

HAURAKI DISTRICT COUNCIL

EXTRAORDINARY MEETING

MINUTES OF AN EXTRAORDINARY MEETING OF THE HAURAKI DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBERS, WILLIAM STREET, PAEROA ON WEDNESDAY, 14 AUGUST 2019 COMMENCING AT 11.00 AM

PRESENT

Cr D A Adams (Deputy Mayor), Cr P Buckthought, Cr M McLean, Cr P A Milner, Cr A M Spicer, Cr D Smeaton, Cr R Harris and Cr Thorp

IN ATTENDANCE

Messrs L D Cavers (Chief Executive), A de Laborde (Group Manager – Engineering Services), S de Laborde (Manager, Planning and Infrastructure Systems), Mrs C Mischewski (Policy Analyst), Mrs S Holmes (Strategic Policy Planner) and Ms C Black (Council Secretary)

KARAKIA

Cr Smeaton opened the meeting with a karakia.

APOLOGIES

RESOLVED

THAT the apology of His Worship the Mayor, J P Tregidga, Cr C Daley, Cr G Leonard, Cr D Swales and Cr A Rattray be received and sustained.

C19/289

Harris/Thorp

CARRIED

DECLARATIONS OF INTERESTS

There were no declarations of interests.

HEARING OF FEEDBACK ON THE DRAFT WATER SUPPLY BYLAW, DRAFT SOLID WASTE BYLAW, DRAFT DRAINAGE BYLAW AND REVOCATION OF FRANKLIN DISTRICT COUNCIL BYLAWS (2616235)

The Policy Analyst gave an overview of draft bylaws and advised of the process in the hearing of feedback on the bylaws.

RESOLVED

THAT the report on feedback on the Draft Water Supply Bylaw, Draft Solid Waste Bylaw, Draft Drainage Bylaw and revocation of Franklin District Council Bylaws be received.

C19/290

Milner/McLean

CARRIED

The Deputy Mayor welcomed submitters to the hearing and advised that the feedback from speakers would be recorded for administrative purposes and transparency.

Verbal feedback Received

Speakers:

Murray Bain – Coastal Bins Limited

Mr Bain presented his submission.

- Mr Bain requested changes to the wording in the bylaw as indicated in his written feedback, (amend definition of waste contractor, add definition of third party commercial waste, amend clause 5.4)
- Mr Bain emphasised that the bylaw was somewhat unclear, which made it too relaxed and open to interpretation around waste disposal and waste contractors.
- Mr Bain explained currently residential and third party commercial waste were being treated the same, which he believes is incorrect. A clearer definition is required.
- He believed the bylaw definitions require amendment; so that a 'Waste Contractor' refers to a person, organisation, or business that the Council has authorised to collect waste on its behalf.
- Referring to clause 5.4, Mr Bain stated that there are currently three commercial waste contractors in the district that are also ratepayers and are not authorised (as such) to deposit waste at transfer stations after hours as they do not have authorisation from Council.
- Cr Smeaton asked Mr Bain what his main concern was with reference to Clause 5.4.
- Mr Bain stated he was concerned about contractors being given access outside normal opening hours.

Waikato Regional Council

Adam Munro (Manager, Hauraki/Coromandel Integrated Catchment Management)

Mr Kenny Growden (Team Leader – Operations, Hauraki/Coromandel Integrated Catchment Management Systems)

The Waikato Regional Council (WRC) representatives presented their submission and asked that their submission be taken as read.

- Mr Munro noted WRC's support of the HDC Drainage bylaw. He spoke about the internal drainage network.
- Mr Munro acknowledged that the Council aims to align with the Regional Plan in regard to setback distances.
- Mr Munro noted the effects of farming activities on WRC in relation to their operational activities.
- Supported the continuation that WRC and HDC work together towards better outcomes for the communities and supported good working relationships, governance and staff levels.
- Mr Munro's presentation noted the requests made in the written feedback:
 - Enhance specific definitions for operational clarity and how they relate to WRC's assets.
 - Clarify restricted activities to include rubbish tipping which has potential to cause blockages at our assets.
 - Continue to enable the operations teams from both WRC and HDC to work on drainage and flood assets without incurring significant permit administration or processing costs.
- Mr Munro noted a change to slide (3) and the written feedback referring to promoting the growing of grass/flax/sedges within drainage channel setbacks to reduce erosion potential and sedimentation of the channels – this should read as 'approved plants'.
- Mr Munro noted WRC's drain planting trial in the Thames Valley Drainage District.
- Cr Thorp referred to physical cleaning of drains, where plantings may be destroyed by mechanical cleaning.

- Mr Munro advised that WRC are trialling this process and clarified about the WRC rules pertaining to planting of vegetation along drains.
- Cr Buckthought asked Mr Munro what was the intent of the required setback distance.
- Mr Munro stated the intent of the setback is to ensure activity and maintenance of the drains is not impeded to allow access for diggers and to ensure no accelerated sedimentation occurs causing bank collapse. The WRC setback rule is no less than 5m but agreed that a 10m setback is appropriate.
- Cr Spicer asked Mr Munro what he considered is 'suitable' vegetation for planting.
- Mr Growden stated that plantings need to be approved by HDC in line with maintenance requirements, i.e. large trees probably wouldn't be suitable. If further information comes to light, WRC can take this on. Trials are beneficial and this is the intent of them.
- Mr Munro advised that WRC have specialist staff to advise people as regards to plantings along drains.
- Cr Buckthought asked what form of protection is being used to protect drainage assets (e.g. drains from collapsing and inundation of carp population).
- Mr Growden advised that it is illegal to release Carp into the drains. It is important to find a way which is environmentally friendly to deal with vegetative growth in drains. Currently, there is cost efficiency and benefit of grass spraying.

The recording of proceedings terminated at 11.26am.

DELIBERATIONS ON THE DRAFT WATER SUPPLY BYLAW, DRAFT SOLID WASTE BYLAW, DRAFT DRAINAGE BYLAW AND REVOCATION OF FRANKLIN DISTRICT COUNCIL BYLAWS

Deliberations commenced at 11.26am.

Written Feedback Received

The Policy Analyst gave an overview of the feedback received and staff comments proposed in response.

RESOLVED

THAT all written feedback received to date on the draft Water Supply Bylaw 2019, draft Solid Waste Bylaw 2019, draft Drainage Bylaw 2019 (and collated in Appendix A) be received, and

THAT the feedback provided at the hearing on the draft Water Supply Bylaw 2019, draft Solid Waste Bylaw 2019, and draft Drainage Bylaw 2019 be received, and

THAT all people that provided feedback be thanked for their participation in the process, and

THAT the Council considers all written and verbal feedback and feedback providers be responded to accordingly.

C19/291

Spicer/Smeaton

CARRIED

Drainage Bylaw

RESOLVED

THAT in accordance with section 145 and 146 of the Local Government Act 2002 and section 517 of the Local Government Act 1974, staff accordingly amend the Drainage Bylaw 2019 and report back to the Council.

C19/292

Buckthought/Thorp

CARRIED

Solid Waste Bylaw

RESOLVED

THAT in accordance with section 145 and 146 of the Local Government Act 2002, section 56 of the Waste Minimisation Act 2008, section 64 of the Health Act 1956 and section 12 of the Litter Act 1979, Council adopt the Solid Waste Bylaw 2019.

C19/293

Smeaton/Harris

CARRIED

Water Supply Bylaw

RESOLVED

THAT in accordance with sections 145 and 146 of the Local Government Act 2002 and section 64 of the Health Act 1956 the Council adopts the Water Supply Bylaw 2019.

C19/294

Buckthought/McLean

CARRIED

RESOLVED

THAT the Water Supply Bylaw 2019 and the Solid Waste Bylaw 2019 will come into effect on 1 September 2019, and

THAT in accordance with section 157 of the Local Government Act 2002 the adoption of the Water Supply Bylaw 2019 and the Solid Waste Bylaw 2019, be publicly notified.

C19/295

Spicer/Milner

CARRIED

Revocation of Franklin District Council Bylaws

RESOLVED

THAT the Franklin District Council Water Supply Bylaw 2008 and the Franklin District Council Solid Waste Bylaw 2009 are revoked and the revocation will come into effect on 1 September 2019, and

THAT in accordance with section 157 of the Local Government Act 2002 the revocation of the Franklin District Council Water Supply Bylaw 2008 and Franklin District Council Solid Waste Bylaw 2009, be publicly notified.

C19/296

Thorp/McLean

CARRIED

SEPARATION OF PART 4: TRADE WASTE AND WASTEWATER OF THE HAURAKI DISTRICT COUNCIL CONSOLIDATED BYLAW 2007 (2616237)

RESOLVED

THAT the report be received.

C19/297

Harris/Spicer

CARRIED

RESOLVED

THAT Part 4: Trade Waste and Wastewater of the Hauraki District Council Consolidated Bylaw 2007 be separated out into the Hauraki District Council Trade Waste and Wastewater Bylaw 2015, and

THAT in accordance with section 156(2) of the Local Government Act 2002 the administrative changes made to the Trade Waste and Wastewater Bylaw 2015 are minor changes and do not affect an existing right, interest, title, immunity, or duty of any person to whom the bylaw applies, or an existing status or capacity of any person to whom the bylaw applies, and

THAT the administrative changes made as a result of separating out Part 4: Trade Waste and Wastewater of the Hauraki District Council Consolidated Bylaw 2007 be publicly notified.

C19/298

Harris/Spicer

CARRIED

Cr Smeaton closed the meeting at 12.16pm with a karakia.

CONFIRMED

D A Adams
Deputy Mayor

28 August 2019