

Minutes of a meeting of the Waikato District Council held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **MONDAY 8 APRIL 2019** commencing at **1.15 pm.**

Present:

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

Attending:

Mr TG Whittaker (Chief Operating Officer)
Mr R MacCulloch (Acting General Manager Service Delivery)
Mrs S O’Gorman (General Manager Customer Support)
Ms L Shirley (Zero Harm Manager)
Mr N Wells (Strategic Property Manager)
Ms A Purdy (Asset Manager)
Ms A Diaz (Finance Manager)
Mr J Brown (Communications Advisor)
Mr B Stringer (Democracy Manager)

Ms E O’Dwyer (Waikato Times Reporter)

APOLOGIES AND LEAVE OF ABSENCE

Resolved: (Crs Thomson/Main)

THAT an apology be received from Councillors Church, Gibb, and Henderson.

CARRIED on the voices

WDC1904/01

CONFIRMATION OF STATUS OF AGENDA ITEMS

Resolved: (Crs Main/McInally)

THAT the Agenda for a meeting of the Waikato District Council held on Monday 8 April 2019 be confirmed and all items therein be considered in open meeting with the exception of those items detailed at agenda item 8 which shall be considered with the public excluded;

AND THAT the Attachment to Agenda item 5.3.1 [*Receipt of Infrastructure Committee Minutes*] be replaced with the version of the Committee Minutes as tabled at the Meeting in the Supplementary Agenda;

AND FURTHER THAT the Council resolves that the following item be added to the agenda as a matter of urgency as advised by the Chairperson:

- **LGNZ Conference Attendance (Agenda Item 5.6.5),**

to be considered after Agenda item 5.6.4 [*Memorandum of Understanding – Sunset Beach Surf Lifesaving Charitable Trust*]

CARRIED on the voices

WDC1904/02

DISCLOSURES OF INTEREST

There were no disclosures of interest.

CONFIRMATION OF MINUTES

Resolved: (Crs Sedgwick/Thomson)

THAT the minutes of a meeting of the Waikato District Council held on Monday 11 March 2019 be confirmed as a true and correct record of that meeting.

CARRIED on the voices

WDC1904/03

COMMITTEE AND DEPARTMENTAL REPORTS

Policy & Regulatory Committee

Receipt of Policy & Regulatory Committee Minutes
Agenda Item 5.1.1

Resolved: (Crs Sedgwick/Main)

THAT the minutes of a meeting of the Policy & Regulatory Committee held on Tuesday 19 March 2019 be received.

CARRIED on the voices

WDCI904/04

Zero Harm
Agenda Item 5.1.2

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

- Information on flu vaccinations would be rolled out soon.
- The use of 'wellness' instead of 'wellbeing' was explained in relation to the Wellness Strategy and Plan.

ACTION: The Zero Harm Manager would share the Wellness Strategy and Plan with Elected Members.

- Staff would be undertaking reviews of other Water Treatment Plants Emergency Response Plans, in addition to the current review underway on the Huntly Water Treatment Plant. A review at the Ngaruawahia plant had been completed.
- People leaders had been actively encouraged to record Safety Engagement Conversations.

The Acting General Manager Service Delivery provided an update on the investigation undertaken in relation to an employee's over-speed events recorded in March.

Resolved: (Crs McGuire/Sedgwick)

THAT the report from the Chief Executive be received.

CARRIED on the voices

WDCI904/05

Strategy & Finance Committee

Receipt of Strategy & Finance Committee Minutes

Agenda Item 5.2.1

Resolved: (Crs Bech/Main)

THAT the minutes of a meeting of the Strategy & Finance Committee held on Wednesday 27 March 2019 be received.

CARRIED on the voices

WDC1904/06

THAT the following become resolutions of Council:

Proposed Waikato District Plan - Appointment of hearing commissioners with an understanding of tikanga and the perspectives of local iwi/hapuu – S&F1903/05-06

Resolved: (Crs Bech/Patterson)

THAT the Strategy & Finance Committee recommends to Council that, pursuant to section 34A(1) of the Resource Management Act 1991, Linda Te Aho be appointed to the Hearings Panel pool for the Proposed Waikato District Plan Stages 1 and 2 as lead independent commissioner bringing an understanding of tikanga Maaori and of the perspectives of local iwi and hapuu.

CARRIED on the voices

WDC1904/07

Resolved: (Crs Bech/Patterson)

THAT the Strategy & Finance Committee recommends to Council that, pursuant to section 34A(1) of the Resource Management Act 1991, Weo Maag be appointed to the Hearings Panel pool for the Proposed Waikato District Plan Stages 1 and 2 as a supporting independent commissioner bringing an understanding of tikanga Maaori and of the perspectives of local iwi and hapuu.

CARRIED on the voices

WDC1904/08

Cr Sedgwick abstained from voting on the above decisions [ref WDC1904/07 and WDC1904/08].

Consideration of Conservation Fund Applications – S&F1903/07

Resolved: (Crs Bech/Fulton)

THAT the Strategy & Finance Committee recommends to Council that the Conservation Fund application of \$9,000.00 from David Johnstone Pukemokemoke Bush Reserve Trust be approved in full.

CARRIED on the voices

WDC1904/09

Whatawhata Community Facility Consultation Outcome – S&F1903/08

Each of the following Recommendations to Council were put separately.

Resolved: (Crs Bech/Smith)

THAT the Committee recommends that Council provide \$250,000 of seed funding for the project via a deficit reserve, until such time the consultation has concluded and final funding solutions can be confirmed by Council.

CARRIED on the voices

WDC1904/10

Resolved: (Crs Bech/Smith)

THAT the Committee recommends that Council rescind the resolution passed in 2016 (WDC1612/04/3/2) to declare the proposed hall site as surplus land.

CARRIED on the voices

WDC1904/11

Resolved: (Crs Bech/Smith)

THAT the Committee will review the funding mechanisms for community facilities for both capital and operational costs to deliver better alignment across all social infrastructure projects in the district.

CARRIED on the voices

WDC1904/12

Proposed Target Rate Increase for Matangi Hall – Alteration of Resolution – S&F1903/09)

Resolved: (Crs Bech/McGuire)

THAT the following Strategy & Finance Committee resolution (S&F1902/07) be altered from:

THAT the Strategy & Finance Committee recommend to Council to implement the proposed increase to the annual targeted rate from \$24 to \$30 as at 1 June 2019 to support the ongoing maintenance of the Matangi Hall.

to read:

THAT the Strategy & Finance Committee recommend to Council to implement the proposed increase to the annual targeted rate from \$24 to \$30 as at 1 July 2019 to support the ongoing maintenance of the Matangi Hall.

CARRIED on the voices

WDC1904/13

Infrastructure Committee

Receipt of Infrastructure Committee Minutes
Agenda Item 5.3.1

Resolved: (Crs Fulton/Lynch)

THAT the minutes of a meeting of the Infrastructure Committee held on Tuesday 26 March 2019, as tabled at the Council Meeting in the Supplementary Agenda (ref WDC 1904/02), be received

CARRIED on the voices

WDC1904/14

THAT the following become resolutions of Council:

Request to rename a portion of Kimihia Road affected by the Waikato Expressway Construction – INF1903/04

Resolved: (Crs Fulton/Lynch)

THAT the Infrastructure Committee recommends to Council that a portion of Kimihia Road, Huntly (as highlighted yellow on the map attached in the Committee agenda) be renamed Kimihia East Road.

CARRIED on the voices

WDC1904/15

Proposed Road Names for the B Smythe Subdivision at 600 Onewhero-Tuakau Bridge Road – INF1903/05

Resolved: (Crs Fulton/Patterson)

THAT the Infrastructure Committee approve and recommend to Council the following road names for the B Smythe Subdivision at 600 Onewhero-Tuakau Bridge Road:

- Road 1: School House Road, and
- Road 2: Old Sheeppark Lane.

CARRIED on the voices

WDC1904/16

Discretionary & Funding Committee

Receipt of Discretionary & Funding Committee Minutes
Agenda Item 5.4.1

Resolved: (Crs Lynch/McGuire)

THAT the minutes of a meeting of the Discretionary & Funding Committee held on Monday 11 March 2019 be received.

CARRIED on the voices

WDC1904/17

OTHER COMMITTEES

Receipt of Creative Communities Scheme Assessment Committee Minutes
Agenda Item 5.5.1

Resolved: (Crs McGuire/Bech)

THAT the minutes of a meeting of the Creative Communities Scheme Assessment Committee held on Thursday 28 March 2019 be received.

CARRIED on the voices

WDC1904/18

Receipt of Waikato Plan Leadership Committee Minutes
Agenda Item 5.5.2

Resolved: (His Worship the Mayor/Cr Sedgwick)

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

CARRIED on the voices

WDC1904/19

Receipt of Water Governance Board Minutes
Agenda Item 5.5.3

Resolved: (His Worship the Mayor/Cr McNally)

THAT the minutes of the meeting of the Water Governance Board meeting held on Friday 22 March 2019 be received.

CARRIED on the voices

WDC1904/20

Status of Waters Governance Board
Agenda Item 5.6.1

The Chief Operating Officer provided a summary of the report. He noted that:

- The Council was responsible for establishing the appropriate arrangement for the Waters Governance Board.
- The Board's Terms of Reference, which would include how information is reported to the Council, would be presented to the Council for approval.

ACTION: A workshop to be held for Elected Members to review and discuss the draft Terms of Reference for the Waters Governance Board.

His Worship the Mayor confirmed the Chief Executive was the right person to represent the Council on the Board.

Resolved: (Cr Sedgwick/His Worship the Mayor)

THAT the report from the Chief Executive be received;

AND THAT the following Council resolution (WDC1807/22) be altered, in part, from:

AND THAT pursuant to Schedule 7, clause 30 of the Local Government Act 2002, the Waters Governance Board be formed as a Committee of Council;

to read:

AND THAT pursuant to Schedule 7, clause 30 of the Local Government Act 2002, the Waters Governance Board be formed as a subordinate decision-making body.

CARRIED on the voices

WDC1904/21

Changes to Waikato Local Authority Shared Services Governance Arrangements
Agenda Item 5.6.2

The Chief Operating Officer provided a summary of the report.

Resolved: (Crs McNally/Fulton)

THAT the report from the Chief Operating Officer be received;

AND THAT the Council approves:

a. the amendment to the constitution of Waikato Local Authority Shared Services Limited ("WLASS") in the manner set out in Appendix I of the staff report; and

b. that **WLASS** independent Chair be paid a fee for service up to \$45,000 per annum (plus reasonable costs and GST, if any);

AND FURTHER THAT the Council notes **WLASS** constitution, as amended, allows the independent Chair to be appointed by unanimous agreement of the **WLASS' Council Representative Directors**;

AND FURTHER THAT the Council delegates authority:

a. to **WLASS's Council Representative Directors** to agree a fee for service for **WLASS' independent Chair** up to the amount noted in (b) above; and

b. to the Mayor to sign the attached special and ordinary resolutions (Appendices 1 and 2 of the staff report, respectively) on behalf of the Council to give effect to the above resolutions;

AND FURTHER THAT the Council support the appointment of its Chief Executive to the sub-region Council Representative Director role available to be appointed by the Waikato and Waipa District Councils.

CARRIED on the voices

WDCI904/22

Proposed revocation to certain Reserves Act delegations to territorial authorities - Council's response to Department of Conservation
Agenda Item 5.6.3

The Strategic Property Manager highlighted that:

- LGNZ would co-ordinate a sector-wide response to the Department of Conservation's proposals.
- The final date for receiving submissions on the proposals was extended to 17 May 2019.

Resolved: (Crs McNally/Patterson)

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

AND THAT the Council approves the staff's covering letter and response, as attached to this report, to the Department of Conservation's proposed revocation of specified delegations under the Reserves Act 1977.

CARRIED on the voices

WDCI904/23

Memorandum of Understanding - Sunset Beach Surf Lifesaving Charitable Trust
Agenda Item 5.6.4

The Asset Manager, supported by the Chief Operating Officer, highlighted, and responded to questions on, the following matters:

- A draft of the Memorandum of Understanding ('MoU') had previously been presented to the Strategy & Finance Committee.
- In the event that the Sunset Beach Surf Lifesaving Charitable Trust winds up, the Council would determine whether Surf Life Saving New Zealand be offered the right to occupy the new building.
- Clause 8.3 in the MoU was intended to balance the expectations of the Trust and the community.

Resolved: (Crs Sedgwick/Main)

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

AND THAT the Council approve the Memorandum of Understanding between Waikato District Council and Sunset Beach Surf Lifesaving Charitable Trust, as attached to the staff report, for the funding, construction and ongoing use of the Port Waikato Community Hub.

CARRIED on the voices

WDCI904/24

LGNZ Conference Attendance

(Added Agenda Item 5.6.5 – Supplementary Agenda)

His Worship the Mayor provided an overview of the report.

Resolved: (Crs Smith/Sedgwick)

THAT the report from the Chief Executive be received;

AND THAT the following delegates attend the LGNZ Conference and Excellence Awards in Wellington from 7 July 2019 to 9 July 2019:

**His Worship the Mayor
Deputy Mayor
Councillor Patterson
Councillor Thomson**

AND FURTHER THAT His Worship the Mayor is the presiding delegate at the Local Government New Zealand Annual General Meeting on 7 July 2019;

AND FURTHER THAT the Deputy Mayor is the alternate delegate at the Local Government New Zealand Annual General Meeting on 7 July 2019;

AND FURTHER THAT Council consider if there are any proposed remits for consideration at the Local Government New Zealand Annual General Meeting.

CARRIED on the voices

WDCI904/25

COMMUNITY BOARD MINUTES

Receipt of Onewhero-Tuakau Community Board Minutes
Agenda Item 6.1

Resolved: (Crs Patterson/Main)

THAT the minutes of a meeting of the Onewhero-Tuakau Community Board held on Monday 4 March 2019 be received.

CARRIED on the voices

WDCI904/26

Receipt of Taupiri Community Board Minutes
Agenda Item 6.2

Resolved: (Crs Patterson/McGuire)

THAT the minutes of a meeting of the Taupiri Community Board held on Monday 11 March 2019 be received.

CARRIED on the voices

WDCI904/27

Receipt of Raglan Community Board Minutes
Agenda Item 6.3

Resolved: (Cr Thomson/His Worship the Mayor)

THAT the minutes of a meeting of the Raglan Community Board held on Tuesday 12 March 2019 be received.

CARRIED on the voices

WDCI904/28

Receipt of Ngaruawahia Community Board Minutes
Agenda Item 6.4

Resolved: (Crs Patterson/Bech)

THAT the minutes of a meeting of the Ngaruawahia Community Board held on Tuesday 12 March 2019 be received.

CARRIED on the voices

WDCI904/29

Receipt of Huntly Community Board Minutes
Agenda Item 6.5

Resolved: (Crs McNally/Lynch)

THAT the minutes of a meeting of the Huntly Community Board held on Tuesday 19 March 2019 be received.

CARRIED on the voices

WDC1904/30

COMMUNITY COMMITTEE MINUTES

Receipt of Te Kauwhata Community Committee Minutes
Agenda Item 7.1

Resolved: (Crs Sedgwick/Patterson)

THAT the minutes of a meeting of the Te Kauwhata Community Committee held on Wednesday 6 March 2019 be received.

CARRIED on the voices

WDC1904/31

Receipt of Tamahere Community Committee Minutes
Agenda Item 7.3

Resolved: (Crs Bech/McGuire)

THAT the minutes of a meeting of the Tamahere Community Committee held on Monday 4 March 2019 be received.

CARRIED on the voices

WDC1904/32

EXCLUSION OF THE PUBLIC

Agenda Item 8

Resolved: (Crs Patterson/Smith)

THAT the report from the Chief Executive be received;

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

Confirmation of Minutes dated Monday 11 March 2019

Receipt of Minutes:

- **Strategy & Finance Committee dated - 27 March 2019**
- **Water Governance Board dated - 22 March 2019**

REPORTS

a. Electrical Energy Supply Contract 2019-22

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) – enable the Council to carry on, without prejudice or disadvantage, negotiations **Section 48(1)(d)**

b. 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:**

Sections 7(2)(f),(g),(h),(i),(j) **Section 48(1)(a)(d)**

c. 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:

