

HAURAKI DISTRICT COUNCIL MEETING

MINUTES OF A MEETING OF THE HAURAKI DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBERS, WILLIAM STREET, PAEROA ON WEDNESDAY 29 MARCH 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 (9.00am-2.55pm), Cr R Harris, Cr G R Leonard (9.00am-2.55pm), Cr M McLean, Cr P A Milner (9.00am-2.55pm), Cr A Rattray, Cr D Smeaton, Cr A M Spicer (9.00am – 2.35pm) and Cr J H Thorp (9.00am-1.25pm)

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), Ms C Mischewski (Policy Analyst), Ms K Hurd (Policy Analyst), Ms T Nevin (Strategic Planner), G Thomsen (Roading Manager), G van Eeden (Technical Services Business Unit Manager), E J Wenzlick (Water Services Manager), I McLeod (Drainage Manager) and Ms C Black (Council Secretary)

APOLOGIES

RESOLVED

THAT the apology of Cr D H Swales be received and sustained.

C17/92

Leonard/Milner

CARRIED

LATE ITEM

Pursuant to Section 46A(7) of the Local Government Official Information and Meetings Act 1987, the Chairperson called for late items to be accepted.

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.

- Oceana Gold – Application for Twin Exploration Drives

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

Discussion on the item could not be delayed because the matter for discussion was subject to a regulatory timeframe that needed to be met prior to the scheduled April meeting of Council.

C17/93

Adams/Leonard

CARRIED

CONFLICTS OF INTEREST

Crs Milner, Leonard and Daley declared a conflict of interest in Item 32 (4).

CONFIRMATION OF COUNCIL MINUTES – 22-02-17 (2176358)

The Mayor presented the minutes.

RESOLVED

THAT the minutes of the meeting of the Hauraki District Council held on Wednesday 22 February 2017 are confirmed and are a true and correct record.

C17/94

Smeaton/Adams

CARRIED

CONSIDERATION OF COMMITTEE MINUTES

AUDIT AND RISK COMMITTEE MINUTES – 14-02-17 (2170637)

The Mayor presented the minutes.

RESOLVED

THAT the minutes of the meeting of the Audit & Risk Minutes held on Tuesday 14 February 2017 are received and the recommendations contained therein be adopted.

C17/95

Leonard/Adams

CARRIED

HEARINGS AND JUDICIAL COMMITTEE MINUTES - 19-12-16 (2146924)

Cr Milner, Chair of the Hearings and Judicial Committee presented the minutes of the meeting held on 19 December 2016 and 8 March 2017.

RESOLVED

THAT the minutes of the meeting of the Hearings and Judicial Committee held on Monday 19 December 2016 be received.

C17/96

Milner/McLean

CARRIED

HEARINGS AND JUDICIAL COMMITTEE MINUTES - 08-03-17 (2181347)

RESOLVED

THAT the minutes of the meeting of the Hearings and Judicial Committee held on Monday 8 March 2017 be received.

C17/97

Milner/Spicer

CARRIED

APPOINTMENT OF DAVID TAIPARI TO ECONOMIC DEVELOPMENT SUBCOMMITTEE (2185498)

The Group Manager- Community Services and Development sought approval for the appointment of David Taipari to the Economic Development Sub-Committee as an independent Māori advisor.

RESOLVED

THAT the report be received.

C17/98

Rattray/McLean

CARRIED

RESOLVED

THAT David Taipari be appointed to the Economic Development Sub-Committee, and THAT the Economic Development Sub-Committee Terms of Reference be amended accordingly.

C17/99 Adams/Harris **CARRIED**

CORPORATE SERVICES UPDATE – MARCH 2017 (2186440)

The Group Manager – Corporate Services updated on activities of Corporate Services department for the month of March 2017

RESOLVED

THAT the report be received.

C17/100 Buckthought/Thorp **CARRIED**

RATES INSTALMENTS (2184999)

The Group Manager - Corporate Services advised of the Audit and Risk Committee's recommendations regarding rates instalments and for Council to consider the changing of instalment frequency and what is considered an appropriate level of further community engagement on the decision.

RESOLVED

THAT the report be received.

C17/101 Tregidga/Leonard **CARRIED**

RESOLVED

THAT the rates instalment schedule be increased from three times per year to four times per annum to be effective from 1 July 2017, and

THAT water rates be changed to two monthly readings for properties with consumption over 10,000kl, to be enacted from 1st July 2017, and

THAT the decision be communicated to ratepayers as outlined in the report.

C17/102 Adams/Leonard **CARRIED**

PLANNING AND ENVIRONMENTAL MONTHLY REPORT – MARCH 2017 (2181120)
APPENDIX A – POWER CO SUBMISSION 2183650)

The Group Manager – Planning and Environmental Services and Strategic Planning Projects Manager reported on planning and regulatory activities for the month of February 2017.

RESOLVED

THAT the report be received.

C17/103 Smeaton/Spicer **CARRIED**

MARTHA MINING LICENCE - REHABILITATION AND CLOSURE BONDS

As a result of the 2016 negotiations on the new Rehabilitation and Closure Plan, an additional Bond Deed for \$8.09m was sought from Oceana Gold and the bond was to cover a three-year period. The new bond is to cover the costs of remediating the north wall in the event that the Company exits the site. The new bond has been signed and is in place.

Negotiations on the existing three remaining bonds are complete and it has been agreed that the term of these bonds will be extended until 30 June 2020.

The bonds terms will be extended by way of Deeds of Variation. It was recommended that the Mayor and a Councillor be authorised to sign the Bond Deeds of Variation.

RESOLVED

THAT the Mayor and any one Councillor be delegated authority to sign the Deeds of Variation for the following Bonds that allow for their coverage to be extended to 1 July 2020:

- BNP Paribus \$24,800,000
- Hong Kong & Shanghai Banking Corporation \$\$8,345,000
- Hong Kong & Shanghai Banking Corporation \$10,400,000

C17/104

McLean/Thorp

CARRIED

LATE ITEM

OCEANA GOLD – APPLICATION FOR TWIN EXPLORATION DRIVES (2188175)

The Strategic Planning Project Manager reported that Oceana Gold Waihi (the Company) has lodged a resource consent application for two new underground exploration tunnels (drives) located under the south wall of the Martha Pit and Resource Management Act timeframes require the appointment of a Commissioner prior to the next Council meeting of 26 April 2017.

RESOLVED

THAT the report be received.

C17/105

McLean/Rattray

CARRIED

It was recommended that Mr Alan Watson be appointed as a commissioner to hear and decide on the application for the project. Mr Watson's curriculum vitae was attached for the member's consideration.

RESOLVED

THAT pursuant to section 34A (1) of the Resource Management Act 1991 Mr Alan Watson be appointed as Commissioner to consider and decide on the Section 95 notification report for the proposed Martha Drill Drives project (MDDP); and

THAT pursuant to section 34A (1) of the Resource Management Act 1991 Mr Alan Watson be appointed as Commissioner to consider and decide on the application for the proposed Martha Drill Drives project; and

THAT pursuant to section 34A (1) of the Resource Management Act 1991 the Mayor and the Chairperson of the Judicial Committee be delegated authority to appoint a technical Commissioner to consider and decide on the application for the proposed Martha Drill Drives project, if required.

C17/106

McLean/Rattray

CARRIED

DOG REGISTRATION AND IMPOUNDING FEES – 2017/18 (2185314)

The Group Manager Planning and Environmental Services sought Council approval for the Dog Registration and Impounding Fees for the 2017/18 dog registration year.

RESOLVED

THAT the report be received.

C17/107

Smeaton/McLean

CARRIED

RESOLVED

THAT pursuant to Section 37 and Section 68 of the Dog Control Act 1996 the Fees and Charges is adopted as the scale of fees for Dog Registration and Impounding Fees for the 2017/18 dog registration year.

C17/108

Milner/Rattray

CARRIED

The meeting adjourned for morning tea at 10.15am
The meeting reconvened at 10.35am.

ADOPTION OF DRAFT EASTERN WAIKATO WASTE MANAGEMENT AND MINIMISATION PLAN (WMMP) AND STATEMENT OF PROPOSAL (2186055)

APPENDIX A - DRAFT EASTERN WMMP STATEMENT OF PROPOSAL - WMMP 20-3-17 (2186366)

APPENDIX B – DRAFT EASTERN WMMP (2186367)

The Policy Analyst sought Councils adoption of the Draft Eastern Waikato Waste Management and Minimisation Plan and associated Statement of Proposal for public consultation and also sought the approval of the approach to community engagement.

David Lindsay – Solid Waste Manager (Thames-Coromandel District Council) was in attendance to provide Council with an informed overview of the waste minimisation plan and to answer any questions they had on the development of the plan, its purpose and the outcomes hoped to be achieved.

RESOLVED

THAT the report be received.

C17/109

Spicer/Adams

CARRIED

RESOLVED

THAT in accordance with section 83 of the Local Government Act 2002 the Council adopt the Draft Eastern Waikato Waste Management and Minimisation Plan for public consultation, and

THAT in accordance with section 83 of the Local Government Act 2002 the Council adopt the Draft Eastern Waikato Waste Management and Minimisation Plan Statement of Proposal for public consultation, and

THAT a summary of the information contained in the Draft Eastern Waikato Waste Management and Minimisation Plan Statement of Proposal is not necessary for the purpose of the special consultative procedure, and

THAT the written public feedback period will run from 9am on Friday 7 April 2017 to 4pm on Monday 8 May 2017, and

THAT the Eastern Waikato Solid Waste Joint Committee will hold a hearing of feedback and deliberations meeting in the Paeroa Council Chambers on Thursday 1 June 2017.

C17/110

Milner/Smeaton

CARRIED

LOCAL BILL - MANGROVE MANAGEMENT (2180370)

The Strategic Planning Projects Manager presented a report which advised of the development of a plan by the Thames Coromandel District Council (TCDC) as an approach to controlling mangroves in its district.

A draft bill was prepared for TCDC consideration. Subsequently interest in the Local Bill approach has also been expressed by the Auckland Council (AC), Western Bay of Plenty District Council (WBoPDC) and the WRC.

The Mayor of TCDC has approached His worship the Mayor requesting the support of the Hauraki District Council to co-sponsoring or supporting the development of a (redrafted) Local Bill that includes Auckland Council, Western Bay of Plenty District Council and the Waikato Regional Council. The Mayor recommends that Council agree in principle to co-sponsor the Local Bill.

RESOLVED

THAT the report be received.

C17/111

Tregidga/Leonard

CARRIED

RESOLVED

THAT the Hauraki District Council support in principle the co-sponsoring of a Local Bill that will define the process and procedure for territorial authorities to control mangroves within their Districts, and

THAT the Thames Coromandel District Council be advised accordingly.

C17/112

Leonard/Buckthought

CARRIED

COUNCIL REPORT - DRAFT LOCAL GOVERNANCE STATEMENT 2017 (2181119)
APPENDIX B - DRAFT LOCAL GOVERNANCE STATEMENT 2017 (2169689)

The Policy Analyst reported on the reviewed and updated Local Governance Statement 2017 (statement) for adoption.

RESOLVED

THAT the report be received.

C17/113

Adams/Rattray

CARRIED

Previously, a six monthly review was undertaken by the Policy Analyst and approved by the Chief Executive as an appropriate method to ensure the governance statement complies with the Act. It was recommended that this is continued. Council would be notified if significant amendments take place.

RESOLVED

THAT pursuant to Section 40 of the Local Government Act, 2002 the draft Triennial Local Governance Statement 2017 be adopted and made publicly available; and

THAT the Local Governance Statement is reviewed by staff on a six monthly cycle, and

THAT authority is given to the Chief Executive to update the Statement for the purposes of currency.

C17/114

Tregidga/McLean

CARRIED

2018 LTP REVISED WORKSHOP SCHEDULE REPORT (2186631)

The Senior Strategic Planner sought Councils approval of a revised long term planning process workshop schedule for the 2017 year.

RESOLVED

THAT the report be received.

C17/115

Spicer/Leonard

CARRIED

RESOLVED

THAT the revised workshop schedule for the development of the 2018-28 long term planning process is approved as follows:

Date	Forum	Topic
Wednesday 12 April	Council workshop following CS&D Committee	<ul style="list-style-type: none"> • Our services in more detail – part 1
Wednesday 19 April	Council workshop	<ul style="list-style-type: none"> • Our services in more detail – part 2
Wednesday 26 April	Ordinary Council meeting	<ul style="list-style-type: none"> • Forecasting assumptions
Thursday 27 April	District Drainage Committee workshop (following meeting)	<ul style="list-style-type: none"> • Land drainage services and projects for 2018-2048
Tuesday 2 May	Economic Development Sub-Committee workshop (following meeting)	<ul style="list-style-type: none"> • Community growth services and projects for 2018-2028
Wednesday 3 May	Council workshop (on usual ward working party meeting day)	<ul style="list-style-type: none"> • Revenue and financing policy
Tuesday 1 August	Economic Development Sub-Committee workshop (following meeting)	<ul style="list-style-type: none"> • Draft community growth budgets
Tuesday 8 August	Council workshop	<ul style="list-style-type: none"> • First review of activity budgets including ward breakout sessions
Thursday 31 August	District Drainage Committee workshop (following meeting)	<ul style="list-style-type: none"> • Draft land drainage budgets
Wednesday 18 October	Council workshop	<ul style="list-style-type: none"> • Forming a draft LTP position including revised draft proposals and budgets and financial and funding implications
Wednesday 15 November	Council workshop	<ul style="list-style-type: none"> • Community engagement options
Additional issue specific workshops may be scheduled on an as-needed basis.		

C17/116

Milner/McLean

CARRIED

REGIONAL INFRASTRUCTURE TECHNICAL SPECIFICATION CONSULTATION (2179379)

The Group Manager – Engineering Services updated the members on progress with the Regional Infrastructure Technical Specification work stream and sought approval to start the process of formally consulting on the document.

RESOLVED

THAT the report be received.

C17/117

Adams/Thorp

CARRIED

The Waikato Mayoral Forum identified the development of a regional Infrastructure Technical Specification (ITS) under its Regulatory Bylaws and Policies work stream.

The Regional Infrastructure Technical Specification manual/code is intended to give guidance to developers and their consultants and contractors to the requirements that the Council will accept in meeting the resource consent conditions of development. It becomes a means of compliance also to the District Plan requirements.

RESOLVED

THAT the Council through the Waikato Local Authority Shared Service releases the Regional Infrastructure Technical Specification for public consultation, and

THAT the consultation process is undertaken by the Waikato Local Authority Shared Service (LASS) and any feedback (including submissions) is addressed by the LASS.

C17/118

Tregidga/Spicer

CARRIED

CHIEF EXECUTIVE MONTHLY REPORT - MARCH 2017 (2178906)

APPENDIX A - WAIKATO MAYORAL FORUM SUMMARY REPORT FOR MARCH 2017 (2178952)

The Chief Executive presented his monthly report for February 2017. The report focussed on recent staff changes within the organisation.

For the member's information attached was a copy of the Waikato Mayoral Forum summary report for February which summarised the main discussions and outcomes of the forums first meeting of for 2017 held in Hamilton.

RESOLVED

THAT the report be received.

C17/118

Tregidga/Harris

CARRIED

WAIKATO REGIONAL COUNCIL STRATEGIC PRIORITIES 2017 (2185568).

APPENDIX A – WRC STRATEGIC DIRECTION SUMMARY (2186462)

APPENDIX B – WRC STRATEGIC DIRECTION DOCUMENT (2186464)

The Policy Analyst reported on the Waikato Regional Council (WRC) '2016-2019 Our Strategic Direction' document and summary document for the information of the Council.

RESOLVED

THAT the report be received.

C17/119

Leonard/Daley

CARRIED

The Policy Analyst emphasised the importance that Council is aware of the Regional Council strategic direction and priorities so it is informed of the strategic context for regional decision making.

The document makes it clear that the Region has a focus on Iwi/Māori relations, fresh water quality and associated land use, better planning for natural hazards and the predicted impacts of climate change, and the management of the coastal and marine areas.

MID-SIZED TOURISM FACILITIES GRANT FUND (2187724)

The Chief Executive reported on the Regional Mid-Sized Tourism Facilities Grant Fund (MFF), administered by the Ministry of Business Innovation and Employment (MBIE).

RESOLVED

THAT the report be received.

C17/120

Adams/Spicer

CARRIED

The fund is intended to support territorial authorities to respond to the demands of projected visitor numbers and contribute to a higher quality visitor experiences by providing co-funding for mid-sized infrastructure projects.

CLEAN WATER PACKAGE (2185900)

The Senior Strategic Planner presented a report on central government's new Clean Water Package as part of its ongoing water reform programme.

RESOLVED

THAT the report be received.

C17/121

Thorp/Buckthought

CARRIED

The poor and intermittent status of a number of waterways in the Hauraki District is of significant concern. The Government's assessment will likely have major implications for the Council (as a point discharge provider) and the primary sector, as has already been signalled by the proposed Waikato Regional Plan Change 1.

The Government is now seeking feedback on the proposed amendments to the NPS-FM (including the swimmable water targets) and its policy proposals for excluding stock from waterways. Feedback closes on 28 April 2017. At the same time the Government is also inviting applications for the \$100 million Freshwater Improvement Fund until 13 April 2017.

Regional councils will be expected to have discussions with communities, including tāngata whenua in preparing freshwater objectives. It is reasonable to assume that this would occur via Plan Change 2 for the Hauraki District area.

MATTERS TO BE TAKEN WITH THE PUBLIC EXCLUDED

RESOLVED

THAT 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
2	Future of Wastewater Treatment Plants in Hauraki District Council	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.

C17/122

Adams/Daley

CARRIED

RESOLVED

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

C17/124

Milner/McLean

CARRIED

The meeting adjourned for lunch at 12.35pm.

The meeting reconvened at 1.05pm

The Chief Executive and council staff left the Chamber at 1.05pm to allow for the Mayor and elected members to consider the Chief Executive recruitment process.

MATTERS TO BE TAKEN WITH THE PUBLIC EXCLUDED

RESOLVED

THAT 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
5	Chief Executive 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.

C17/125

Tregidga/Harris

CARRIED

RESOLVED

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

C17/128

Adams/Harris

CARRIED

2016-17 SECOND QUARTER NON-FINANCIAL PERFORMANCE RESULTS (2181786)

The Strategic Planner presented the Non-Financial Performance Results of the second quarter.

RESOLVED

THAT the report be received.

C17/127

Milner/McLean

CARRIED

COUNCIL OWNED PROPERTIES AT WAIHI BEACH (2186188)

The Community Services – Facilities and Administration Manager presented a report on the conclusion of sales of all leasehold properties owned by the Hauraki District Council at Waihi Beach.

RESOLVED

THAT the report be received.

C17/128

Tregidga/Leonard

CARRIED

TRANSPORTATION REPORT - FEBRUARY 2017 (2170261)

The Transportation Manager and Technical Services Business Unit Manager presented the monthly activity report for February 2017.

RESOLVED

THAT the report be received.

C17/129

Adams/Ratray

CARRIED

WATER SERVICES REPORT - FEBRUARY 2017 (2183838)

The Water Services Manager presented the monthly activity report on water utilities for February 2017.

RESOLVED

THAT the report be received.

C17/130

Smeaton/Harris

CARRIED

DISTRICT DRAINAGE AND STORMWATER ACTIVITY REPORT TO 28 FEBRUARY 2017 (2185795)

The Drainage and Stormwater Manager presented the monthly activity report to 28 February 2017.

RESOLVED

THAT the report be received.

C17/131

Tregidga/Buckthought

CARRIED

The Drainage and Stormwater Manager presented the Eastern and Western Drainage District Committee minutes for the meetings held on Thursday, 23 February 2017.

EPDD Minutes - 23-02-17 (2187147)

RESOLVED

THAT the minutes of the Eastern Plains Drainage District meeting held on Thursday 23 February 2017 be received and the recommendations therein adopted.

C17/132

Buckthought/Rattray

CARRIED

WPDD Minutes - 23-02-17 (2187004)

RESOLVED

THAT the minutes of the Western Plains Drainage District meeting held on Thursday 23 February 2017 be received and the recommendations therein adopted.

C17/133

Buckthought/Rattray

CARRIED

MATTERS TO BE TAKEN WITH THE PUBLIC EXCLUDED

RESOLVED

THAT 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	Closeout Report Kaiaua Historic Landfill	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.
3	Water Rates Dates	Section 7(2)(f)(i) – Maintain the effective conduct of public affairs through: (i) The free and frank expression of opinions by or between or to members or officers or employees of any local authority, or any persons to whom section 2(5) of this Act applies, in the course of their duty.	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.
4	Liquor Licence Application Possible Objection 2017	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, and 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.

RESOLVED

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

C17/141

Tregidga/McLean

CARRIED

The meeting closed at 3.00pm.

CONFIRMED

J P Tregidga
Mayor

26 April 2017