

# HAURAKI DISTRICT COUNCIL MEETING

MINUTES OF A MEETING OF THE HAURAKI DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBERS, WILLIAM STREET, PAEROA ON WEDNESDAY 14 DECEMBER 2016 COMMENCING AT 9.00 AM

## **PRESENT**

J P Tregidga (His Worship the Mayor), Cr D A Adams (Deputy Mayor), Cr P D Buckthought, Cr C Daley, Cr R Harris, Cr G R Leonard, Cr M McLean, Cr P A Milner, Cr A Rattray, Cr D Smeaton, Cr A M Spicer and Cr J H Thorp

## **IN ATTENDANCE**

Messrs L D Cavers (Chief Executive), A de Laborde (Group Manager - Engineering Services), D Peddie (Group Manager - Corporate Services), P Thom (Group Manager - Planning & Environmental Services), S B Fabish (Group Manager - Community Services), M Buttimore (Strategic Planning Projects Manager), D Lees (Property Manager), Ms T Nevin (Strategic Planner), Ms C Mischewski (Policy Analyst), Ms K Quinn (Senior Strategic Planner) and Ms C Black (Council Secretary)

## **APOLOGIES**

There were no apologies.

## **DECLARATIONS OF INTERESTS**

There were no declarations.

## **CONFIRMATION OF MINUTES**

ORDINARY MEETING HELD WEDNESDAY 30 NOVEMBER 2016 (1632251)

### **RESOLVED**

THAT the minutes of the meeting of the Hauraki District Council held on Wednesday 30 November 2016 are confirmed and are a true and correct record.

C16/432

Leonard/Harris

**CARRIED**

## **DECISION MAKING**

### **CHIEF EXECUTIVE**

CHIEF EXECUTIVE'S MONTHLY REPORT- DECEMBER 2016 (1635902)

The Chief Executive presented his monthly report for December 2016.

### **RESOLVED**

THAT the Chief Executive's monthly report for the month of December 2016 be received.

C16/433

Adams/Buckthought

**CARRIED**

The Chief Executive updated the members on recent staff changes within the organisation.

### Waikato Plan Funding

The Waikato Plan Joint Committee (the Joint Committee) has been established to develop and implement the Waikato Plan in accordance with the functions as set out in its Terms of Reference. The Joint Committee is comprised of the Mayors of the partner territorial local authorities and the Regional Council Chairperson along with one alternate member for each partner Council, tāngata whenua representatives, and five independent non local government members.

The original budget for the development of the plan was \$1,195,000. The Project Group recently reported to the Waikato CEO's that there are insufficient funds to take the Waikato Plan through the consultation process and to finish the Plan.

The Chief Executive sought Councils approval of allocating additional funding of \$6,000 from Councils Contingency Fund for the consultation stage of the plan.

#### **RESOLVED**

THAT the additional funding of \$6,000 for the consultation stage of the Waikato Plan development be approved with the funding being taken from the Council Contingency Fund.

C16/434

Leonard/Harris

**CARRIED**

### Christmas/New Year Break

On behalf of the Executive Leadership Team, the Chief Executive thanked the members for their governance over the last calendar year and wish you them all the best for the Christmas break.

### HAURAKI RAIL TRAIL FUNDING (1636489, Appendix A: 1636492)

The Chief Executive presented a report that has been provided to the three Hauraki Rail Trail settlor councils (being Hauraki, Thames-Coromandel and Matamata-Piako District) as an approach to underpin the councils collective funding of the Hauraki Rail Trail.

#### **RESOLVED**

THAT the report be received.

C16/435

Ratray/McLean

**CARRIED**

The Hauraki Rail Trail is recognised by the settlor councils (Hauraki District, Thames-Coromandel District and Matamata-Piako District) as shared local infrastructure, and one activity across the three Council boundaries, based on the Hauraki Rail Trail boundary being Kaiaua and Thames to the north, Waihi to the east and Matamata to the south (i.e. the current Trail, Kopu to Kaiaua and the proposed Te Aroha to Matamata trail).

The members were advised of the current funding model towards the operation and maintenance of the trail apportioned between the three councils. Approval was sought that seven principles be incorporated into a new agreement between the three councils to underpin the funding of the Rail Trail.

#### **RESOLVED**

THAT the Council agrees to the following seven principles to underpin the funding of the Hauraki Rail Trail, as follows:

1. That the Hauraki Rail Trail is recognised by the settlor councils (Hauraki District, Thames-Coromandel District and Matamata-Piako District councils) as shared local infrastructure, and one activity across the three Council boundaries, based on the Hauraki Rail Trail boundary being Kaiaua and Thames to the north, Waihi to the east and Matamata to the south (i.e. the current Trail, Kopu to Kaiaua and the proposed Te Aroha to Matamata trail).
2. That the settlor councils and the Hauraki Rail Trail Charitable Trust recognise that the Hauraki Rail Trail as a whole delivers shared benefits to the Hauraki, Thames-Coromandel and Matamata-Piako communities.
3. That the Hauraki Rail Trail must be managed, developed and maintained in a prudent and cost effective manner and to a standard required for it to be included in the New Zealand Cycle Trails Nga Haerenga national cycleway network.
4. That as the settlor councils support the Hauraki Rail Trail Charitable Trust as an appropriate governance model for the Hauraki Rail Trail and as such, if the Trust is unable to generate sufficient income to meet its management and operational obligations, the settlor councils agree to reasonably contribute to the fixed underwriting costs associated with the Trust being a going concern.
5. That strategic and overhead cost associated with operating the Hauraki Rail Trail funded by the settlor councils are apportioned equally amongst the three councils in recognition of the co-development and benefit approach between the three councils and support of the Trust model. That other proportionate costs associated with operating the Hauraki Rail Trail funded by the settlor councils are apportioned, where possible, based on the length of Trail within each district council boundary.
6. That above the strategic, overhead and proportionate costs, each settlor council will, where possible, contribute to and facilitate the enhancement and promotion of the Trail for their local areas (i.e. the local urban area defined as within the 70km speed zone) for example, car parking, signage, drinking fountains.
7. THAT the Council instructs staff to undertake negotiations with [the other two] settlor councils and the Hauraki Rail Trail Charitable Trust to develop an acceptable Underwriting Funding Agreement in accordance with the principles outlined above and the preferred option outlined in this report.

THAT the Council delegates to the Chief Executive and Mayor to sign-off the Underwriting Funding Agreement.

C16/436

Harris/Ratray

**CARRIED**

**LEASE AGREEMENT BETWEEN HAURAKI DISTRICT COUNCIL AND R D & T S BUCHANAN LIMITED (1632877, Appendix A: 1635952, Appendix B: 1635953, Appendix C: 1635957)**

A report from the Property Manager was presented which sought Councils approval of the lease agreement between the Hauraki District Council and R D & T S Buchanan for the use of Council land at Irwin Road for farming purposes, for 8 years from 31 May 2018 to 31 May 2026.

**RESOLVED**

THAT the report be received.

C16/437

Milner/McLean

**CARRIED**

**RESOLVED**

THAT the Council approves the Deed of Lease between R D & T S Buchanan and the Hauraki District Council for the lease of 28 hectares at Irwin Road, Paeroa for a period of 8 years with the same terms as the existing lease from 31 May 2018 to 31 May 2026.

C16/438

Thorp/Daley

**CARRIED**

**COMMUNITY SERVICES**

**CHANGES TO ALLOCATION OF THE REMUNERATION POOL FOR COUNCILLOR POSITIONS 2016-17 (1637843)**

The Group Manager – Community Services presented a report on the reallocation of the remuneration pool for Councillors annual salaries to include positions of additional responsibility which will be recommended to the Remuneration Authority for the 2016-17 determination.

**RESOLVED**

THAT the report be received.

C16/439

Smeaton/Harris

**CARRIED**

Due to changes to the Council committee structure, resulting from the October 2016 local government elections, the Councillor Remuneration Working Party has met and agreed that the positions of the Deputy Mayor and Ward chairs should receive additional salary in recognition of their additional duties and responsibilities.

**RESOLVED**

THAT Council recommend to the Remuneration Authority that the Hauraki District Councils Councillor positions of additional responsibility and salary be:

Deputy Mayor	\$37,392
Ward Chair	\$26,896

C16/440

Smeaton/Harris

**CARRIED**

**PLANNING AND ENVIRONMENTAL SERVICES**

**PLANNING AND ENVIRONMENTAL SERVICES MANAGER'S MONTHLY MONITORING REPORT FOR THE MONTH OF NOVEMBER 2016 (1632447)**

The Group Manager – Planning and Environmental Services presented his monthly report for December 2016.

**RESOLVED**

THAT the report be received.

C16/441

Adams/Buckthought

**CARRIED**

**Rehabilitation and Closure Bond – Delegation to sign Deeds of Agreement**

At its meeting of 30 November 2016, Council resolved to accept the figure of \$43,480,000 as the bond sum for the Rehabilitation and Closure bond.

The Hauraki District and Waikato Regional Councils jointly advised Oceana Gold (NZ) Ltd (OGNZL) of the acceptance of this figure and requested that cover for the new bond sum be arranged for a three-year period, expiring in October 2019. Staff requested that this matter be attended to prior to Christmas.

Council delegations require that deeds of agreement must be signed by two elected members and a resolution authorising such signatures is required. Given that this process could occur before Christmas, it was recommended that any two elected members be authorised to sign the deeds of agreement (in whatever alternative approach they are presented to Council). The deeds will be reviewed by Council's legal expert prior to any elected member being asked to sign them.

**RESOLVED**

THAT after receiving written assurance from Council's legal advisor to the effect that Council's legal interests are either not prejudiced, or are enhanced by the proposed action any two elected members be authorised to sign the Deeds of Agreement that will give effect to the Rehabilitation and Closure Bond providing the Councils (HDC and WRC) cover for a bond sum of \$43,480,000, and

THAT, if required, the existing bonds be relinquished once the new cover of \$43,480,000 is in place.

C16/442

Leonard/Buckthought

**CARRIED**

The meeting adjourned at 10.20am.  
The meeting reconvened at 10.40am.

**ADOPTION OF THE DRAFT LOCAL EASTER SUNDAY SHOP TRADING POLICY STATEMENT OF PROPOSAL (1635199, Appendix A: 1634342)**

A report from the Policy Analyst sought the adoption of the draft Local Easter Sunday Shop Trading Policy Statement of Proposal (SOP) for the purposes of public consultation and the approval of the approach to community engagement.

**RESOLVED**

THAT the report be received.

C16/443

Milner/McLean

**CARRIED**

**RESOLVED**

THAT the Council adopt the draft Local Easter Sunday Shop Trading Policy Statement of Proposal, and

THAT a summary of the information contained in the draft Local Easter Sunday Shop Trading Policy Statement of Proposal is not necessary for the purpose of the special consultative procedure, and

THAT the Council will consult on the draft Local Easter Sunday Shop Trading Policy in accordance with sections 82 and 83 of the Local Government Act 2002 and outlined in the Community Engagement section of this report, and

THAT the public feedback period will run from 9am on Friday 16 December 2016 to 4.30pm on Tuesday 31 January 2017 (for a period of 47 days), and

THAT a hearing of feedback and deliberations meeting will be held after the Council meeting at 1pm on 22 February 2017 (noting that the number of people who wish to be heard may require an additional meeting date), and

THAT the formatting of and minor changes to the Statement of Proposal be delegated to staff.

C16/444

Leonard/Ratray

**CARRIED**

**OPPORTUNITY FOR COUNCIL TO PROVIDE FEEDBACK ON THE DRAFT WAIKATO PLAN (1636539 & Appendix A, Appendix B: 1637107)**

A report from the Policy Analyst was presented which updated Council on the development of the Draft Waikato Plan and what the plan might mean for the activities of the Council.

**RESOLVED**

THAT the report be received.

C16/445

Leonard/Adams

**CARRIED**

Between June and October 2012, the Waikato Mayoral Forum commenced a set of five work programmes with the purpose of identifying and advancing opportunities for greater regional collaboration with a focus on:

- best practise governance frameworks;
- developing a collective voice for the Waikato; and
- strategic engagement with central government.

The report outlined the options for the Council in relation to providing feedback on the Draft Waikato Plan and asked if Council wished to take up this opportunity to give feedback to the project team prior to formal consultation.

**RESOLVED**

THAT the Council does not wish to provide feedback to the Waikato Plan project team on the Draft Waikato Plan prior to formal consultation, and

THAT the Council will identify the feedback it wishes to make on the Draft Waikato Plan during the formal consultation process for the Plan in April/May 2017.

C16/446

Harris/Adams

**CARRIED**

**REVIEW OF THE 2012 EASTERN WAIKATO WASTE MANAGEMENT AND MINIMISATION PLAN (1631959, Appendix: A – 1626242)**

A report from the Policy Analyst was presented which sought Councils approval for the review of the 2012 Eastern Waikato Waste Management and Minimisation Plan (WMMP) to be undertaken in 2017 and that the Eastern Waikato Solid Waste Joint Committee (Joint Committee) be re-established to oversee the review.

**RESOLVED**

THAT the report be received.

C16/447

McLean/Smeaton

**CARRIED**

## RESOLVED

THAT the Council approve the review of the 2012 Eastern Waikato Waste Management and Minimisation Plan being undertaken in early 2017; and

THAT the Eastern Waikato Solid Waste Joint Committee is re-established to oversee the review of the 2012 Eastern Waikato Waste Management and Minimisation Plan; and

THAT the draft Eastern Waikato Solid Waste Joint Committee Agreement attached as Appendix A is approved; and

THAT the Council give the Eastern Waikato Solid Waste Joint Committee delegated authority to:

- a) Develop the vision and high level goals, objectives and targets for the draft Eastern Waikato Waste Management and Minimisation Plan (WMMP) which will be approved by the Councils.
- b) Make recommendations on the draft WMMP for the adoption of the Councils for the special consultative process (SCP) and any other consultation.
- c) Formulate, manage and provide oversight of the SCP or any other consultation.
- d) Hear and deliberate and make decisions on submissions to the SCP hearings process for the draft WMMP.
- e) Recommend the final WMMP for the adoption of the Hauraki, Thames-Coromandel and Matamata-Piako District Councils (the Councils) by 30 July 2017.
- f) Other matters as they may be delegated to the Joint Committee by the Councils.
- g) Select and appoint a Chairperson and a Deputy Chairperson

THAT without prior approval from the Thames-Coromandel District Council, Hauraki District Council and Matamata-Piako District Council the Joint Committee does not have delegated authority to commit the Councils to contractual obligations or expenditure; and

THAT Councillor Smeaton and Councillor Milner are appointed to the Eastern Waikato Solid Waste Joint Committee to represent the Hauraki District Council.

C16/448

Tregidga/Spicer

**CARRIED**

## PRESENTATION: OVERVIEW OF THE HURUNUI DISTRICT EARTHQUAKE EVENT

The Group Manager – Community Services (in his role as Local Controller – Civil Defence) provided Council with a presentation updating the members on the recent earthquake event experienced in the Hurunui District - South Island and provided an overview on how the civil defence management co-ordination and response was managed.

## HEALTHY RIVERS/WAI ORA: PROPOSED WAIKATO REGIONAL PLAN CHANGE 1 - WAIKATO & WAIPA RIVER CATCHMENTS (1626583 – APPENDIX A, APPENDIX B: 1630822)

The Senior Strategic Planner introduced a report on the Waikato Regional Councils Healthy Rivers Proposed Plan Change 1 and provided the background on the plan change for the member's information and consideration.

## RESOLVED

THAT the report be received.

C16/449

Buckthought/Ratray

**CARRIED**

WAIKATO REGIONAL COUNCIL (PowerPoint # 2152706)

Representatives from the Waikato Regional Council - Bruce McAuliffe (Team Leader, Water in WRC's Policy team) and Samira van Hunen (Policy Advisor) were in attendance to present on the Regional Councils Proposed Plan Change 1, Healthy Rivers. The purpose of the plan change is to protect and restore water quality in the Waikato and Waipā river catchments.

Ms van Hunen spoke about the process for the development of Plan Change 1 - including the collaborative process, technical support, what is in Plan Change 1, what the process is now that it has been notified, how people can have a say and updated on the partial withdrawal of an area within Plan Change 1. They also provided a brief update on Plan Change 2 that moves the focus to water quality into the Waihou-Piako and Coromandel catchments.

SVCA GROUP – SUSTAINABLE VIBRANT COMMUNITY AWARENESS GROUP (PowerPoint #2152719)

In response to the presentation and to comment on aspects of the plan change 1 itself, Andrew Gordon and members of the (SVCA) were in attendance. The SVCA is a steering group formed from within the farming community to consider and voice the farming community's concerns regarding some aspects of the plan change and the possible economic repercussions it could have on them. The group consists of 12 members who hold weekly meetings and engage with local communities for discussions on the Healthy Rivers proposed plan change.

The group provided a PowerPoint presentation which summarised their key concerns.

Staff requested Council consider if it wished to make a submission on Plan Change 1.

**RESOLVED**

THAT the presentation by the representatives from the Waikato Regional Council staff be received, and  
THAT the presentation by Mr Andrew Gordon and the (SVCA) group be received, and  
THAT Council makes a submission on the proposed Waikato Regional Plan Change 1.

C16/450

Harris/Swales

**CARRIED**

The meeting closed at 3.00pm.

CONFIRMED

J P Tregidga  
Mayor

25 January 2017