

Minutes of a meeting of the Waikato District Council held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **MONDAY 13 MAY 2019** commencing at **1.00 pm**.

Present:

His Worship the Mayor, Mr AM Sanson (Chairperson)
Cr AD Bech
Cr SL Henderson
Cr SD Lynch
Cr RC McGuire (*from 1.06pm*)
Cr FM McInally
Cr BL Main
Cr JD Sedgwick
Cr NMD Smith
Cr LR Thomson

Attending:

Mr GJ Ion (Chief Executive)
Mr TG Whittaker (Chief Operating Officer)
Mr C Morgan (General Manager Community Growth)
Mrs S O’Gorman (General Manager Customer Support)
Mr R MacCulloch (Acting General Manager Service Delivery)
Ms L Shirley (Zero Harm Manager)
Mr V Ramduny (Planning & Strategy Manager)
Ms J Bishop (Contracts and Partnering Manager)
Mr B Stringer (Democracy Manager)
Other Council staff present

APOLOGIES AND LEAVE OF ABSENCE

Resolved: (Crs Thomson/Sedgwick)

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

CARRIED on the voices

WDC1905/01

CONFIRMATION OF STATUS OF AGENDA ITEMS

Resolved: (Crs Main/Sedgwick)

THAT the agenda (including the supplementary agenda) for a meeting of the Waikato District Council held on Monday 13 May 2019 be confirmed and all

items therein be considered in open meeting with the exception of those items detailed at agenda item 9 which shall be considered with the public excluded.

CARRIED on the voices

WDCI905/02

DISCLOSURES OF INTEREST

There were no disclosures of interest.

CONFIRMATION OF MINUTES

Resolved: (Crs McInally/Thomson)

THAT the minutes of a meeting of the Waikato District Council held on Monday 8 April 2019 be confirmed as a true and correct record of that meeting.

CARRIED on the voices

WDCI905/03

Item 5.1.1 (Zero Harm) was deferred to later in the meeting to accommodate staff.

OTHER COMMITTEES AND DECISION-MAKING BODIES

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

Agenda Item 5.2.1

Resolved: (Mayor Sanson/Cr Thomson)

THAT the draft minutes of a meeting of the Waikato Raupatu River Trust and Waikato District Council Co-Governance Committee held on 17 October 2018 be received.

CARRIED on the voices

WDCI905/04

Receipt of Minutes of Future Proof Implementation Committee

Agenda Item 5.2.2

Resolved: (Mayor Sanson/Cr Sedgwick)

THAT the report from the Chief Executive, and the Future Proof Implementation Committee Minutes of 25 March 2019 be received.

CARRIED on the voices

WDCI905/05

Receipt of Minutes of the Waters Governance Board
Agenda Item 5.2.3

Resolved: (Crs Main/Lynch)

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

CARRIED on the voices

WDC1905/06

COMMUNITY BOARD MINUTES

Receipt of Onewhero-Tuakau Community Board Minutes
Agenda Item 6.1

Resolved: (Crs Main/Henderson)

THAT the minutes of a meeting of the Onewhero-Tuakau Community Board held on Monday 1 April 2019 be received.

CARRIED on the voices

WDC1905/07

COMMUNITY COMMITTEE MINUTES

Receipt of Meremere Community Committee Minutes
Agenda Item 7.2

Resolved: (Crs Sedgwick/Lynch)

THAT the minutes of a meeting of the Meremere Community Committee held on Thursday 14 February 2019 be received.

CARRIED on the voices

WDC1905/08

Receipt of Tamahere Community Committee Minutes
Agenda Item 7.3

Resolved: (Crs Bech/Sedgwick)

THAT the minutes of a meeting of the Tamahere Community Committee held on Monday 1 April 2019 be received.

CARRIED on the voices

WDC1905/09

OTHER REPORTS

Delegations Register Update Agenda Item 8.1

The Chief Executive highlighted, and responded to questions, on the following matters:

- The proposed changes to the Delegations Register were principally to give effect to new staff positions and responsibilities. In practice, these amended delegations fell under the Chief Executive's delegated authority.
- There were challenges in completing the amendments to the Register, which meant it was circulated to elected members later than expected.
- The Infrastructure Committee's delegations had been amended to approve road naming applications, without recommending the same to Council.

The Chief Executive noted the following additional changes were required to the Delegations Register (as detailed in the Supplemental Agenda):

- i. Under Schedule A, Financial Delegations (p7 of the Register), amend 'Persons Authorised' to add "or Chief Operating Officer" after "Chief Executive". The intention was that either the Chief Executive or Chief Operating Officer could be part of the joint authorisation.
- ii. Under Schedule B, Financial Delegations (p8 of the Register), amend the Chief Executive's delegation under 'Nature of contract' by replacing "All contracts" with "All Council expenditure or contracts".
- iii. Under Schedule B, Financial Delegations (p9 of the Register), amend the Chief Operating Officer's delegation under "Nature of contract" by replacing "Corporate expenses, office supplies, legal, labour, consulting fees, all contracts, plant staff training, insurance, subscriptions and journals" with "All Council expenditure or contracts".

Resolved: (Crs Sedgwick/McInally)

THAT the report from the Chief Executive be received;

AND THAT the updated Delegations Register be approved, subject to the additional changes referred to by the Chief Executive.

CARRIED on the voices

WDC1905/10

Cr McGuire entered the meeting at 1.06pm during discussion on the above item.

Cr Smith abstained from voting on the above decision (*ref WDC1905/10*).

Item 5.1.1 (Zero Harm) was then taken.

COMMITTEE AND DEPARTMENTAL REPORTS

Policy & Regulatory Committee

Zero Harm

Agenda Item 5.1.1

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

- The Customer Support Group was very pro-active in reporting events, which was supported by the Executive Leadership Team. Staff would be able to provide further analysis on the nature of events registered by the Customer Support Group in June.
- The General Manager Customer Support was undertaking work that included capturing the level of risk for a reported event.

ACTION: The Zero Harm Manager would provide quantitative information to Elected Members on whether there were any repeat offenders for over speed events.

Resolved: (Crs Lynch/Sedgwick)

THAT the report from the Chief Executive be received.

CARRIED on the voices

WDC1905/11

Hamilton Car Club Rally – Ruapuke Road, Raglan

Agenda Item 8.2

The Contracts and Partnering Manager explained that the report was presented to Council as the next Infrastructure Committee meeting was after the proposed rally.

The Acting General Manager Service Delivery confirmed that staff were aware of the issues with the current Road Closure for Motor Sport Events Policy, which would be addressed as part of the Policy review.

Resolved: (Crs McNally/McGuire)

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

AND THAT the Council resolves that the Hamilton Car Club (Tarmac Hill Climb) rally on Sunday 26 May 2019 proceed.

CARRIED on a show of hands

WDC1905/12

Role and Delegations to Waters Governance Board

Agenda Item 8.3

The Chief Executive provided an overview of the report and noted that, if approved, the role and delegations of the Waters Governance Board would be included in the Council's Delegations Register.

Resolved: (Crs Bech/McGuire)

THAT the report from the Chief Executive be received;

AND THAT the role of the Board is as follows:

- 1) Provide governance and oversight of the development and implementation of the Council contract with Watercare; and**
- 2) Ensuring the activity goals are clearly established, and strategies are in place for achieving them; and**
- 3) Establishing policies for strengthening the performance of the water activity including ensuring management and the contractor are proactively seeking to build the business through innovation, initiative, technology, new products and the development of its business capital; and**
- 4) Monitoring the performance of management through the Chief Executive;**
and
- 5) Ensuring high standards of health & safety are maintained by management and the contractor and undertaking appropriate due diligence; and**
- 6) Deciding on whatever steps are necessary to protect the Council's financial position and the ability to meet its debts and other obligations when they fall due, and ensuring that such steps are taken; and**
- 7) Ensuring the water activity's financial statements are true and fair and otherwise conform with law; and**
- 8) Ensuring the water activity adheres to high standards of ethics and corporate behaviour; and**
- 9) Ensuring the water activity has appropriate risk management/regulatory compliance policies in place; and**
- 10) Looking to improve environmental outcomes from this activity; and**
- 11) To consider kaitiakitanga as part of decision making; and**
- 12) Monitor and ensure Watercare are meeting their obligations; and**
- 13) Report to Council twice yearly on progress with Waters' Management; and**
- 14) Provide innovation and ideas that could improve one or more of the four wellbeings; and**
- 15) Hold Watercare to account over the delivery of the operational and capital programmes; and**

16) Work with Council to agree the overall funding requirements of the business; and

17) Any other matters considered relevant by the Board or referred to the Board by Council.

AND FURTHER THAT the following delegations for the Waters Governance Board be approved:

1) To agree the form of the transactional arrangement with Watercare; and

2) To negotiate with Watercare and recommend to Council the final contract value for waters management; and

3) To conclude the contract (after Council approval of contract value) and terms and conditions with Watercare; and

4) Take such actions as are required to make the arrangement with Watercare operational by 1 July 2019, with any residual elements timetabled and noted; and

5) To hold Watercare to account for their performance at all levels; and

6) To monitor and oversee the performance of staff and Watercare in terms of the water activity; and

7) To consider and ensure improvements or innovation are implemented by Watercare or through the Chief Executive as appropriate; and

8) Approve changes to the operation of the contract with Watercare; and

9) Develop strategies to improve contractual performance or to improve business practices; and

10) Develop an annual works programme (operating and capital) and submit to council for final approval; and

11) To set and ensure Watercare's adherence to health and safety requirements, and wellbeing practices; and

12) To set and maintain standards of ethics and corporate behaviour; and

13) To consider development opportunities for the Waters' business; and

14) Define and set levels of service for Waters' management now and in the future; and

15) Responsibility for the financial performance of the contract and operation; and

16) Develop plans to improve the overall resilience of the Waters' networks and allow for growth; and

17) To consider the impact of growth on the Waters' infrastructure; and

18) Implement and monitor the risk management framework for the waters' management and activity; and

19) Approve the annual and half yearly financial statements for the Waters' operation and provide any relevant commentary to council; and

20) Annually review the Board composition, structure and succession and make recommendations to council on these matters; and

21) To ensure the Waters' business delivered by Watercare provides value for the community in terms of the four wellbeings; and

22) That Kaitiakitanga and environmental outcomes are key decision making considerations for the Board; and

23) To uphold the vision and strategy of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010.

CARRIED on the voices

WDC1905/13

LGNZ Remits – LGNZ Annual General Meeting 2019

Agenda Item 8.4

His Worship the Mayor introduced the report. He noted that a list of final remits to be put to the LGNZ AGM would be circulated to Councillors for their feedback once received from LGNZ.

Resolved: (Crs McGuire/Bech)

THAT the report from the Chief Executive be received;

AND THAT the Council supports the following remits for the purpose of their presentation at the LGNZ Annual General Meeting:

i. Remit from Thames Coromandel District Council – Amendment to the definition of “remote camp site” (as detailed in Appendix I of the staff report); and

ii. Remit from Whakatane District Council – Road Safety (as detailed in Appendix 2 of the staff report).

AND FURTHER THAT the Council notes Mayor Allan, as presiding delegate, will vote on these remits on behalf of the Council at the LGNZ Annual General Meeting.

CARRIED on the voices

WDC1905/14

Proposed changes to the SKYCITY Hamilton Casino's Licence

Agenda Item 8.5

His Worship the Mayor noted the report followed an earlier workshop with Elected Members.

Resolved: (Crs Smith/McInally)

THAT the report from the Chief Executive be received;

AND THAT Council approves the submission opposing additional gaming machines being deployed at SKYCITY Casino Hamilton;

AND FURTHER THAT Council approves making a \$10,000 contribution to Hamilton City Council to help with legal costs to engage a Queen's Counsel to present evidence in opposition to the application to introduce 60 gaming machines;

AND FURTHER THAT the \$10,000 contribution from Council be funded from the General Accounting Reserve Fund.

CARRIED on the voices

WDC1905/15

Hamilton to Auckland Corridor Plan
Agenda Item 8.6

Tabled: Hamilton to Auckland Corridor Plan Presentation

The Planning & Strategy Manager, speaking to his presentation and report, highlighted and responded to questions on, the following matters:

- The corridor parameters had changed to include Morrinsville.
- The corridor boundaries are not fixed and final, and may alter to take into account transit routes of goods and services.
- The Corridor Plan remained a key workstream for Future Proof. The contribution of newly appointed associates to Future Proof would be considered as part of discussions on the amendments to the Future Proof Agreement/Terms of Reference.
- Staff would return to the Pokeno Community Committee and Onewhero-Tuakau Community Board before the end of the current financial year with an update on priority development areas.
- Proposed housing intensification in Huntly took account of the geological and topographical constraints. This would be a conversation topic with the Huntly community.

ACTION: Staff to present different examples of housing intensification when reporting back to Elected Members, particularly in relation to proposals for Huntly.

- The mass transit plan was key to the Hamilton-Waikato Metropolitan area, connecting communities via rapid rail service in the future.
- Updates would be provided to Councillors representing communities within the Hamilton-Waikato Metropolitan Spatial Plan. The Plan took a boundary-less view of the relevant area to service future growth; it did not contemplate changes to territorial authorities' boundaries.
- The Government contribution to the high-speed rail investigation would include electrification of rail within the corridor.

Resolved: (Crs Bech/McGuire)

THAT the report from General Manager Community Growth be received;

AND THAT Council endorses the Hamilton to Auckland Corridor Plan's draft *Shared Statement of Spatial Intent*;

AND FURTHER THAT Council endorses the 20 key initiatives which will give effect to the Corridor Plan;

AND FURTHER THAT Council approves the Terms of Reference for the Hamilton-Waikato Metropolitan Spatial Plan;

AND FURTHER THAT Council approves evolving the current Future Proof arrangements to bring in the Hamilton to Auckland Corridor work as a significant workstream of Future Proof;

AND FURTHER THAT Council endorses expanding the structure and membership of Future Proof to include Central Government, Auckland Council, the Papakura Local Board, the Franklin Local Board and relevant iwi from northern Waikato/southern Auckland to join the Future Proof partnership as associate members;

AND FURTHER THAT Council notes that the Future Proof Implementation Committee has approved an additional Iwi seat for Waikato-Tainui;

AND FURTHER THAT Council notes that the Future Proof Agreement/Terms of Reference and Memorandum of Understanding will be updated once central government and Auckland Council representation is clearer.

CARRIED on the voices

WDC1905/16

EXCLUSION OF THE PUBLIC

Agenda Item 9

Resolved: (Crs Henderson/Thomson)

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 8 April 2019

Receipt of Minutes:

- Waters Governance Board Meeting dated 24 April 2019

REPORTS

a. Chief Executive's Issues

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

Reason for passing this resolution to withhold exists under:

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

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

Section 48(1)(a)(d)

b. Mayoral Issues

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

Reason for passing this resolution to withhold exists under:

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

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

Section 48(1)(a)(d)

CARRIED on the voices

WDC1905/17

Resolutions WDC1905/18 – WDC1905/20 are contained in the public excluded section of these minutes.

There being no further business the meeting was declared closed at 2:35pm.

Minutes approved and confirmed this

day of June 2019.

AM Sanson
CHAIRPERSON