

## HAURAKI DISTRICT COUNCIL MEETING

MINUTES OF A MEETING OF THE HAURAKI DISTRICT COUNCIL HELD VIA ZOOM AND LIVESTREAMED ON WEDNESDAY, 25 AUGUST 2021 COMMENCING AT 9.00 AM

### **PRESENT**

D A Adams (His Worship the Mayor), Cr P A Milner (Deputy Mayor), Cr P G Anderson, Cr R D T Broad, Cr P D Buckthought, Cr C A Daley, Cr R G E Garrett, Cr B J Gentil, Cr R Harris, Cr S Howell, Cr D Smeaton, Cr A M Spicer, Cr J R Tilsley and Cr R L Wilkinson

### **IN ATTENDANCE**

L D Cavers (Chief Executive), A de Laborde (Group Manager – Service Delivery), D Peddie (Group Manager – Business Support), P Thom (Group Manager – Community Development), C Mischewski (Strategic Planner), L Robcke (Senior Project Planner), M Brebner (Libraries Manager) and C Black (Council Secretary)

Karakia timatanga (open of meeting)

Cr Smeaton opened the meeting with a karakia.

### **APOLOGIES**

There were no apologies.

### **LATE ITEMS**

There were no late items.

### **DECLARATIONS OF INTERESTS**

There were no declarations of interests.

### **Confirmation and Receipt of Council and Committee Minutes**

COUNCIL MINUTES: 11-08-21 - 3012082

### **RESOLVED**

THAT the minutes of the meeting of the Hauraki District Council held on Wednesday, 11 August 2021 are received and confirmed as a true and correct record.

C21/464

Howell/Broad

**CARRIED**

### **MATTERS ARISING FROM THE MINUTES**

There were no matters raised for correction.

### **Reporting**

REPORT ON ADOPTION OF MANAAKI TOIORA TERMS OF REFERENCE 2021 -3016488

The Strategic Planner presented a report which sought the consideration and adoption of the draft 2021 Manaaki Toiora Committee Terms of Reference for adoption.

### **RESOLVED**

THAT the report be received.

C21/465

Harris/Spicer

**CARRIED**

The Strategic Planner provided a PowerPoint presentation that detailed the purpose and workings of the Committee, following the review undertaken of the Committee's Terms of Reference and delegated functions.

**RESOLVED**

THAT the Council adopts the Terms of Reference for the Manaaki Toiora Committee as amended, and

THAT in accordance with clause 32 in Schedule 7 of the Local Government Act 2002, the Committee be delegated functions set out in the Terms of Reference attached as Appendix A and the delegations manual be amended accordingly, and

THAT the Manaaki Toiora Committee meeting dates and times be approved.

C21/466

Adams/Daley

**CARRIED**

**ADOPTION REPORT EARTHQUAKE PRONE BUILDING SYSTEM - BUSY THOROUGHFARES STATEMENT OF PROPOSAL 2021 - 3016514**

The Strategic Planner presented a report that advised of central government's earthquake-prone building system and to seek adoption of the Earth-quake Prone Buildings 'Busy Thoroughfares' Statement of Proposal for consultation with the community.

**RESOLVED**

THAT the report be received.

C21/467

Adams/Milner

**CARRIED**

Due to the restrictions of COVID 19, it was proposed that the consultation period and hearing of feedback and deliberations be moved to a later date of Friday, 1<sup>st</sup> October to Monday, 1<sup>st</sup> November 2021 and an Extraordinary Council meeting for the feedback and deliberations will be held at 1.00pm on Tuesday, 23 November 2021.

**RESOLVED**

THAT the Council, in accordance with section 133AF of the Building Act 2004 and section 83 of the Local Government Act 2002, adopt the Earthquake-prone Building Busy Thoroughfare Statement of Proposal, as amended, and

THAT in accordance with section 83 of the Local Government Act 2002, the written feedback period will run from Friday, 1<sup>st</sup> October to Monday, 1<sup>st</sup> November 2021 and an Extraordinary Council meeting for the feedback and deliberations will be held at 1pm on Tuesday, 23 November 2021.

C21/468

Adams/Wilkinson

**CARRIED**

**ADOPTION REPORT STATEMENT OF PROPOSAL EASTER SUNDAY SHOP TRADING POLICY 2021 - 3016509**

The Strategic Planner presented a report that provided the Statement of Proposal for the Easter Shop Trading Policy for Council's consideration and adoption.

**RESOLVED**

THAT the report be received.

C21/469

Adams/Anderson

**CARRIED**

Due to the restrictions of COVID 19, it was proposed that the consultation period and hearing of feedback and deliberations be moved to a later date of Friday, 1<sup>st</sup> October to Monday, 1<sup>st</sup> November 2021 and an Extraordinary Council meeting for the feedback and deliberations will be held at 1pm on Tuesday, 23 November 2021.

**RESOLVED**

THAT the Council in accordance with section 5C of the Shop Trading Hours Act 1990 and section 83 of the Local Government Act 2002 adopt the Local Easter Sunday Shop Trading Policy Statement of Proposal, as attached.

THAT in accordance with section 83 of the Local Government Act 2002, the written feedback period will run from Friday, 1<sup>st</sup> October to Monday, 1<sup>st</sup> November 2021 and an Extraordinary Council meeting for the hearing of feedback and deliberations will be held at 1pm on Tuesday, 23 November 2021.

C21/470

Buckthought/Smeaton

**CARRIED**

**PROPOSED PLAN CHANGE 4 - MISCELLANEOUS PLAN CHANGE ITEMS NOT SUBJECT TO APPEAL – 3015866**

The Group Manager – Community Development presented a report on behalf of the District Planner that sought Council approval to declare a number of items that were amended following the consideration of submissions, of Plan Change 4: Miscellaneous Plan Change 'operative' from 15 September 2021.

**RESOLVED**

THAT the report be received.

C21/471

Milner/Spicer

**CARRIED**

Of the 130 Items, 102 Items did not receive any submissions and were made operative on 16 November 2020.

Submissions on the remaining items were heard by the District Plan Committee, with a Decision issued by Hauraki District Council at its meeting of 26 May 2021. Decisions were notified on 22 June 2021 and the appeal period closed on 30 July 2021. No appeals were received on any of these Items.

**RESOLVED**

THAT the Hauraki District Council approves Items: 1, 3, 7, 8, 20, 25, 31, 32, 33, 39, 51, 61, 62, 64, 68, 73, 80, 94, 95, 96, 97, 99 and 107 of Proposed Plan Change 4: Miscellaneous Plan Change, as amended following the consideration of submissions, in accordance with Clause 17 (1) and (3) in Schedule 1 to the Resource Management Act 1991, and affixes the seal of Council to the plan change document incorporating those items, and

THAT the Hauraki District Council, in accordance with clause 20 (1) and (2) in Schedule 1 to the Resource Management Act 1991, publicly notifies that Items: 1, 3, 7, 8, 20, 25, 31, 32, 33, 39, 51, 61, 62, 64, 68, 73, 80, 94, 95, 96, 97, 99 and 107, as amended following the consideration of submissions, of Plan Change 4: Miscellaneous Plan Change will become 'Operative' from 15 September 2021.

C21/472

Broad/Gentil

**CARRIED**

APPOINTMENT OF COMMISSIONER - APPLICATION TO RAISE TSF1A UP TO RL 182M - 3015925

The Group Manager – Community Development presented a report that sought approval to appoint an independent hearings commissioner to consider and decide on the RMA Section 95 (notification) and Section 104 (consideration of applications) matters in relation to the proposed raise of Tailings Storage Facility 1A (TSF1A) to a maximum height of RL 182 (or 182m above mean sea level).

**RESOLVED**

THAT the report be received.

C21/473

Adams/Howell

**CARRIED**

**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 resource consent application to raise TSF1A up to RL 182m, 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 resource consent to raise TSF1A up to RL 182m.

C21/474

Buckthought/Anderson

**CARRIED**

The meeting adjourned at 9.48am  
The meeting reconvened at 10.05am.

Ward Chairs Update

The Chairpersons of the Plains, Paeroa and Waihi Ward Committees updated on recent activities in their respective Wards.

ANNUAL REPORT TO ALCOHOL REGULATORY AND LICENSING AUTHORITY - 2021 - 2997054

The Group Manager – Community Development on behalf of the Regulatory Team Leader presented a report which sought approval of the annual report to the Alcohol Regulatory and Licensing Authority from Council’s District Licensing Committee covering the period ending 30 June 2021 as per Section 199 of the Sale and Supply of Alcohol Act 2012.

**RESOLVED**

THAT the report be received.

C21/475

Milner/Anderson

**CARRIED**

**RESOLVED**

THAT the annual Hauraki District Licensing Committee report for the period ending 30 June 2021 be submitted to the Alcohol Regulatory and Licensing Authority, Wellington.

C21/476

Milner/Broad

**CARRIED**

On, Off and Club Licences in the Hauraki District

It was requested that the (Public Office Restaurant) located at 10 Orchard West Road Ngatea be added to the list of Ngatea premises.

DEPT. INTERNAL AFFAIRS - 3-WATERS PROGRAMME PROJECT ADJUSTMENTS VARIATIONS  
2 – 3011685

The Group Manager – Service Delivery presented a report that sought Council’s endorsement to reallocate funds arising from cost savings for two Department of Internal Affairs (DIA) 3-Waters programmed projects.

**RESOLVED**

THAT the report be received.

C21/477

Harris/Buckthought

**CARRIED**

It was requested that project DIA001 Junction Road Step Screen and project DIA009 Spare Filtrate Pumps be moved into other pre-approved Department of Internal Affairs (DIA) projects.

**RESOLVED**

THAT Council support the budget changes proposed below:

<b><i>Budget Reduction</i></b>	
DIA001 – Step Screen at Junction Road	\$30,000 budget reduction.
DIA009 – Spare Filtrate Pumps	\$15,828 budget reduction.
<b><i>Budget Increase</i></b>	
DIA005 – Instrument Improvement Programme	\$15,828 budget increase.
DIA007 – Desludging of WWTP ponds	\$30,000 budget increase.

THAT the Council considers these decisions to be insignificant under its Significance and Engagement Policy 2020.

C21/478

Smeaton/Howell

**CARRIED**

MORGAN PARK SEWER PUMP INSTALLATION – 3016545

The Group Manager – Service Delivery on behalf of the Community Services Manager presented a report that sought Council’s approval to an overspend in unbudgeted capital expenditure to enable Sport N Action Trust to continue developing the Morgan Park waste water and storm water capabilities for the Squash and Croquet Club buildings.

**RESOLVED**

THAT the report be received.

C21/479

Wilkinson/Tilsley

**CARRIED**

**RESOLVED**

THAT the pump station and associated infrastructure be included as wastewater activity assets, and

THAT the Council approves unbudgeted capital expenditure of \$18,560 in the waste water capital budget in the 2020-21 year, and

THAT the Council considers these decisions to be insignificant under its Significance and Engagement Policy 2020.

C21/480

Broad/Anderson

**CARRIED**

COMMUNITY SERVICES REPORT - JUNE 2021 - 3016543

The Group Manager – Service Delivery on behalf of the Community Services Manager presented the monthly Community Services activity report to June 2021.

**RESOLVED**

THAT the report be received.

C21/481

Wilkinson/Tilsley

**CARRIED**

Whiritoa Beach – Coastal Erosion

Members were advised of the significant damage caused to the dune area in front of the Whiritoa Surf Club which has caused a very large rip and associated channel to develop in the dune area.

Cr Smeaton requested that it be noted that he opposed any earthmoving-type machinery being used to rehabilitate the dune area at the location and any remedial work that involved a rock or sand revetment as an option to protect the dune area on the grounds that in the medium to long term, it would be completely ineffective.

CAPITAL WORKS PROGRAMME AND REPORTING – 3016897

The Group Manager – Service Delivery presented a report that summarised the 2021-22 capital programme of work and presented a draft capital programme report template for Council's consideration.

**RESOLVED**

THAT the report be received.

C21/482

Adams/Gentil

**CARRIED**

WASTE MANAGEMENT ACTIVITY REPORT JULY 2021 - 3016654

The Group Manager – Service Delivery presented on behalf of the Contracts Manager the monthly Waste Management activity report to July 2021.

**RESOLVED**

THAT the report be received.

C21/483

Smeaton/Anderson

**CARRIED**

Capital Works Update – Steel Stairs for access to Recycling Glass Bins at Transfer Stations

Three steel stairs were ordered for either side of the glass bins at Paeroa RTS and 1 for the glass bin at Waihi RTS.

The Waste Management activity has a budget of \$15,000 on the 2021-31 Long Term Plan to replace steps at both transfer stations. This number was based on a quote that the Project Manager received from the manufacturer, but with the increase in steel prices, the price has

increased to \$18,000. Council approval is requested to overspend \$3,000 to procure the much needed steel steps at both Transfer Stations.

**RESOLVED**

THAT Council approves an overspend of \$3,000 on the Waste Management budget as per the 2021-31 Long Term Plan, to procure steel steps for both Transfer Stations, i.e. Waihi and Paeroa, and

THAT Council approves the collaboration between the company, BDÉT and HDC to actively promote the use of this product in the HDC district.

C21/484

Howell/Garrett

**CARRIED**

SOLID WASTE FEES AND CHARGES INCREASE - 3016933

The Group Manager – Service Delivery presented a report on behalf of the Contract Manager that advised on, and sought approval of, the revised Fees and Charges for the solid waste activity.

**RESOLVED**

THAT the report be received.

C21/485

Smeaton/Gentil

**CARRIED**

A lengthy discussion was held regarding the need to reduce the size of the yellow domestic solid waste rubbish bags from a 60 litre bag to a smaller bag size in view of economical cost and the focus on waste minimisation.

**RESOLVED**

THAT the Council approves the increase of the Fees and Charges for waste management, and

THAT the Council approves Option B for the Refuse Transfer Station increases, and

THAT the Council approves Option B for the Official Yellow Bag cost, (\$3.65) 60 litre bag, and

THAT the Council amend its Fees and Charges schedule to reflect the fee changes, and

THAT the Fees and Charges be implemented effective 1 September 2021, and

THAT the new Fees and Charges be advertised prior to implementation,

THAT staff prepare an options report for the 29 September Council meeting considering the use of a smaller yellow bag size.

C21/486

Harris/Smeaton

**CARRIED**

Noted: 3 members voted against the motion.

The meeting adjourned at 12.08pm  
The meeting reconvened at 12.22pm

TRANSPORT ACTIVITY REPORT - JULY 2021 – 3016143

The Group Manager – Service Delivery presented the monthly roading activity report on behalf of the Transportation Manager.

**RESOLVED**

THAT the report be received.

C21/487 Adams/Buckthought **CARRIED**

UTILITIES ACTIVITY REPORT - AUGUST 2021 (COVERING JULY) - 3016192

The Group Manager – Service Delivery presented the monthly utilities activity report on behalf of the Utilities Manager covering the month of July 2021.

**RESOLVED**

THAT the report be received.

C21/488 Harris/Buckthought **CARRIED**

RECEIPT: WESTERN PLAINS DRAINAGE DISTRICT COMMITTEE MINUTES - 05-08-21 - 3013963

**RESOLVED**

THAT the minutes of the Western Plans Drainage District Committee held on 05 August 2021 be received and the recommendations therein adopted.

C21/489 Buckthought/Garrett **CARRIED**

RECEIPT: EASTERN PLAINS DRAINAGE DISTRICT COMMITTEE MINUTES - 05-08-21 - 3013962

**RESOLVED**

THAT the minutes of the Eastern Plans Drainage District Committee held on 05 August 2021 be received and the recommendations therein adopted.

C21/490 Buckthought/Garrett **CARRIED**

CHIEF EXECUTIVE MONTHLY COUNCIL REPORT AUGUST 2021 – 3016569

The Chief Executive presented his monthly activity report to August 2021. The report covered an update on recent staff changes and recruitment activity. Updates on the reviews of the 3 Waters, Resource Management and Future for Local Government review were given. A brief verbal report was given on Council’s response to the COVID-19 Level 4 lockdown.

**RESOLVED**

THAT the report be received.

C21/491 Adams/Milner **CARRIED**

Acknowledgement of Paula Trubshaw, Senior Communications Advisor

In light of the resignation of the Senior Communications Advisor, Paula Trubshaw, the Mayor requested that Paula be formally thanked and acknowledged for her commitment and valued contribution to Council's communications area over the period of her employment with Council.

**RESOLVED**

THAT Council formally acknowledge Senior Communications Advisor, Paula Trubshaw for her valued efforts and contribution to Council in her roles in both the Economic Development area and more recently her key role responsible for Council's communications.

C21/492

Milner/Adams

**CARRIED**

COMMUNITY DEVELOPMENT REPORT - JULY 2021 - 3016523

The Group Manager – Community Development presented the monthly Community Development activity report to July 2021.

**RESOLVED**

THAT the report be received.

C21/493

Milner/Smeaton

**CARRIED**

COMMUNITY LIBRARIES REPORT - Q4 2021 - 3016226

The Community Libraries Manager presented the quarterly District Libraries activity report to August 2021.

**RESOLVED**

THAT the report be received.

C21/494

Tilsley/Wilkinson

**CARRIED**

## **Reasons for 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:

<b>Item No.</b>	<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) Under Section 48(1) for the Passing of this Resolution</b>
<b>1</b>	Development Contribution Reconsideration - Fond Foods Ltd	<b>Section 7(2)(b)(i)</b> - 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 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.

C21/495

Wilkinson/Spicer

**CARRIED**

**CONFIDENTIAL BUSINESS**

*Resolutions in relation to the confidential items are recorded in the confidential section of these minutes and are not publicly available.*

**RESOLVED**

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

C21/499

Adams/Garrett

**CARRIED**

Karakia whakamutunga (open of meeting)

Cr Milner closed the meeting with a karakia at 2.13pm

CONFIRMED

D A Adams  
Mayor

15 September 2021