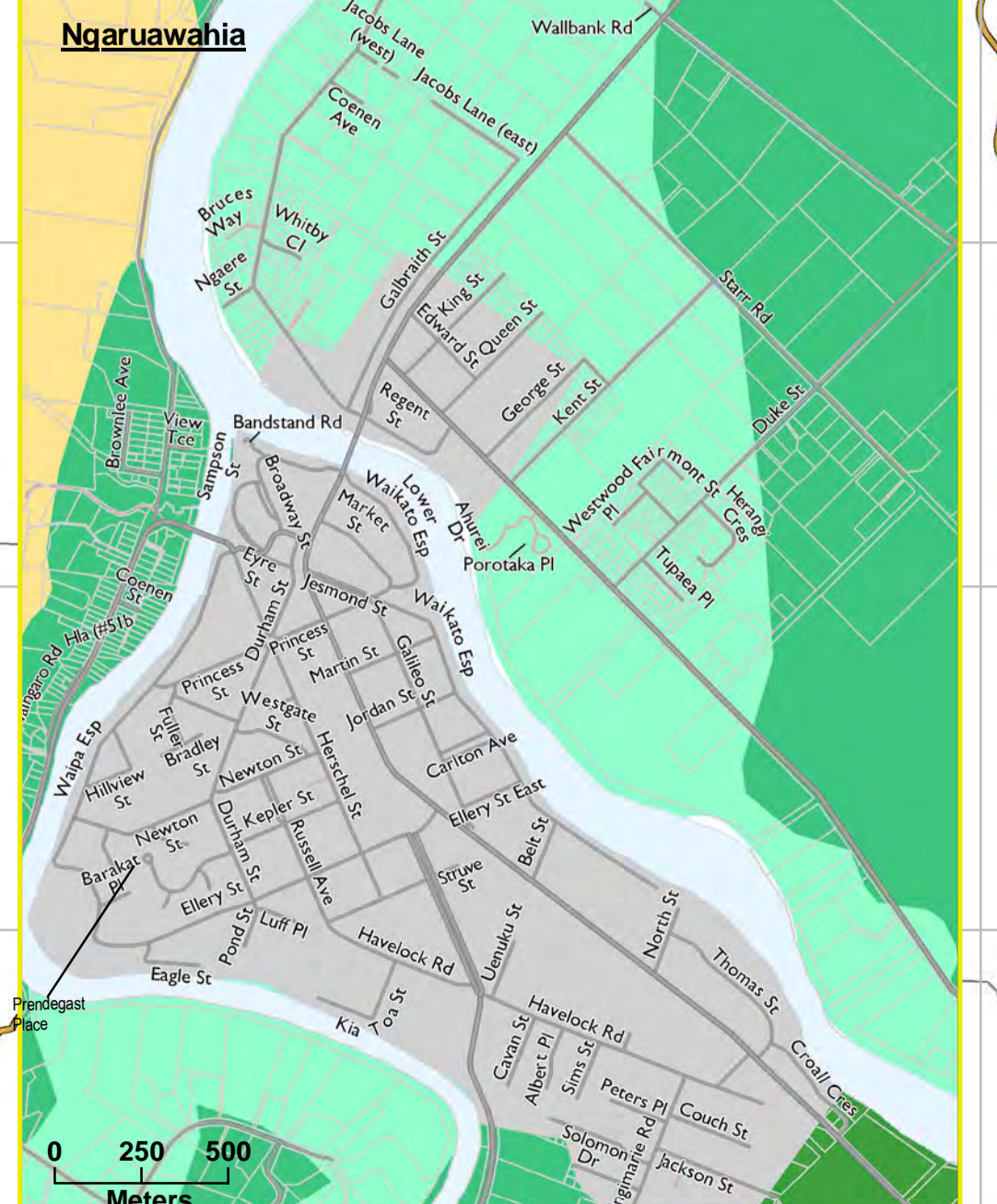
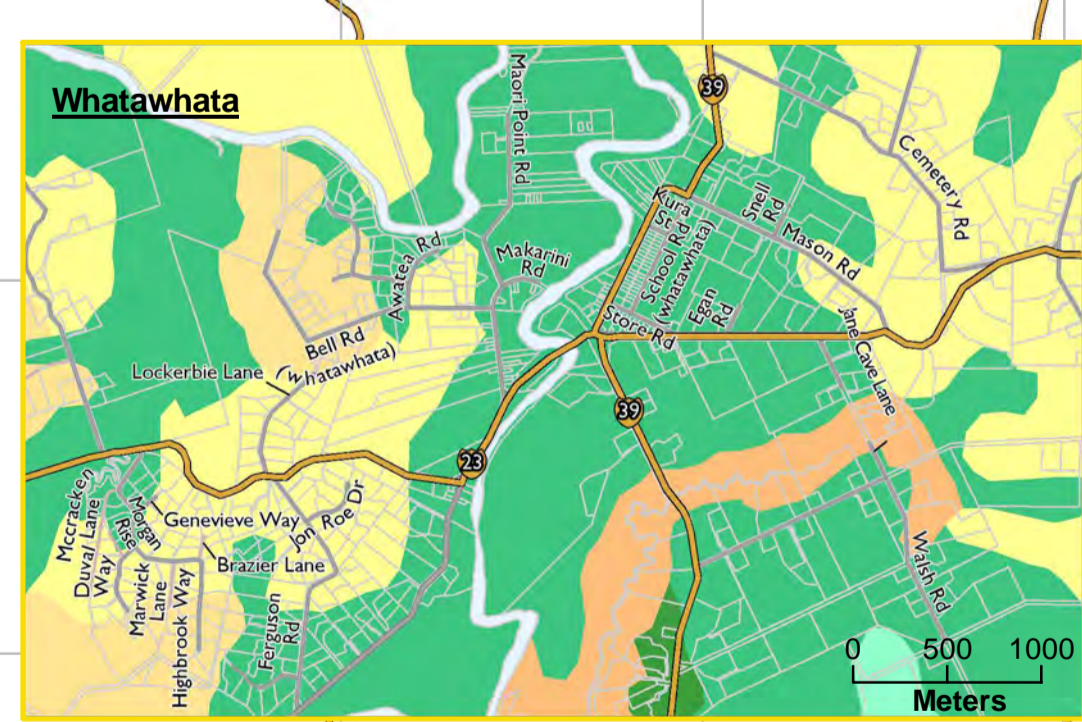
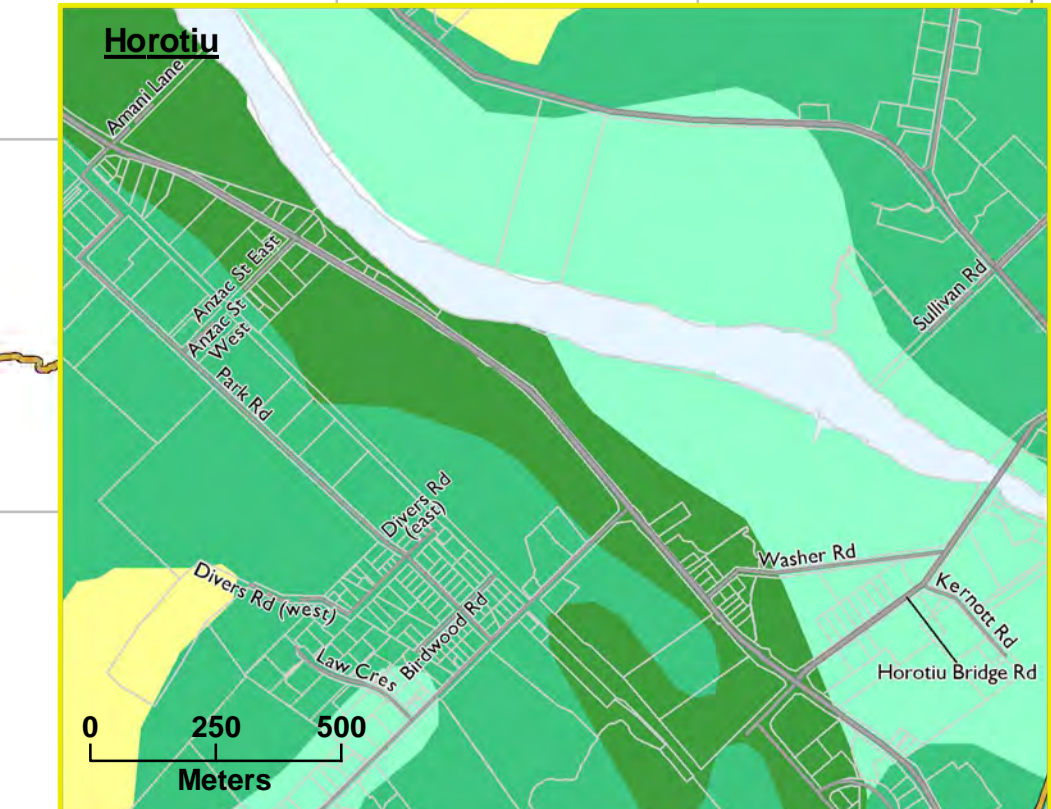
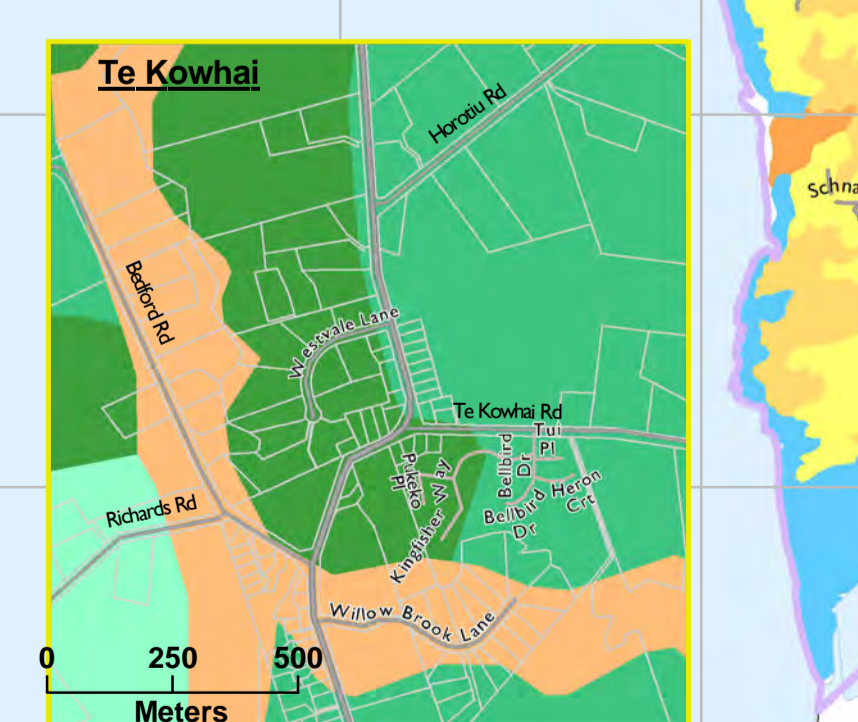
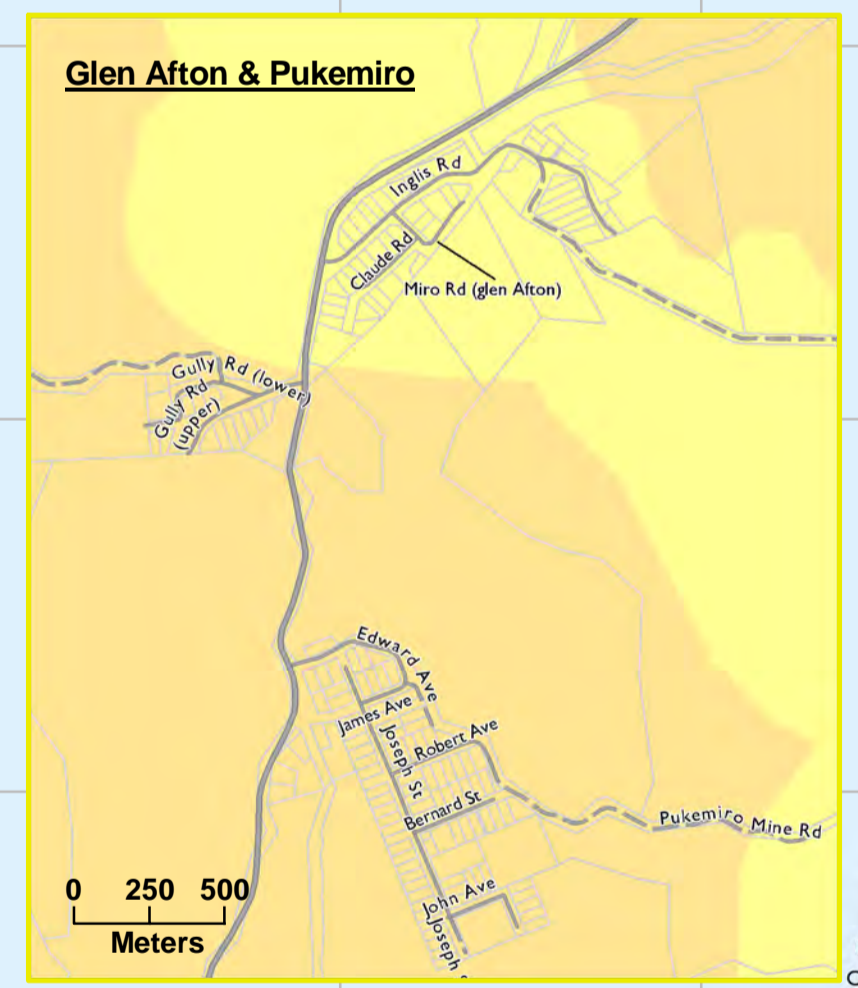
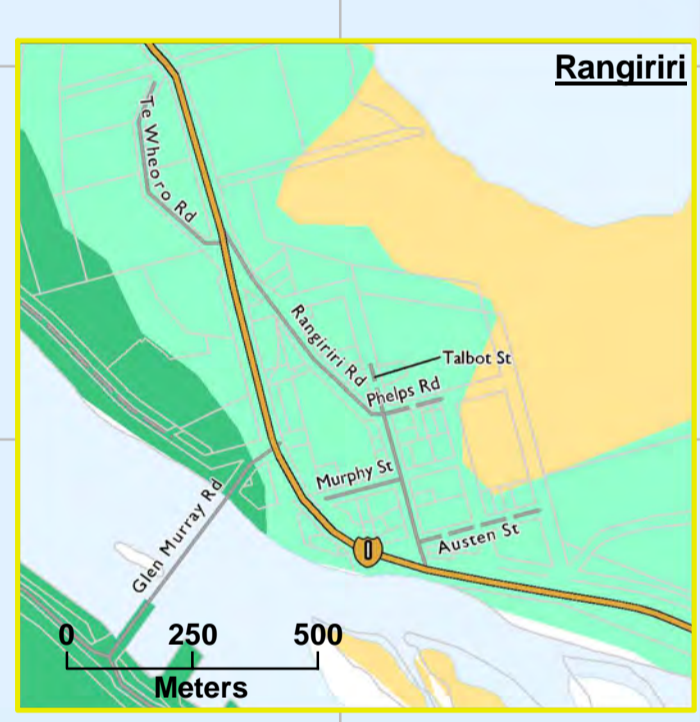
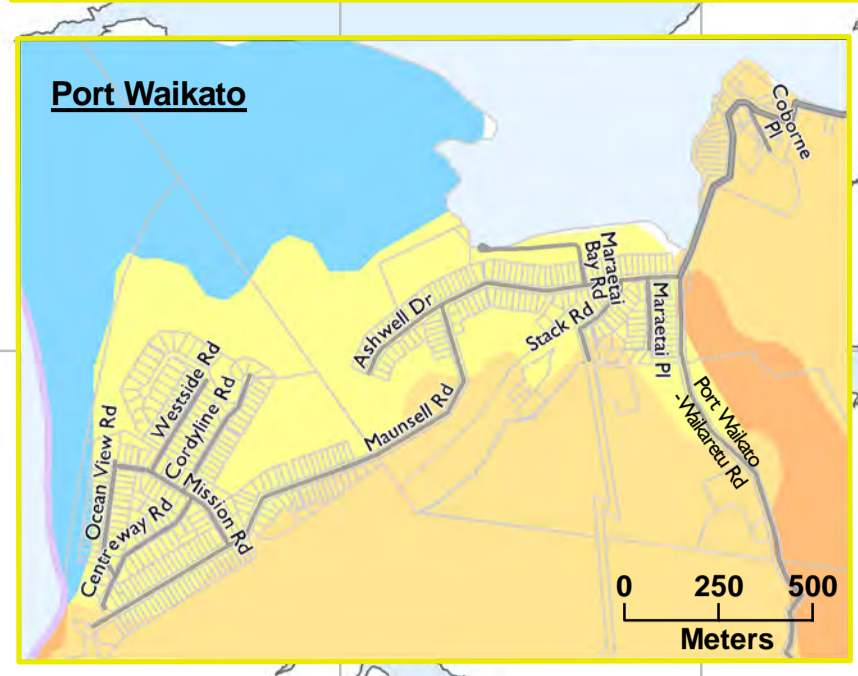
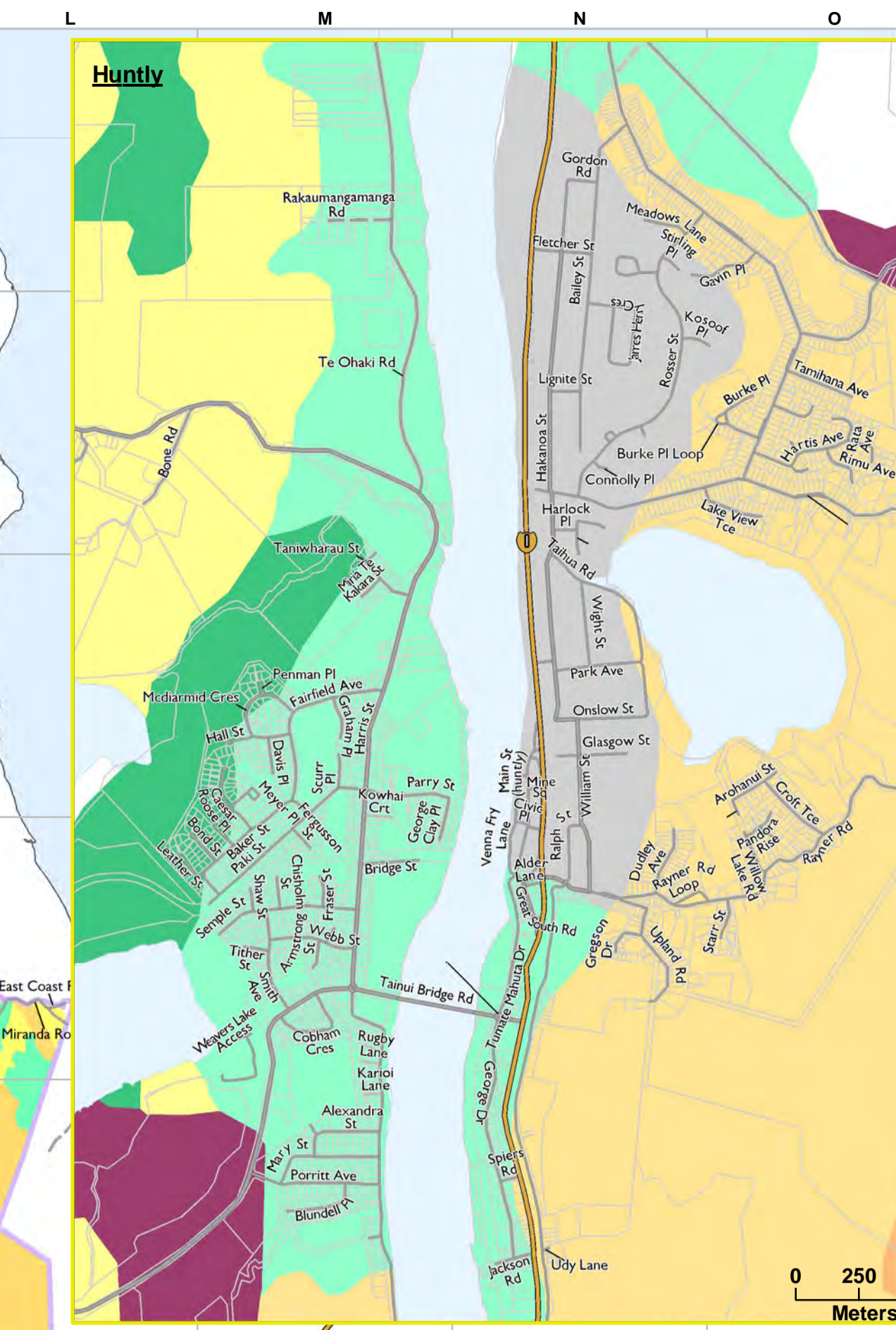
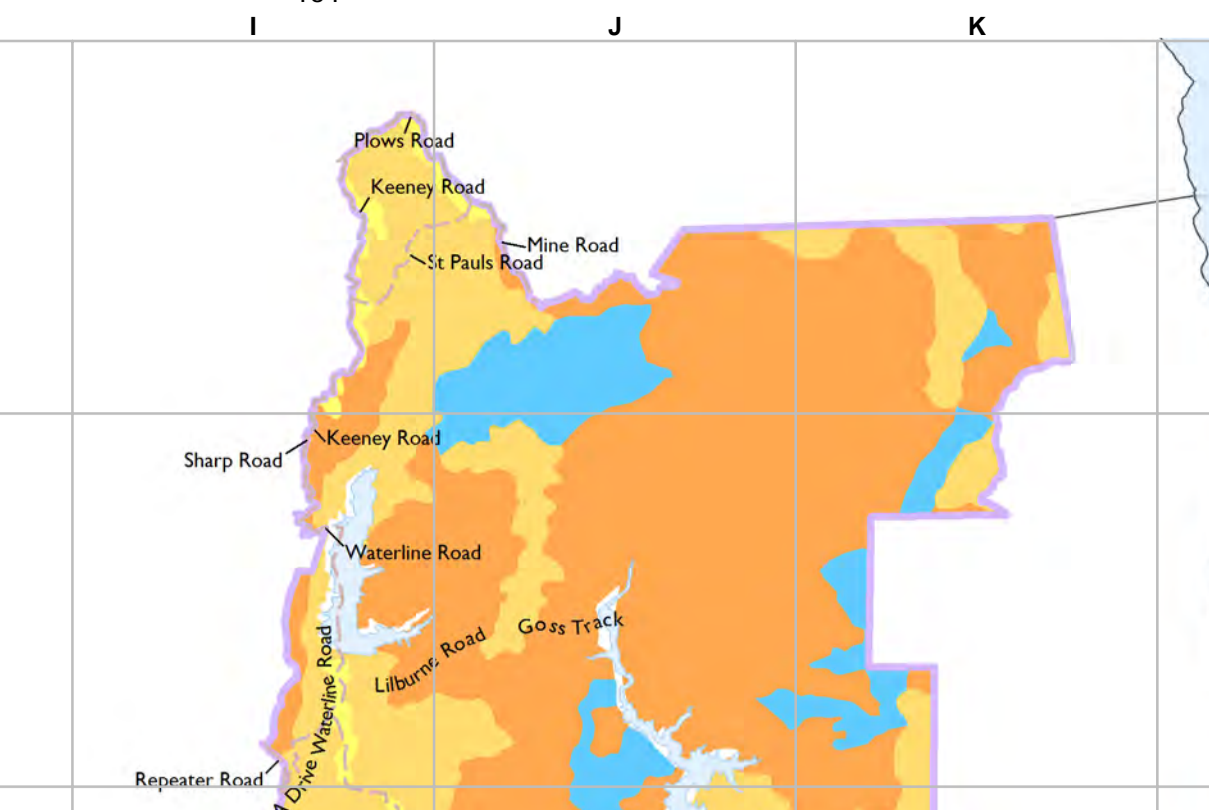
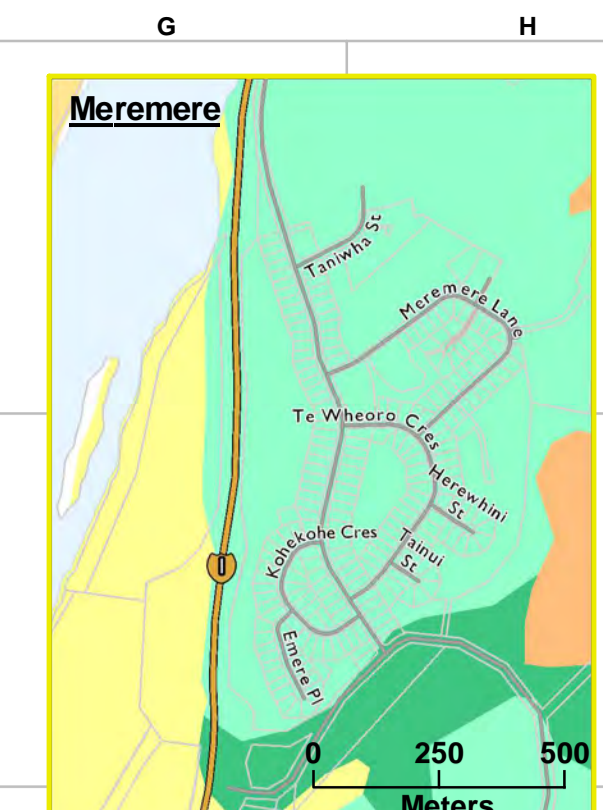
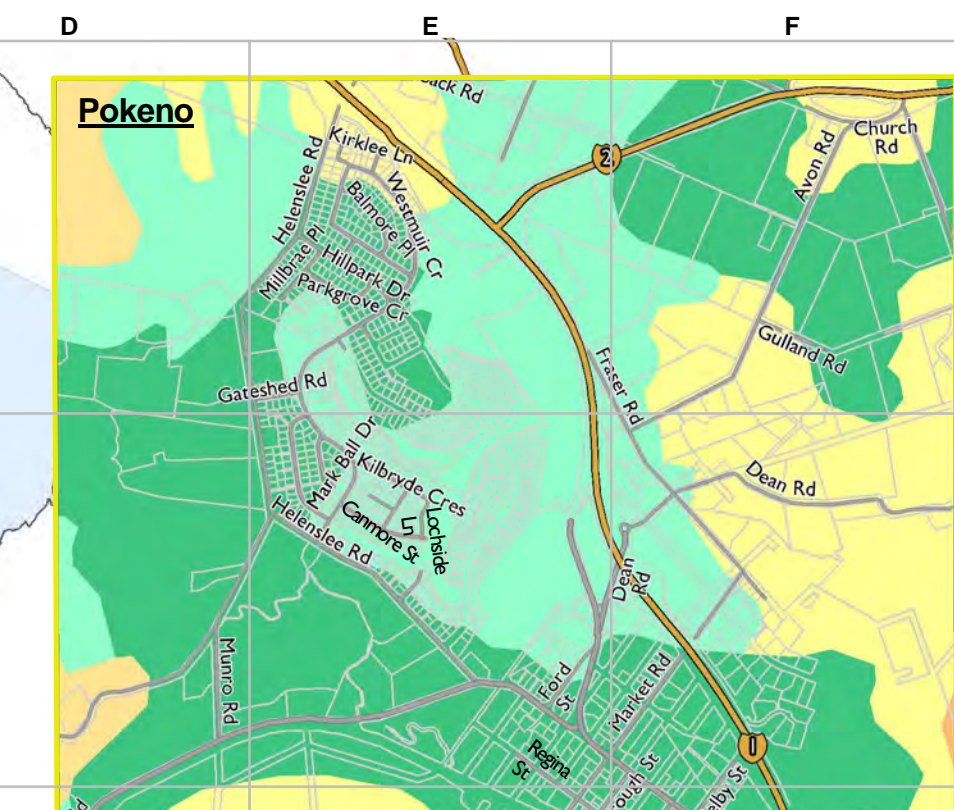
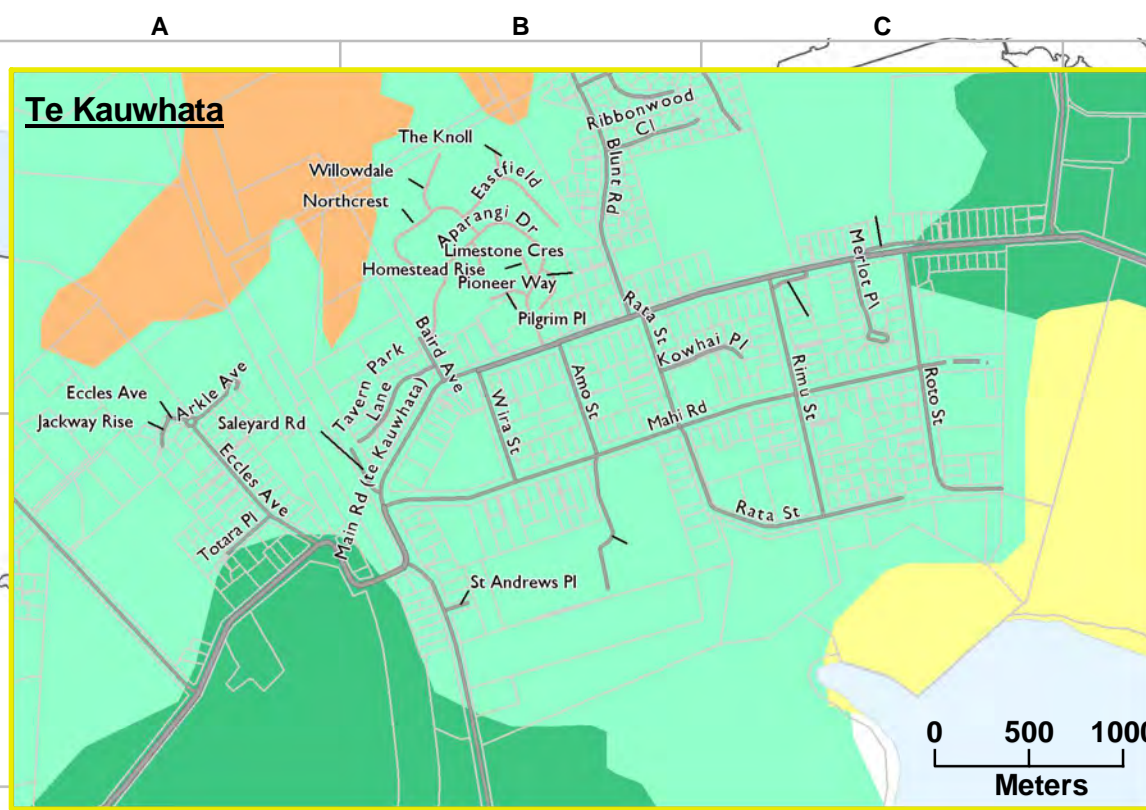
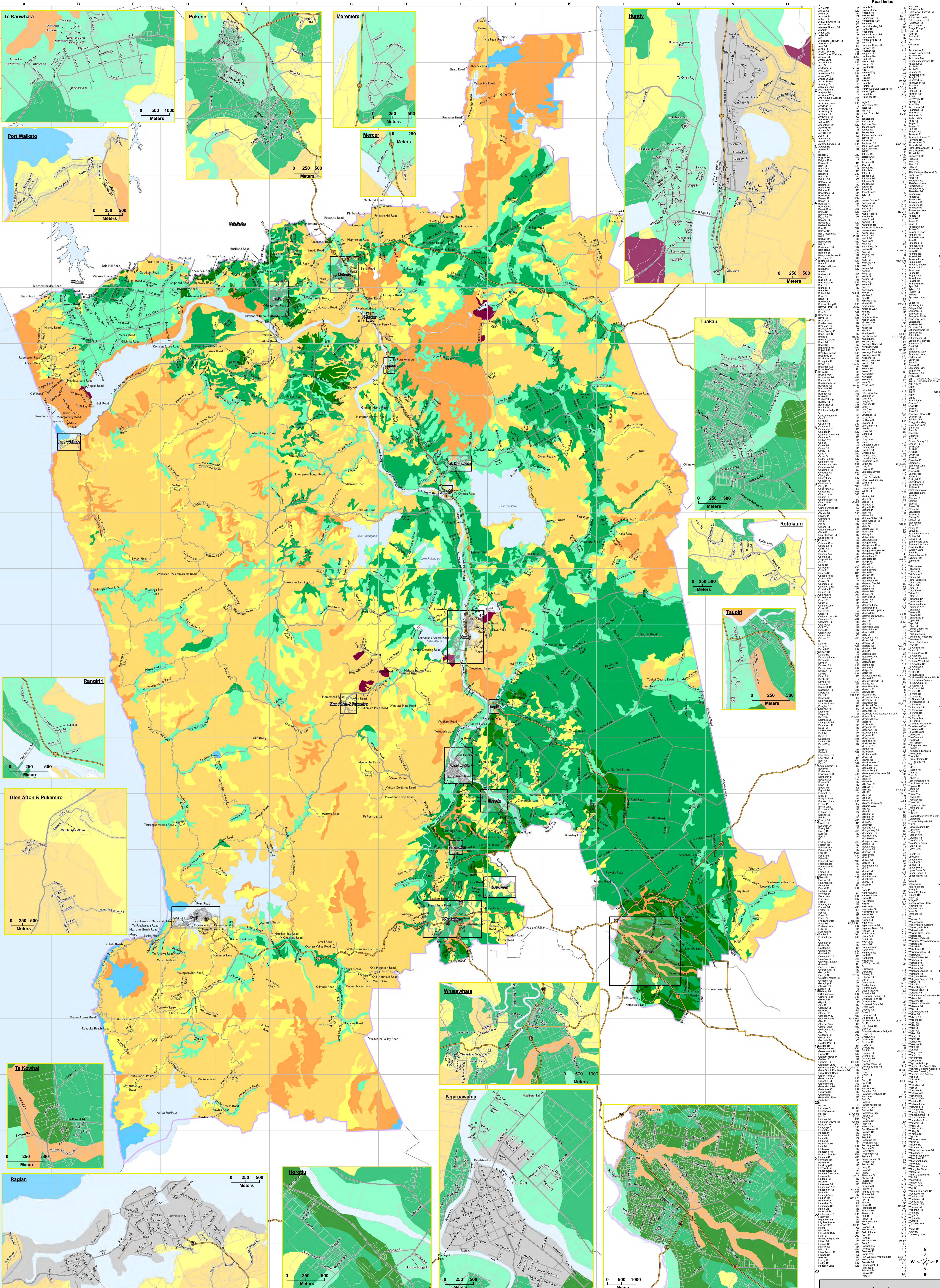
7.0 Timeframes and Cost

Waikato District Council is generally supportive of the proposed timeframes. Initially Council staff were hoping that there might be some direction to use the policies of the NPS-HPL to inform and shape the Proposed District Plan. However until highly productive land is defined by the Regional Council, it is difficult for Council to know what the “right fit” will be in terms of District Plan provisions that Council could use.

Given Council’s comments in regards to the proposed policies, a two year timeframe from the time the Regional Council identify highly productive land may be a challenge where new plan provisions need to be prepared in accordance with Schedule 1. Council suggest that a 3 year timeframe might be more realistic.

Key points:

- Until highly productive land is defined by the Regional Council, it is difficult for Council to know what the “right fit” will be in terms of District Plan provisions that Council could use.
- The proposed two year timeframe may be a challenge where new plan provisions need to be prepared in accordance with Schedule 1. Council suggests that 3 years might be more realistic.



Area	Parcel ID	Area	Parcel ID	Area	Parcel ID
1	1000000001	1000000002	1000000003	1000000004	1000000005
2	1000000006	1000000007	1000000008	1000000009	1000000010
3	1000000011	1000000012	1000000013	1000000014	1000000015
4	1000000016	1000000017	1000000018	1000000019	1000000020
5	1000000021	1000000022	1000000023	1000000024	1000000025
6	1000000026	1000000027	1000000028	1000000029	1000000030
7	1000000031	1000000032	1000000033	1000000034	1000000035
8	1000000036	1000000037	1000000038	1000000039	1000000040
9	1000000041	1000000042	1000000043	1000000044	1000000045
10	1000000046	1000000047	1000000048	1000000049	1000000050
11	1000000051	1000000052	1000000053	1000000054	1000000055
12	1000000056	1000000057	1000000058	1000000059	1000000060
13	1000000061	1000000062	1000000063	1000000064	1000000065
14	1000000066	1000000067	1000000068	1000000069	1000000070
15	1000000071	1000000072	1000000073	1000000074	1000000075
16	1000000076	1000000077	1000000078	1000000079	1000000080
17	1000000081	1000000082	1000000083	1000000084	1000000085
18	1000000086	1000000087	1000000088	1000000089	1000000090
19	1000000091	1000000092	1000000093	1000000094	1000000095
20	1000000096	1000000097	1000000098	1000000099	1000000100
21	1000000101	1000000102	1000000103	1000000104	1000000105
22	1000000106	1000000107	1000000108	1000000109	1000000110
23	1000000111	1000000112	1000000113	1000000114	1000000115

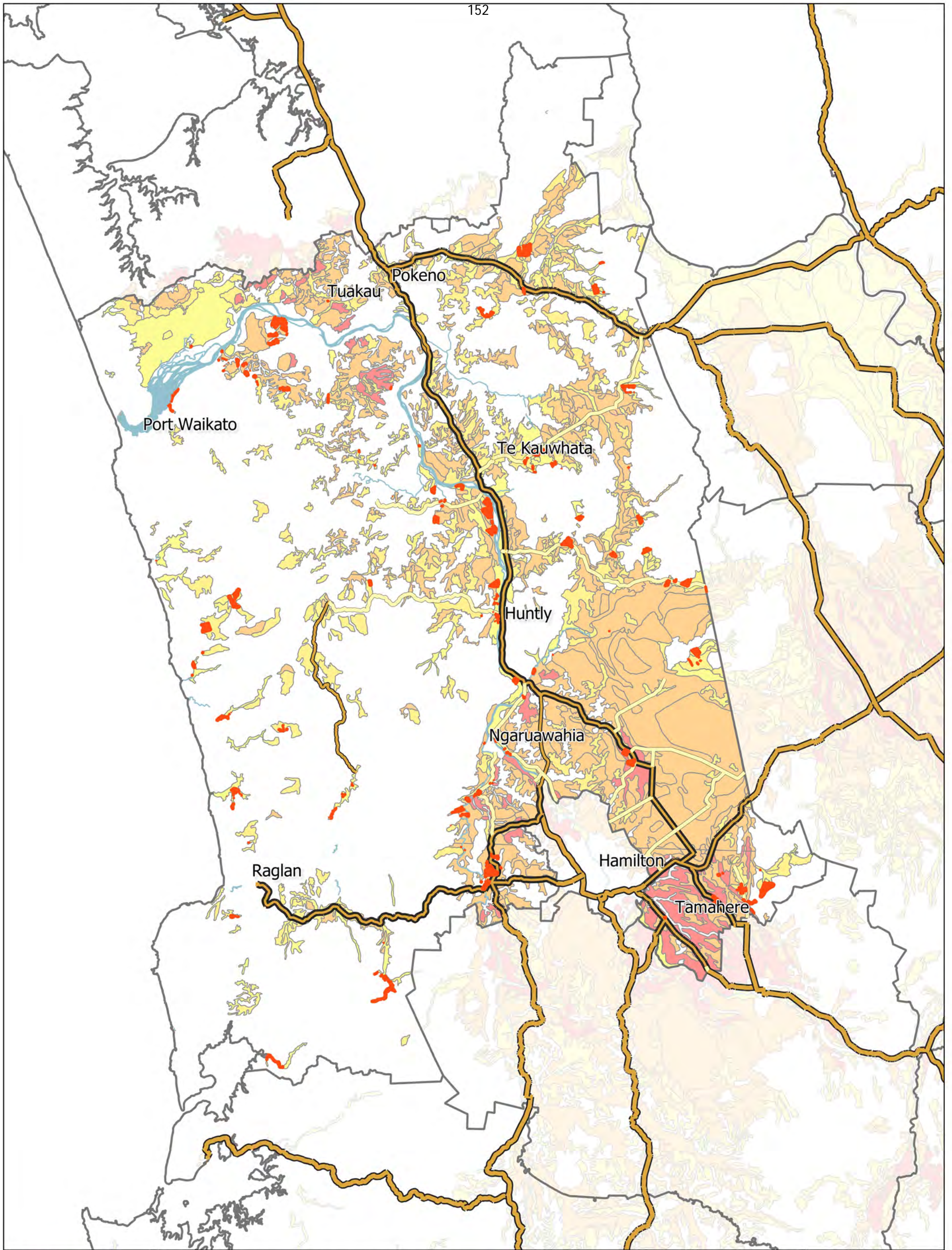
Waikato
GIS DEPARTMENT
Created by: AJT
Checked by: GSC
Date: 2016
Project: N2716
2016

LUC Soil Classes
Copyright © Waikato District Council.
Road information derived from 60000.
Cadastral information derived from 60000.
Note: Use with Caution.

Legend

- LUC 1
- LUC 2
- LUC 3
- LUC 4
- LUC 6
- LUC 7
- LUC 8
- quarry
- town

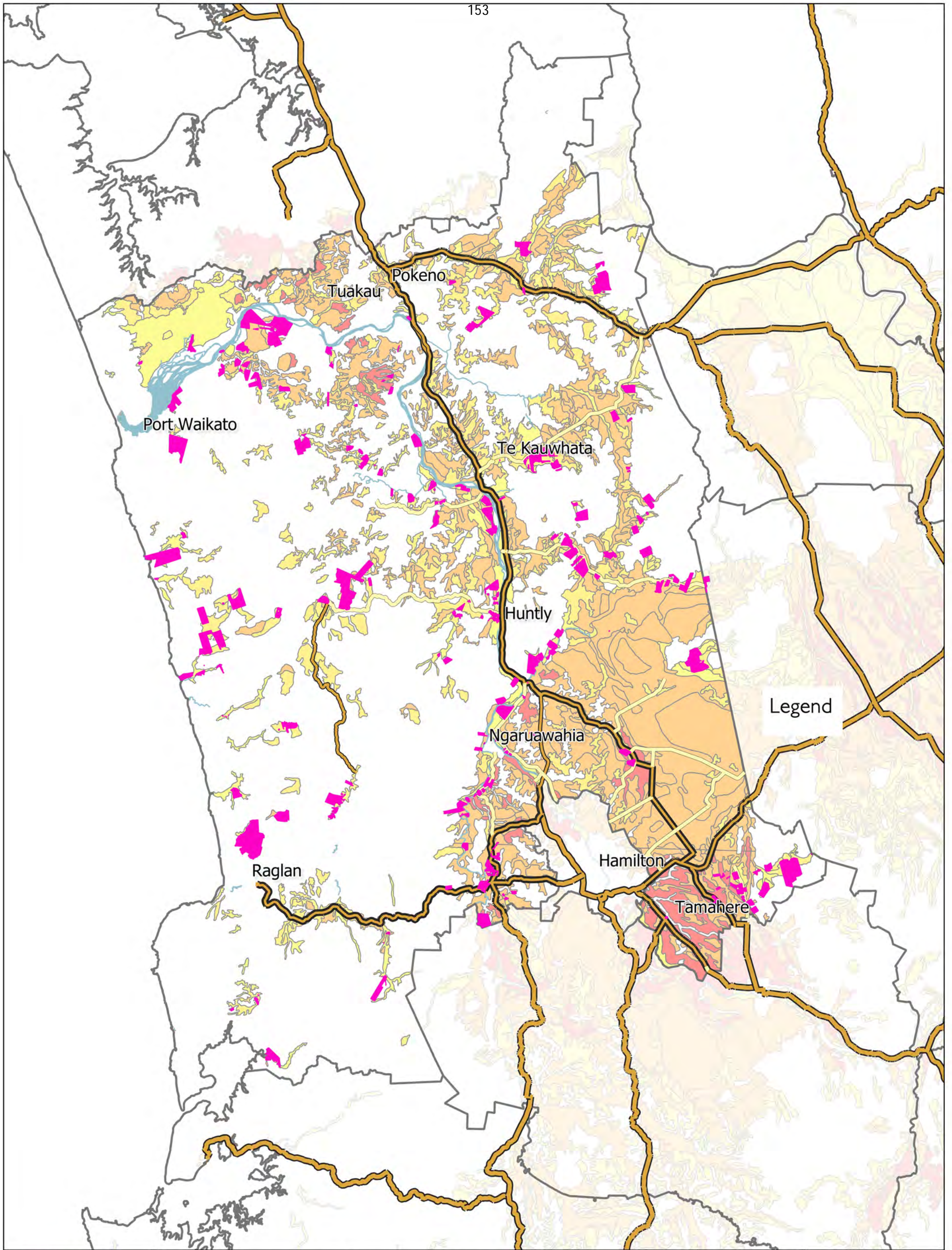
Scale: 0 2 4 6 8 10 Kilometers



Maaori Land (Maori Land Court) Land blocks more than 50% on LUC 1,2,3 or 3E
Land Use Classification - 245 Land Blocks

GIS Department
Created By: Amara
Created For: Kove
Date Created:
2019-09-10
Projection: NZTM
GD2000
Ref: ME15837

Copyright @ Waikato
District Council
Land Information New
Zealand
Maori Land Court



Open Meeting

To	Waikato District Council
From	Clive Morgan General Manager Community Growth
Date	23 September 2019
Prepared by	Melissa Russo Corporate Planning Team Leader
Chief Executive Approved	Y
Reference #	GOV1301 / 2358318
Report Title	Adoption of Cemeteries Bylaw

I. EXECUTIVE SUMMARY

This report seeks adoption of the proposed amendment to Clause 6.2 of the Cemeteries Bylaw (Bylaw), allowing the pre-purchasing of plots to occur at any time, following the public consultation that occurred under Section 82 of the Local Government Act 2002 (Act).

Submissions on the proposed Bylaw were open between 21 August and 22 September 2019. During that time 20 submissions were received, 19 of which supported the proposed changes. Although the consultation was open to the community at large by way of a submission form on our website, funeral directors and monumental masons were specifically targeted. The main reason identified by submitters for supporting the proposed amendment was to provide greater certainty for family members to be buried together.

The submitter that did not support the changes wanted provisions for a crematorium in the Tuakau cemetery. Provisions within the Bylaw are not needed to build a crematorium in a cemetery.

2. RECOMMENDATION

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

AND THAT Council approve the following amendment to clause 6.2 of the Cemeteries Bylaw:

Any person is entitled to purchase an exclusive right of burial for no more than two plots. Any relative of a person who has bought such right may purchase two adjacent plots at the time of burial only.

3. BACKGROUND

The Bylaw includes Clause 6.2 which restricts the pre-purchasing of plots to be able to occur at the time of burial of a relative only. A review of the Bylaw took place in 2016 and, as a result, informal feedback was received from the public regarding this clause.

A workshop with Council was held in late 2018 whereby the issue was discussed and an amendment to Clause 6.2 was suggested, allowing the pre-purchasing of plots at any time up to a maximum of two plots. The proposed amendment to clause 6.2 are shown in the paragraph below.

6.2 Any person is entitled to purchase an exclusive right of burial for no more than two plots. ~~Any relative of a person who has bought such right may purchase two adjacent plots at the time of burial only.~~

Council approved consultation on the proposed amendments to Clause 6.2 of the Bylaw to occur under section 82 of the Act at their meeting in August.

4. DISCUSSION AND ANALYSIS OF OPTIONS

4.1 DISCUSSION

The adoption of the proposed amendment to Clause 6.2 of the Bylaw, as consulted on under Section 82 of the Act, are being sought from Council.

During the consultation period that occurred between 21 August and 22 September 2019, 20 submissions were received, 19 of which were in support of the proposed amendment. The main reason identified by submitters for supporting the proposed amendment was to provide greater certainty for family members to be buried together. The summary of submissions is attached to this report.

4.2 OPTIONS

1. Adopt the proposed amendment to Clause 6.2 of the Bylaw. This is in line with the discussions at the Council workshop and all 20 submissions received.

This option is recommended.

2. Not adopt the proposed amendment to Clause 6.2 of the Bylaw. This would not be in line with the discussions at the Council workshop and would go against all 20 submissions received.

This option is not recommended.

5. CONSIDERATION

5.1 FINANCIAL

There are no financial implications of adopting the proposed amendment.

5.2 LEGAL

If it wishes to allow people to pre-purchase of plots at any time, Council must adopt the proposed amendment to the Bylaw.

There are no other legal considerations.

5.3 STRATEGY, PLANS, POLICY AND PARTNERSHIP ALIGNMENT

The proposed amendment aligns with our Cemetery Strategy 2015-2045 in managing the demand on space within our cemeteries.

5.4 ASSESSMENT OF SIGNIFICANCE AND ENGAGEMENT POLICY AND OF EXTERNAL STAKEHOLDERS

Highest levels of engagement	Inform	Consult	Involve	Collaborate	Empower
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Tick the appropriate box/boxes and specify what it involves by providing a brief explanation of the tools which will be used to engage (refer to the project engagement plan if applicable).</i>	Funder director and monumental masons were contacted via email or letter to notify them of the proposed amendments and encouraging them to make a submission. All submitters will be notified of the Council's decision.				

State below which external stakeholders have been or will be engaged with:

Planned	In Progress	Complete	
	Y		Internal
			Community Boards/Community Committees
			Waikato-Tainui/Local iwi (provide evidence / description of engagement and response)
			Households
		Y	Business
Y		Y	Submitters

6. CONCLUSION

The report seeks Council's approval to amend Clause 6.2 of the Bylaw following a period of public consultation that occurred between 21 August and 22 September 2019. During that time 20 submissions to the Bylaw were received, with all but one supporting the proposed change and the other not opposing it.

7. ATTACHMENT

Summary of Submissions

Summary of 15 Submissions

First Name	Surname	Support the proposed amendments	Comments
Megan	Graham' Vanlieshout	Yes	<p>I am writing this letter in the hope that this bylaw could be changed. I have grown up in Tuakau all my life and am one of the Graham's from Graham's Franklin Funeral Services. My great grandparents, grand parents, many family members and friends and also my husbands mother (our children's Oma) are all buried in the Tuakau Cemetery. We visit this cemetery very regularly to see all the people that mean so much to myself and my family. Our children have been coming with us to this cemetery all of their lives and it is a very special for all of us.</p> <p>My parents have a plot at this cemetery also and it would mean so much to my husband and I if we too, could purchase a plot there.</p> <p>It is somewhere we hope our Graham Family generations can visit for many many years ahead. We have no affinity to the new proposed cemetery at Ridge Road, that would mean nothing to our kids to have us buried there, as Tuakau Cemetery is where we have spent such a lot of family time together over the years.</p> <p>I am only 48 years old but visit 5 of my close friends that grew up with me in Tuakau there too. It's a very special place for me.</p> <p>I am also a funeral celebrant and spent a lot of my work time up there too.</p> <p>Please consider the amendment change....some people value a boat, a beach house or a flash house. My husband and I value purchasing a plot for the future of our children being able to visit all the generations of our family together. That would mean the world to us, over a lot of other things.</p> <p>Thank you for your consideration</p>
Bruce	Camern	No	<p>I support the overall cemeteries by law. What is missing is any reference to the accomodation of a crematorium on a WDC cemetery site. This applying more specifically to the new cemetery for Tuakau. I am not sure if this is the correct by law to address this issue but there needs to be allowance for a crematorium to be built on the cemetery land be it council owned (preferably not) or a joint venture or built by a private business and pays a lease or some such arrangement.</p>
Dianne and Peter	Glenie	Yes	<p>Trying to plan ahead. Family live around this area so makes sense to get a plot in this area. The bigger cemeteries are so much dearer making it harder for the future generations to be able to have family plots. Think making plots smaller makes sense.</p>
Details	withheld	Yes	<p>I believe at the time of a bereavement the family has enough to deal with. Allowing family to pre-purchase a plot is one least task that they need to deal with. Please keep my details private. Thanks</p>
Jessica	Steiner	Yes	<p>Absolutely. It no longer is a tapu subject to discuss, the whanau talk about it all the time, and feel should the funds be available, we should be able to pre-purchase plots anytime to ensure whanau is kept together! The chnage of the bylaw will allow whanau to move forward with future planning.</p>
Debra	Bell	Yes	<p>The ability to pre-purchase pots at any time is supported as this allows family members to choose plots together within a cemetery.</p>

Summary of 159 Submissions

Vikki	Barton	Yes	9.1 Ashes can be buried and put on top of a deceased body? Can I have clarification.
Gary	Poata	Yes	My Family are buried there and had prebooked plots well prior to their passing. Change that ridiculous bylaw to suit us that want to preplan to rest beside our families and easier preplanning for the community
Marlana	Maru	Yes	A person should be able to pre purchase a cemetery plot at any time, not just before burial. This provides some assurance of burials within kinship groupings which therefore provides peace of mind. Securing a plot as part of planning and preparing for end of life is important to many individuals and families.
Susanne	Markham	Yes	I would like to purchase a plot next to a loved one but
Taelah	Keighley	Yes	I want it changed so I can reserve a plot
Lex	Denby	Yes	The will allow loved ones to be interred together, not scattered around the cemetery as is the current situation.
Jahna	Deacon	Yes	I support the change as it allows families to be buried together.
Barbara	Tumai	Yes	I believe the general public should be able to pre-purchase a plot in our local cemeteries. The right to pre-purchase 2 only plots should remain the same so as to be fair to all persons. I also believe the council must benefit to some degree financially with this amendment. Most people do not pre-pay until they are in their latter years. So the annual increase in costs for the plots will remain the same in the long term, some finance will readily available for maintenance etc.
Faith	Denby	Yes	Now the elderly mother who wants to be buried next to her sons in the Jackson Street cemetery can buy the plot next to them and she can now be reassured in this life that in the next life, she is where she wants to be Now the elderly couple who have been married a life time can choose where they want to be buried, whether its together or side by side, they now have a choice. Peace of mind in this life time and the next. This act must change!
Natalie	Davis	Yes	I have deceased family members who i want to be buried beside or close too but because of the law now this will not be possible as the plots around them have been filled. I would love to be able to purchase my plot now by them. Would like to be able to buy upto 4 rather than 2.
Jenny	Kelly	Yes	
Jude	Silich	Yes	
Helen	Moulden	Yes	I am 2nd generation Huntly born and bred and I hope that, when the time comes, I will be buried in the town I was born in and lived in. The way things are going there will not be any plots left for Huntly people.
Cristine	Taoho	Yes	I believe we should be allowed to purchase a plot at any time.

Open Meeting

To	Waikato District Council
From	Gavin Ion Chief Executive
Date	24 October 2019
Prepared by	Brendan Stringer Democracy Manager
Chief Executive Approved	Y
Reference #	GOV1301/2361962
Report Title	End of Triennium – Delegations and governance matters

I. EXECUTIVE SUMMARY

The Council needs to consider arrangement to ensure the effective and efficient conduct of the Council's business during the interim election period. For the purpose of this report, the 'interim election period' is from Saturday, 12 October 2019 until the inaugural meeting of the new Council following the local authority elections (which is proposed to be held on Wednesday, 30 October 2019).

Delegation of Council responsibilities, duties and powers

Clause 14 of Schedule 7 to the [Local Government Act 2002](#) ('LGA') provides that a person newly elected to Council may not act until they have made the necessary declaration at the inaugural Council meeting. This provision combines with sections 86, 115 and 116 of the [Local Electoral Act 2001](#) to the effect that, from the day after the declaration of election results (which is by way of public notice in the Waikato Times), until the new members' declaration is taken at the inaugural Council meeting, neither the outgoing nor the incoming elected members can act in their capacity as members of the Council.

Although subject to change, it is anticipated that the declaration of election results will be published on Monday, 21 October 2019. As such, effectively there will be no Council in office from 22 October 2019 until 30 October 2019 (dates subject to change).

RMA Hearings Delegations – Appointment of Commissioner

The General Manager Customer Support, in conjunction with Cr Fulton (Chairperson, Regulatory Subcommittee), currently determine the appointment of any independent hearing commissioners for Resource Management Act hearings. It is recommended the Council delegates to an officer the authority to make such appointments for the period from the date when Cr Fulton formally leaves office until the new Council determines the delegation

of this function. This will enable the Council to continue to meet its statutory requirements under the RMA.

Chairperson of District Licensing Committee

Cr Noel Smith is the current chairperson of the District Licensing Committee. It would be prudent for the Council to consider appointing a commissioner as the Committee's chairperson, on an interim basis, in the event that Cr Smith is not re-elected to the Council.

Discharge of Council committees and bodies

Council's committees, subcommittees and subordinate decision-making bodies are deemed to be discharged on the coming into office of the newly elected Council unless Council resolves otherwise. There are a few governance bodies that will need to continue to operate into the new triennium.

The purpose of this report is to address the above matters as follows:

- a. extend the Chief Executive's existing delegations to undertake Council's responsibilities, duties, and powers (except those that cannot be delegated) in respect of urgent matters for the period from 12 October 2019 until the inaugural Council meeting (proposed for Wednesday, 30 October 2019), subject to certain limitations and conditions;
- b. delegate to the Chief Operating Officer the sole authority to appoint independent commissioners for RMA hearings, if required, between the date the declaration of election results are published (scheduled for 21 October 2019) until the new Council determines the delegation of this function;
- c. appoint Mr Noel Smith as a commissioner for the District Licensing Committee in the event that he is not re-elected as a Councillor, for an interim period from the date the declaration of election results are published (scheduled for 21 October 2019) until the new Council appoints a new chairperson of the Committee;
- d. approve the continuation of the District Licensing Committee, Waters Governance Board and Panel of Commissioners for the Proposed District Plan after the newly elected members come into office following the local authority elections; and
- e. update the Council on a number of procedural matters relating to the end of the triennium.

2. RECOMMENDATION

THAT the report from the Chief Executive be received;

AND THAT, except as otherwise recorded in this recommendation, the Council extends the Chief Executive's current delegations (detailed in the Council's Delegations Register) to include all of Council's responsibilities, duties, and powers currently retained by the Council or delegated to the Council's standing Committees (except the District Licensing Committee), subject to the following conditions:

- a. the extended delegations will have effect only for the period from 12 October 2019 until the swearing in of the new Council, which is proposed to be 30 October 2019;
- b. the extended delegations do not include a delegation of any Council responsibilities, duties or powers which are prohibited by law from delegation - including, without limitation, those set out in clause 32(1) of Schedule 7 to the Local Government Act;
- c. the Chief Executive may only exercise the extended delegations for those matters that cannot reasonably wait until the first meeting of the new Council;
- d. where reasonably practicable, the Chief Executive must, before exercising an extended delegation responsibility, duty or power, first consult with the Mayor-elect and Councillors Bech and Sedgwick (being the two current Councillors who will be re-elected unopposed in the 2019 local authority elections); and
- e. the Chief Executive must report all matters relating to the exercise of an extended delegation to the incoming Council at the first meeting following the local authority elections;

AND FURTHER THAT, in accordance with section 34A of the Resource Management Act 1991, the Council delegates to the Chief Operating Officer the responsibility, duty and power to appoint (an) independent commissioner(s) for the purpose of a hearing of an application under the Resource Management Act, subject to the following conditions:

- a. this delegation will have effect only for the period from the date after the day that the local authority election results are declared by public notice (scheduled for 21 October 2019) until such time as this function is formally delegated by the newly-elected Council; and
- b. the Chief Operating Officer must report any appointments made under this delegation to the incoming Council at its first formal meeting after the inaugural meeting of Council following the local authority elections;

AND FURTHER THAT, in accordance with section 193 of the Sale and Supply of Alcohol Act 2012 and in the event that Councillor Noel Smith is not re-elected to the Council in the October local authority elections, the Council authorises the Chief Executive to appoint Mr Noel Smith as an independent commissioner of the District Licensing Committee, to act as the chairperson of the Committee from the date after the day on which the official result of the local authority election is declared by public notice (scheduled for 21 October 2019) until such time as a new chairperson is appointed by the newly-elected Council.

AND FURTHER THAT, in accordance with clause 30(7), Schedule 7 of the Local Government Act 2002, the Council resolves that the following committees, subcommittees and subordinate decision-making bodies continue (and are not deemed to be discharged) on the coming into office of the members of the Council elected at the 2019 local authority elections:

- a. **District Licensing Committee;**
- b. **Waters Governance Board; and**
- c. **for the avoidance of doubt, the Panel of Commissioners for the Proposed District Plan.**

3. DISCUSSION AND ANALYSIS OF OPTIONS

3.1 DISCUSSION

Urgent Issues – General Delegation

It is important that Council puts a process in place by which urgent decisions may be made during the interim election period. While the period during which there are no acting elected members (estimated as 22 to 30 October 2019) is shorter than the interim election period (12 October to 30 October 2019), for ease and effectiveness it's proposed the same delegated authority applies throughout the entire interim election period.

It is recommended that the Council extends the Chief Executive's existing delegations, during the interim election period, to undertake all of the Council's responsibilities, duties or powers (except as prohibited by clause 32(1)(a) to (h) of Schedule 7 to the LGA and any other Act). The Chief Executive's current delegations are set out in [the Delegations Register](#).

It is common practice for local authorities to authorise their Chief Executives to deal with such matters during this period, and is the recommended approach from LGNZ and SOLGM.

For clarity, on the swearing in of the new Council, the Chief Executive's delegated powers, duties and functions revert to those delegations set out in the Delegations Register, together with any delegations on specific matters that have already been resolved by the Council or any of its standing committees.

The recommended extended delegations are made subject to a number of qualifications (set out in the Recommendation above) to ensure that these delegations only empower the Chief Executive to make such decisions as are necessary for the effective and efficient day-to-day conduct of Council's business during the period in question. This would be done, where practicable, in consultation with the current members who are unopposed in the upcoming local authority elections (i.e. Councillors Bech and Sedgwick) and the Mayor-elect. The Chief Executive would present a report to the incoming Council on any decisions made under the extended delegations.

As at the date of writing this report, the following matters may potentially require a decision during the interim election period:

- Facilities Maintenance Services Contract – Awarding Contract 19/035 following completion of the procurement process and selection of a preferred provider.

RMA Hearings Delegations – Appointment of Commissioner

The Regulatory Subcommittee is currently delegated authority to conduct, consider, and determine any matter that requires a hearing under the Resource Management Act 1991 ('RMA'). Appointments to any RMA hearings panel is made by the General Manager Customer Support in conjunction with the Chairperson of the Regulatory Subcommittee (Cr Fulton).

There are two key dates the Council need to be aware of:

- The date the official election results are declared (scheduled for 21 October 2019) - the Regulatory Subcommittee will be discharged (see *Discharging Committees* below) and Cr Fulton will cease to be an elected member.
- The first formal Council meeting (scheduled for 12 November 2019) - the new Council is expected to determine who will have delegated authority to appoint independent commissioners, and which committee/body will be delegated authority to hear and determine RMA hearings.

Between these two dates, it would be prudent for the Council to delegate authority to an appropriate individual to enable the appointment of independent commissioners for a hearing of an application under the RMA. This will ensure that the organisation can continue to meet its required statutory timeframes and to process RMA applications on a timely basis.

The General Manager Customer Support will be away for three weeks during October 2019. Having conferred with the Chairperson of the Regulatory Subcommittee and Chief Executive, it is recommended that the Chief Operating Officer be authorised to appoint one or more independent commissioner(s) for RMA hearings, if required, during the period noted in the previous paragraph.

District Licensing Committee – Appointment of Interim Commissioner

Under section 186 of the [Sale and Supply of Alcohol Act 2012](#) ('SSAA'), the Council must appoint a District Licensing Committee (DLC). Section 189 of SSAA requires the DLC to have a chairperson and two members drawn from a list. The chairperson must be either an elected member or a commissioner appointed to the DLC. In May 2013, the Council resolved to appoint an elected member as the DLC chairperson. This Council, or the new Council, can appoint either an elected member or a commissioner as chair of the DLC in accordance with the SSAA.

The chairperson can form a quorum of one, which is considered a meeting of the DLC, to consider and decide on any application where there is no objection or matters of opposition that have been raised.

Cr Noel Smith is the current DLC chairperson, as an elected member. In the event that Cr Smith is not re-elected in the October local authority elections, it would be prudent for the Council to appoint an independent commissioner or another elected member as the chairperson to ensure the DLC can continue to operate from 22 October 2019 (i.e. the expected date when current elected members leave office if not re-elected) until the new Council considers the appointment of a new chairperson.

It is proposed that Cr Smith is appointed as a commissioner to the DLC for this interim period should he not be re-elected to Council. Section 193(2) of SSAA requires that a person being considered for appointment as a commissioner must be of good standing in the community and have the necessary knowledge, skill and experience relating to DLC matters. Cr Smith has been the chairperson of the DLC since December 2013 and has indicated that he is willing to be considered as a commissioner for this interim period.

Discharging Committees

Following a triennial election, clause 30(7) of Schedule 7 to the LGA deems all existing Council committees, subcommittees and other subordinate decision-making bodies to be discharged when newly elected members of the local authority come into office. The Council may resolve to retain any existing committee, subcommittee or other subordinate decision-making body under clause 30(7).

It is recommended that Council resolve to retain the following bodies after newly elected members come into office:

a. *District Licensing Committee*

The DLC, as a committee appointed by Council under the SSAA, makes decisions on, amongst other things, applications for licences and managers' certificates relating to the sale and supply of alcohol.

In addition to Cr Smith, the current membership comprises Cr Gibb (Deputy Chair), and a panel of four external members each appointed for a current term up to 11 November 2022.

To ensure that the DLC continues into the new triennium, it is considered prudent for Council to resolve that the DLC continues, and is not discharged, on the coming into office of the newly elected members.

b. *Waters Governance Board*

The Waters Governance Board is a subordinate decision-making body of Council, tasked, amongst other matters, with providing governance and oversight of the implementation of Council's contract with Watercare Services Limited. The Board's role and delegations are further detailed in the Delegations Register.

The Board's membership comprises four external members (including a Board intern) and the Chief Executive.

It is recommended that the Board be able to continue to meet and undertake its responsibilities as and when required, into the new triennium.

c. *Proposed District Plan Hearings Panel*

The Council has appointed a panel of commissioners to hear submissions in relation to the Council's Proposed District Plan. This included the appointment of three current Councillors (Crs Fulton, Sedgwick and Gibb), the terms of their appointment set out in a Memorandum of Understanding approved by the Council.

While the PDP Hearings Panel is not strictly a committee or subordinate decision-making body of the Council, to avoid any doubt, it would be prudent for the Council to confirm the continuation of the Panel given it has commenced hearings.

The newly-elected Council will have the opportunity to consider the governance structure for the 2019-22 triennium, which can include changes to the above bodies.

4. OPTIONS

Urgent Issues – General Delegation

Option 1: Grant delegated authority to the Chief Executive during the interim election period.

The Council has the option of delegating to the Chief Executive all of its responsibilities, duties and powers for the interim election period, except those set out in clause 32(1)(a) to (h) of Schedule 7 of the LGA. Such delegation would be subject to the conditions and limitations detailed in the Recommendation section of this report, which are intended to mitigate against the risk of the new Council not agreeing with, and looking to revoke, the decisions made during this period. The period in question is also short, being 17 days.

This is the recommended option.

Option 2: Grant delegated authority the Chief Executive for the period from when newly elected members come into office until the inauguration meeting.

The intention would be the same as Option 1, however only to cover that statutory period when the new elected members are not able to act as Councillors – a shorter period of 10 days.

If this option is preferred, it would be prudent for a further delegated authority/body to be appointed for the period of 12 to 21 October 2019 (i.e. the period during which the current elected members continue in office). For example, the Council could delegate to a committee of 3-4 elected members to make urgent decisions during this initial period. As required under clause 14, Schedule 7 of the LGA, the members of such a committee – even if re-elected - cannot act as a member of the Council until he/she has makes the required declaration under the LGA; the committee could therefore not continue as a decision-making body after the date the official election results are declared (scheduled for 21 October 2019).

While this option is feasible, for ease and efficiency, Option 1 is the preferred option to provide continuity during the interim election period.

Option 3: No delegations are made during the interim election period.

The Council has the option of not delegating any of its responsibilities, duties and powers to the Chief Executive, or any body, during the interim election period. This could prevent the Council from being able to make urgent decisions during this period and therefore restrict the ability for Council to undertake its business. This option is not recommended.

RMA Hearings Delegations – Appointment of Commissioner

Option 1: Delegate the power to appoint RMA independent commissioners to Chief Operating Officer

The Council can decide to delegate to the Chief Operating Officer the authority to appoint any independent commissioner, for the purpose of an RMA hearing, for the period from when current elected members leave office until the new Council determines the delegation for such appointments. Staff have a robust process in place to document such appointments. Any appointments made will be reported to the new Council at its first formal meeting (scheduled for 12 November 2019).

This is the preferred option.

Option 2: Delegate the power to appoint RMA independent commissioners to Chief Operating Officer, in consultation with the Chief Executive.

This option is the same as Option 1, with the additional requirement that the Chief Executive is consulted as to any proposed appointment of an independent commissioner. This reflects the extended delegations held by the Chief Executive over the noted period.

While feasible, staff consider that this option would not provide any additional practical benefit than Option 1.

Option 3: No delegations are made in relation to appointment of RMA independent commissioners

The Council may decide not to make any delegations in relation to this matter. This would mean no one would be authorised to appoint an independent commissioner during the period noted in Option 1 above, which would likely impede the organisation's ability to continue to efficiently and effectively process RMA consent applications in accordance with statutory timeframes.

This option is not recommended.

District Licensing Committee – Appointment of Interim Commissioner

Option 1: Appoint a commissioner to the DLC should Cr Smith not be re-elected.

The Council can decide to appoint a commissioner as the chairperson of the DLC (under section 193 SSAA) in the event that the current chair, Cr Smith, is not re-elected in the local authority elections. Given Cr Smith's experience and qualifications as the current chairperson of the DLC, it is recommended that the Council appoints Cr Smith as a commissioner, in the role as the DLC chairperson, for the period from the date that the official election results are declared (approximately 21 October 2019) until the new Council considers the appointment of a new chairperson of the DLC.

This is the preferred option

Option 2: No appointment of a commissioner to the DLC

If the Council decides not to appoint a commissioner for the period noted above, there is a risk that the DLC may not be able to consider alcohol licensing decisions during this period.

As noted earlier, the SSAA requires the DLC chairperson to be either an elected member or an appointed commissioner. While Cr Gibb, as Deputy Chair of the DLC, may be able to

fulfil the requirements of the chairperson from 30 October 2019 (i.e. the inauguration meeting of the new Council), it is arguable that she would not be able to act as the chairperson between 22 and 30 October 2019 when individuals elected to the Council are not permitted to act as an elected member. This option also assumes Cr Gibb would be re-elected in the local authority elections.

To ensure the continuity of the DLC, this option is not recommended.

Discharging Committees

Option 1: Council resolves to retain specified committees and bodies that need to continue after the newly elected members come into office

The Council can resolve to retain any of its current committees, subcommittees and subordinate decision-making bodies beyond the date that newly elected members come into office (expected to be on 22 October 2019). It is recommended that the DLC, Waters Governance Board and the Panel of Commissioners for the Proposed District Plan all continue into the new triennium, to enable them to carry on their respective work.

All other committees, subcommittees and subordinate decision-making bodies will automatically be discharged on the date that newly elected members come into office in accordance with clause 30(7), Schedule 7 of the LGA. The new Council will then determine its governance structure at its November 2019 meeting.

This is the preferred option

Option 2: Council does not resolve to retain specified committees and bodies after the newly elected members come into office

The Council can decide not to make the above resolution, in which case all committees, subcommittees and subordinate decision-making bodies will automatically be discharged on the date that newly elected members come into office. This option is not recommended as it may impede the ability for the Council to undertake its business through the specific list of committees/bodies.

5. CONSIDERATIONS

5.1 FINANCIAL

The decisions required in this report fall within existing operational budgets within the 2018-28 Long Term Plan.

5.2 LEGAL

The relevant legislative provisions have been outlined earlier in this report. The recommended decisions comply with the Council's legal requirements.

5.3 STRATEGY, PLANS, POLICY AND PARTNERSHIP ALIGNMENT

The recommended decisions are consistent with the provisions of the LGA and SSAA and there are no policy or planning implications.

5.4 ASSESSMENT OF SIGNIFICANCE AND ENGAGEMENT POLICY AND OF EXTERNAL STAKEHOLDERS

Staff have considered the Council's Significance & Engagement Policy, and recommend that the matters in this report are of low significance. No consultation will be required and the Council's decision will be publicly available.

Planned	In Progress	Complete	
		✓	Internal
			Community Boards/Community Committees
			Waikato-Tainui/Local iwi (provide evidence / description of engagement and response)
			Households
			Business
			Other Please Specify

6. CONCLUSION

The Council is asked to consider arrangements to ensure the continued effective and efficient conduct of the Council's business during the interim election period from 13 October 2019 until the inauguration of newly-elected members, scheduled for 30 October 2019 and/or the first formal meeting of the new Council in November 2019.

7. ATTACHMENTS

Nil

Open Meeting

To	Waikato District Council
From	Gavin Ion Chief Executive
Date	1 October 2019
Prepared by	Brendan Stringer Democracy Manager
Chief Executive Approved	Y
Reference	GOV1301
Report Title	Exclusion of the Public

I. EXECUTIVE SUMMARY

To exclude the public from the whole or part of the proceedings of the meeting to enable Council to deliberate and make decisions in private on public excluded items.

2. RECOMMENDATION

THAT the report of 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 9 September 2019

Receipt of Minutes:

- **Strategy & Finance Committee – 28 August 2019**
- **Infrastructure Committee – 27 August 2019**
- **Waters Governance Board – 29 August 2019**

Committee Recommendations:

- **Strategy & Finance – 25 September 2019**
- **Infrastructure – 24 September 2019**

REPORTS

a. Raglan Papahua Holiday Park Board – Appointment of Community Representative

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. Pokeno Private Wastewater Drainage Connections – Phase 3

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)(h)

Section 48(1)(a)

Section 7(2)(i)

Section 7(2)(j)

c. Development Agreement Rangitahi

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)

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)

3. ATTACHMENTS

Nil