

HAURAKI DISTRICT COUNCIL MEETING

MINUTES OF A MEETING OF THE HAURAKI DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBERS, WILLIAM STREET, PAEROA ON WEDNESDAY 22 FEBRUARY 2017 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 (12.55 – 3.00pm), Cr M McLean, Cr P A Milner, Cr A Rattray, Cr D Smeaton, Cr A M Spicer, Cr D H Swales, Cr J H Thorp

IN ATTENDANCE

Messrs L D Cavers (Chief Executive), A de Laborde (Group Manager - Engineering Services), P Thom (Planning & Environmental Services Manager), D Peddie (Group Manager - Corporate Services), S B Fabish (Group Manager - Community Services), M Buttimore (Strategic Planning Projects Manager), G Thomsen (Transport Manager), E K Wentzel (Water Services Manager), D Lees (Property Manager), N Binedell (Management Accountant), (Ms S Holmes (Strategic Planner), Ms C Mischewski (Policy Analyst), Ms K Quinn (Senior Strategic Planner), Ms P Trubshaw (Communications Officer) and Ms C Black (Council Secretary)

APOLOGIES

RESOLVED

THAT the apology of Cr Harris and for lateness of G R Leonard be received and sustained.

C17/39

Adams/Swales

CARRIED

LATE ITEMS

RESOLVED

THAT pursuant to Section 46A(7) of the Local Government Official Information and Meetings Act 1987, the following late items be accepted for discussion.

Mining Licence 32 2388 – Objection to the Commissioners recommendations to Mining Licence Variation

The item was not on the agenda because the item was not available at the time of the agenda deadline.

Discussion on the item could not be delayed as a matter was of an urgent nature as the Mining Licence expires in July 2017 when activities undertaken in accordance with its provisions will become permitted activities in the District Plan.

C17/40

Tregidga/Spicer

CARRIED

DECLARATIONS OF INTERESTS

There were no declarations.

CONFIRMATION OF MINUTES

ORDINARY MEETING HELD WEDNESDAY 25 JANUARY 2017 (2154278)

RESOLVED

THAT the minutes of the meeting of the Hauraki District Council held on Wednesday 25 January 2017 are confirmed and are a true and correct record.

C17/41

Swales/Buckthought

CARRIED

MATTERS ARISING FROM THE MINUTES

MATTERS TO BE TAKEN WITH THE PUBLIC EXCLUDED

The public be excluded from the following parts of the proceedings of this meeting.

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

Item No.	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) Under Section 48(1) for the Passing of this Resolution
1	Leaking Building Claim	Section 7(2)(b)(i) - Protect information where the making available of the information: (1) Would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information. Section 7(2)(a) – Protect the privacy of natural persons, including that of deceased natural persons.	Section 48(1)(a) That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

C17/42

Tregidga/Milner

CARRIED

RESOLVED

THAT the public be re-admitted to the meeting and that the business in committee discussed be confirmed.

C17/43

Tregidga/Adams

CARRIED

WAIHI SERVICE CENTRE CANOPY (2170153, 2170764, 2170765)

The Property Manager presented a report which sought the approval of funding towards the construction of two canopies at the Waihi Library and Service Centre.

RESOLVED

THAT the report be received.

C17/44

Tregidga/Milner

CARRIED

RESOLVED

THAT Council approve the funding of \$70,000.00 for the construction of two canopies at the Waihi Library and Service Centre, and

THAT this be funded from Council's Property budget.

C17/45

Tregidga/Thorp

CARRIED

LEASE AGREEMENT BETWEEN TANDOORI CHAMBERS LIMITED - HDC (2170156, 2170485)

The Property Manager presented a report which sought approval of the lease agreement between Hauraki District Council and Tandoori Chambers Limited for the use of Council property at 22 Haszard Street, Waihi for the use of an Indian Restaurant.

RESOLVED

THAT the report be received.

C17/46

Swales/Rattray

CARRIED

RESOLVED

THAT the Council approves the Deed of Lease between Tandoori Chambers Limited and the Hauraki District Council for the lease of 22 Haszard Street, Waihi for a period of 2 years with a further three terms of renewal.

C17/47

Daley/Swales

CARRIED

LEASE AGREEMENT HDC AND ERIC ROWNEY (2170115)

The Property Manager presented a report which sought approval for a sublease agreement between Hauraki District Council and Mr Eric Rowney for the use of a part of Kiwirail land which is part of Hauraki Rail Trail corridor at 28 Ema Street, Te Aroha, for storage and commercial use.

RESOLVED

THAT the report be received.

C17/48

Tregidga/Smeaton

CARRIED

RESOLVED

THAT the Council approves the Deed of Sublease between Mr Eric Rowney and the Hauraki District Council for the lease of 1,850m² at 28 Ema Street, Te Aroha for a period of 1 year with a further one-year term of renewal.

C17/49

Daley/Thorp

CARRIED

REPORT - COMMUNICATIONS WORKING PARTY (2174831)

The Communications Officer updated on Council's Communications Strategy and sought input from the elected members on the draft 2017- 2020 strategy.

RESOLVED

THAT the report be received.

C17/50

Buckthought/Spicer

CARRIED

The members were advised that the Strategy is an operational document intended for staff, input from elected members, and Council alignment on the overarching goal, objectives and actions included in the strategy.

To implement and ensure its effectiveness, it was agreed that a communications working party be formed and tasked to provide input on the strategy document and relay feedback to Council on its implementation and effectiveness.

RESOLVED

THAT the Council appoints Cr Adams, Cr Spicer, Cr Harris and Cr Milner to represent the Council on the Communications Working Party.

C17/51

Tregidga/Spicer

CARRIED

FURTHER CANDIDATES FOR ROAD RENAMING AND RENUMBERING (2174767)

The Group Manager – Corporate Services presented a report which detailed historical issues involving road and renumbering of street addresses within the district.

RESOLVED

THAT the report be received.

C17/52

Tregidga/Thorp

CARRIED

In 2016, Council carried out a large exercise to correct long-standing issues with the street addresses in Waihi.

Subsequent to that exercise, there were a number of streets throughout the district that have been identified as requiring name or number changes, either because they are confusing for emergency services and other users, or due to recent or proposed subdivision.

The members were asked to consider the proposed changes to a number of street addresses outlined in the report.

After discussion, it was agreed that the proposed changes be considered by each of the Ward Working Parties and that they advise Council of their approved changes once they have been discussed.

RESOLVED

THAT indicative approval for the renaming of the eastern end of Primrose Lane, Karangahake be given, and

THAT indicative approval for the renaming of the road formed as part of 591 East Coast Road, Kaiaua be given, and

THAT indicative approval for the renaming of the lane off Mataura Road, Waihi (at number 47) be given, and

THAT indicative approval for the renaming of the lane off Colebrook Road, Waihi be given, and

THAT the Ward working parties provide suggested names for the roads to be renamed for Council's consideration.

C17/53

McLean/Spicer

CARRIED

REPORT ON LOCAL AUTHORITY SHARED SERVICES - LASS (2170122, 2170124, 2170125)

The Group Manager – Corporate Services presented a report which sought approval of and requested feedback from the members on the Waikato Local Authority Shares Services (LASS) - Draft 2017/18 Statement of Intent. The members were also requested to give consideration to the (LASS) six monthly report to 31 December 2016.

RESOLVED

THAT the report be received.

C17/54

Milner/Buckthought

CARRIED

RESOLVED

THAT the proposed Local Authority Shared Services 2017/18 Draft Statement of Intent be approved by Council, and

THAT Council consider the Local Authority Shared Services Six Monthly Report to 31 December 2016.

C17/55

Milner/McLean

CARRIED

APPROVAL OF EASTERN WAIKATO WASTE MANAGEMENT AND MINIMISATION PLAN (WMMP) VISION AND OBJECTIVES 2017 (2174564)

The Policy Analyst presented a report which sought Council approval of the draft vision, goals and objectives for the Eastern Waikato Waste Management and Minimisation Plan (WMMP), as recommended by the Eastern Waikato Solid Waste Joint Committee.

RESOLVED

THAT the report be received.

C17/56

McLean/Adams

CARRIED

RESOLVED

THAT Council approve the draft Eastern Waikato Waste Management and Minimisation Plan vision, goals and objectives document as recommended by the Eastern Waikato Solid Waste Joint Committee.

C17/57

Milner/Smeaton

CARRIED

WORKING PARTY FOR FEEDBACK TO DRAFT WAIKATO PLAN (2169615, 2170899)

The Policy Analyst presented a report on the establishment of a Council working party to prepare and submit feedback on the draft Waikato Plan.

RESOLVED

THAT the report be received.

C17/58

Tregidga/Adams

CARRIED

At the meeting of 14 December 2016, Council considered a report on the development and proposed content of the draft Waikato Plan. At that time, it was resolved that Council identify feedback it wishes to make on the draft Plan during the formal consultation process.

As the draft plan is near completion, and is ready for public consultation, approval was sought on the appointment of members to a working party which will prepare and submit feedback to the draft plan.

RESOLVED

THAT an elected member working party be established consisting of the Mayor, the Deputy Mayor and Councillor Milner (RMA and regulatory policy portfolio holder) to prepare and submit feedback on the draft Waikato Plan, and

THAT the Councillor working party report back to the Council meeting to be held on 26 April 2017.

C17/59

Smeaton/Buckthought

CARRIED

DRAFT SUBMISSION ON REGIONAL PLAN CHANGE 1 SUBMISSION (2174580, 2170475)

The Senior Strategic Planner presented a report which provided the draft submission prepared by staff and the appointed working party on the Waikato Regional Plan (Plan Change 1) Waikato and Waipa River catchments, following the presentation they provided to Council on 14 December 2016.

RESOLVED

THAT the report be received.

C17/60

McLean/Milner

CARRIED

The meeting adjourned at 10.15am.
The meeting reconvened at 10.35am

PRESENTATION: PLAN CHANGE 1 – HEALTHY RIVERS - COUNCILLOR DUNCAN SMEATON (Doc # 2176892)

Cr Smeaton provided a presentation he had prepared from his perspective on Plan Change 1 – Healthy Rivers.

Following the presentation, consideration was given to the draft submission. A number of amendments were agreed, to the wording of the document.

RESOLVED

THAT Council approves the draft submission (inclusive of amendments) on the Waikato Regional Plan Change 1.

C17/61

Buckthought/Thorp

CARRIED

DRAFT 2017-18 ANNUAL PLAN AND CONSULTATION (2155774, 2155781, 2154806)

The Strategic Planner and Management Accountant jointly with the Chief Executive and the Group Manager – Corporate Services provided a summary of the proposed changes to the draft 2017-18 Annual Plan document for Councils consideration.

RESOLVED

THAT the report be received.

C17/62

Tregidga/Adams

CARRIED

The members were advised of the commencement of the 2017/18 annual planning process which involves the identification of changes warranted to year three of the Council's 2015-25 Long Term Plan. A draft set of proposed changes and rating implications have been prepared for inclusion in the Council's 2017/18 Annual Plan.

Council reviewed the draft detailed budget material and financial implications at the workshop which was held on 25 January 2017. Following this workshop, staff have now actioned changes required to the budget material and have considered the proposed 2017/18 Annual Plan material against the significance and material criteria to determine whether public consultation on the draft plan is needed.

In addition to the change to the standard LIM fee, it was discussed that in response to feedback from the building sector, that a change be made to the wording in the 'pre-approved proprietary brand domestic garages & outbuildings' building consent fee to alter the value of the buildings from \$20,000 to \$40,000. Feedback received has indicated that the value of these buildings has increased and that \$40,000 is a more appropriate upper value limit for these garages and outbuildings.

RESOLVED

THAT the proposed changes to year three of the 2015-25 Long Term Plan be approved for inclusion in the 2017/18 Annual Plan document, and

THAT the financial implications and rating impacts as presented are endorsed by the Council as the basis for preparing the 2017/18 Annual Plan document, and

THAT the Council determines that the 2017/18 Annual Plan proposals as drafted to date do not constitute a significant or material change from the 2015-25 Long Term Plan, and on this basis it does not intend to invite public consultation on the Annual Plan, but rather will inform the public of the adoption of the 2017/18 Annual Plan and its contents, and

THAT pursuant to section 12 of the Local Government Act 2002, the proposed increase of \$15.00 to the Standard LIM application fee to a total of \$215.00 be approved for inclusion in the draft 2017/18 schedule of Fees and Charges.

C17/63

Tregidga/Adams

CARRIED

MATTERS TO BE TAKEN WITH THE PUBLIC EXCLUDED

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2	Report from Mayor on CEO Recruitment	Section 7(2)(a) – Protect the privacy of natural persons, including that of deceased natural persons.	Section 48(1)(a) That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

C17/64

Tregidga/Milner

CARRIED

RESOLVED

THAT the public be re-admitted to the meeting and that the business in committee discussed be confirmed.

C17/67

Adams/Spicer

CARRIED

The meeting adjourned for lunch at 12.23pm
The meeting reconvened at 12.55pm
Cr Leonard attended the meeting at 12.55pm.

GROUP MANAGER – ENGINEERING MONTHLY REPORT - FEBRUARY 2017 (2174685)

The Group Manager – Engineering Services provided a report on Engineering matters of high community interest, to provide a more detailed update on current projects and to raise current engineering issues or that may occur in the near future.

RESOLVED

THAT the report be received.

C17/68

Tregidga/Daley

CARRIED

Department of Conservation Road – Waitawheta Road to Victoria Battery

The Department of Conservation manages a metal road located between Waitawheta Road and the Victoria Battery (VB) site adjacent to the Ohinemuri River.

Attached was a GIS photograph showing the location of the road. The road is used by private landowners and a significant number of cyclists and walkers each year as it forms part of the Hauraki Rail Trail. It now also attracts a large number of people making use of the Waikino Memorial Bridge.

The Department of Conservation is responsible for the maintenance of this road. As part of the cycleway project, DoC funded minor maintenance works which HDC managed. The last reasonable maintenance undertaken was in 2011.

The shape of the road has degraded over the years and has left the road in poor condition.

Both DoC and HDC have had numerous complaints from the public for the road to be repaired. DoC would appear to not have the funding available in the short term to undertake the required remedial works.

As a way forward, a number of options were proposed to address the issues raised.

It was agreed that Option 4 be adopted that; HDC request that DoC vest the land with HDC as Road Reserve and we take over all future maintenance and responsibility of the road and develop a Memorandum of Understanding with DoC for future maintenance of the road.

RESOLVED

THAT Council requests of the Department of Conservation / Land Information New Zealand to vest the Department of Conservation managed Road (the “Road”) located between Waitawheta Road and Victoria Battery, described as CRO Crown Land SO 12046H, CRO Crown Land SO 12046H, PSC 18 BLK XIV SD Ohinemuri Survey District, RWY Closed Railway SO 12046I, CRO Crown Land SO 12046H, PML Owharoa BLK 2, with Hauraki District Council as Road Reserve; and

THAT Council considers maintenance option 4 to be the appropriate maintenance solution for the "Road", and

THAT Council funds and undertakes the maintenance works of the vested "Road".

C17/69

Smeaton/Thorp

CARRIED

REPORT ON FEEDBACK TO DRAFT EASTER TRADING POLICY (2156612, 2143934, 2170497)

The Policy Analyst presented a report on the hearing process for the draft Local Easter Sunday Shop Trading Policy 2017 and provided a general summary of the written feedback the Council had received on the draft policy.

RESOLVED

THAT the report be received.

C17/70

Tregidga/Leonard

CARRIED

The members were advised that one submitter had requested to speak to their submission. The Mayor invited Reverend Heather Simpson to present her submission.

REV. HEATHER SIMPSON PAEROA CO-OPERATING CHURCH

Rev. Heather Simpson spoke on behalf of the Paeroa Co-operating Church, its congregation and is a representative for the Ministers Association.

Key points raised by Rev. Simpson:

- Does not support retail shops opening on Easter Sunday. Easter Sunday is an important day in Christian faith and it is recorded in the scriptures as a 'holy day and day of rest'. She pointed out that it would be inappropriate to only celebrate Easter Friday in remembrance of sacrifice/death and not celebrate Easter Sunday in remembrance of resurrection/life.
- That shops being open on Easter Sunday is not an essential need for the people/community to function and they can survive one day without having to purchase food, clothing etc. People may choose a different day besides Sunday as a 'rest day' but this may not be suitable for all family members and a compromise would need to be made for family time.
- The Paeroa community has 6 churches with up to 600 parishioners of which 300 are regular church goers. If shops do open on Easter Sunday, she feels that some parishioners may choose to go shopping after they attend the Easter Sunday service.

RESOLVED

THAT all written feedback to the draft Local Easter Sunday Shop Trading Policy 2017 be received, including the two late feedback forms.

C17/71

Milner/Thorp

CARRIED

RESOLVED

THAT all verbal feedback to the draft Local Easter Sunday Shop Trading Policy 2017, including that provided at this hearing of views also be received.

C17/72

Milner/Thorp

CARRIED

RESOLVED

THAT after the consideration of all written and verbal feedback the Council adopts the draft Local Easter Sunday Shop Trading Policy 2017.

C17/73

Ratray/McLean

CARRIED

RESOLVED

THAT those people that provided written and verbal feedback to the Council be informed of the Council's decision on the adoption of the draft Local Easter Sunday Shop Policy 2017 and be provided information on the other comments raised in the feedback including any comments the Council wishes to be included in the communications, and

THAT retail businesses operating in the Hauraki District be advised of this decision.

C17/74

Leonard/Buckthought

CARRIED

DISTRICT DRAINAGE AND STORMWATER ACTIVITY REPORT TO 31 JANUARY 2017 (2169603)

The Group Manager – Engineering Services presented the report on Land Drainage and Stormwater activities for the period ending 31 January 2017.

RESOLVED

THAT the report be received.

C17/75

Thorp/Leonard

CARRIED

Stopbank Reconstruction Programme

The Group Manager – Engineering Services presented the stopbank reconstruction programme for the 2017-18 construction season and requested Council approval of the programme.

RESOLVED

THAT Council approve bringing forward the stopbank reconstruction programme to the 2017-18 construction season to ensure that all flood protection stopbanks are at or above the design flood level.

C17/76

Thorp/Leonard

CARRIED

In the absence of the Drainage Manager, the Group Manager – Engineering Services presented the minutes of the Eastern Plains, Western Plains and Paeroa Rural District Drainage Committee meetings held in November 2016.

EPDD MINUTES - 29-11-16 (2169974)

RESOLVED

THAT the minutes of the Eastern Plains Drainage District Committee meeting held on Tuesday, 29 November 2016 be received and the recommendations contained therein adopted.

C17/77

Thorp/Buckthought

CARRIED

WPDD MINUTES - 29-11-16 (2168515)

RESOLVED

THAT the minutes of the Western Plains Drainage District Committee meeting held on Tuesday, 29 November 2016 be received and the recommendations contained therein adopted.

C17/78

Thorp/Buckthought

CARRIED

PRDD MINUTES - 29-11-16 (2169981)

RESOLVED

THAT the minutes of the Paeroa Rural Drainage District Committee meeting held on Tuesday, 29 November 2016 be received and the recommendations contained therein adopted.

C17/79

Thorp/Buckthought

CARRIED

TRANSPORTATION REPORT - JANUARY 2017 (2151320, 1191790, 2151320)

The Transportation Manager presented the report on transportation activity for the period ending 31 January 2017.

RESOLVED

THAT the report be received.

C17/80

Tregidga/Milner

CARRIED

WATER SERVICES REPORT TO COUNCIL - JANUARY 2017 (2169274)

The Water Services Manager presented the report on water services activity for January 2017.

RESOLVED

THAT the report be received.

C17/81

Smeaton/Thorp

CARRIED

CEO MONTHLY REPORT - FEBRUARY 2017 (2175054)

The Chief Executive presented his monthly report for February 2017. The report updated the members on recent recruitment activity within the organisation.

RESOLVED

THAT the report be received.

C17/82

Tregidga/Adams

CARRIED

COUNCIL FINANCIAL REPORT – 31 JANUARY 2017 (2174698)

The Group Manager – Corporate Services presented the Financial Report for the period to 31 January 2017.

RESOLVED

THAT the report be received.

C17/83

Tregidga/Daley

CARRIED

PAEROA CCTV UPGRADE REPORT TO COUNCIL (2170213)

The Group Manager – Corporate Services presented a report which informed Council of the proposed upgrade to the CCTV installation in Paeroa and provide a status update on the Waihi CCTV operations.

RESOLVED

THAT the report be received.

C17/84

Adams/Smeaton

CARRIED

PLANNING & ENVIRONMENTAL SERVICES MONTHLY REPORT - DEC 2016 – JAN 2017 (2155481)

The Group Manager – Planning and Environmental Services presented the monthly report on planning and regulatory activity for the period December 2016 – January 2017.

RESOLVED

THAT the report be received.

C17/85

Milner/Daley

CARRIED

LATE ITEM

MINING LICENCE 32 2388 – OBJECTION TO THE COMMISSIONERS RECOMMENDATIONS TO MINING LICENCE VARIATION (2175246, 2175303)

The Strategic Planning Projects Manager presented a report outlining the process to consider two objections to variations to the Martha Mining Licence 32 2388.

RESOLVED

THAT the report be received.

C17/86

Tregidga/McLean

CARRIED

As recommended by the Commissioners, the variations were publically notified and at the closing date for objections on February 3 2017, one objection with two signatories had been received.

The Environment Court expects that parties to such an objection will discuss the matters in the objection to ascertain if it is possible to settle the matter without recourse to formal alternative dispute resolution mechanisms (mediation, pre-hearing meetings). Attempts to meet with the objectors were not successful.

The members were asked if they supported that the Strategic Planning Projects Manager be delegated, on behalf of Council, to accept the outcomes arising in the mediation process. The results of the mediation process will be reported back to Council.

RESOLVED

THAT Council as “Minister” under the Mining Act 1971 and the Crown Minerals Act 1991 delegate the authority to agree to the outcomes of the Environment Court mediation on the objection to the Mining Licence Variation to the Strategic Planning Projects Manager; and

THAT the Strategic Projects Planning Manager report back to the March Council meeting on the outcomes of the mediation and the next steps in the process.

C17/87

Tregidga/McLean

CARRIED

MATTERS TO BE TAKEN WITH THE PUBLIC EXCLUDED

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1	Hauraki House Earthquake Strengthening and Capital	Section 7(2)(i) Prejudice to Commercial Position/Negotiations To enable the local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Section 48(1)(a) That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

C17/88

Daley/Buckthought

CARRIED

RESOLVED

THAT the public be re-admitted to the meeting and that the business in committee discussed be confirmed.

C17/91

Tregidga/Rattray

CARRIED

The meeting closed at 3.00pm.

CONFIRMED

J P Tregidga
Mayor

29 March 2017