

Council

Open Minutes



Minutes of a meeting of Matamata-Piako District Council held in the Council Chambers, 35 Kenrick Street, TE AROHA on Wednesday 8 November 2017 at 9:15am.



Present

Mayor	Jan Barnes, JP	
Councillors	Donna Arnold	James Sainsbury
	Teena Cornes	Ash Tanner
	Neil Goodger	Kevin Tappin
	Brian Hunter	James Thomas, JP
	Peter Jager	Adrienne Wilcock

Also Present

Don McLeod	Chief Executive	
Caroline Hubbard	Committee Secretary	
Vicky Oosthoek	Acting Policy Planner	Item 10.2,10.4,10.5
Niall Baker	Acting Senior Planner	Item 10.3,10.4,10.5
Mark Naude	Parks & Property Planner	Item 10.3,10.4,10.5
Mark Hamilton	Environmental Policy Planner	Item 11.1
Ally van Kwijk	District Planner	Item 11.1
Dennis Bellamy	Group Manager Community Development	Item 11.1
Susanne Kampshof	Asset Manager Strategy & Policy	Item 11.1, 10.6
Heather McDonald	Asset Systems Team Leader	Item 10.6
Trudy Haines	Asset Systems Officer	Item 10.6

In Attendance

Rexine Hart	In at 9.27am, out at 11.24am
Charlie Norman	In at 10.45am, out at 11.15am
Adam Norman	In at 10.45am, out at 11.15am

1 Meeting Opening

Mayor Jan Barnes welcomed everyone and declared the meeting open at 9.15am

2 Apologies

That the apology from Cr P Cronin be accepted and leave of absence from the meeting be granted.

Moved by: Cr Donna C Arnold

Seconded by: Cr Adrienne Wilcock

CARRIED

3 Leave of absence

No leave of absence was requested.

4 Notification of Urgent Additional Business

To consider, and if thought fit, to pass a resolution to permit the Council to consider any further items which do not appear on the Agenda of this meeting and/or the meeting to be held with the public excluded.

Such resolution is required to be made pursuant to Section 46A(7) of the Local Government Official Information and Meetings Act 1987, and the Chairperson must advise:

- (i) The reason why the item was not on the Agenda, and
- (ii) The reason why the discussion of this item cannot be delayed until a subsequent meeting.

5 Declaration of interest

Members are reminded of their obligation to declare any conflicts of interest they might have in respect of the items on this Agenda.

6 Confirmation of minutes

COUNCIL RESOLUTION

That the minutes of the meeting of the Ordinary Meeting of Matamata-Piako District Council held on Wednesday, 11 October 2017, be confirmed as a true and correct record of the meeting.

Moved by: Cr Ash B Tanner

Seconded by: Cr Donna C Arnold

CARRIED

7 Matters Arising

8 Announcements

There were no announcements.

9 Notices of Motion

There were no notices of motion.

DECISION MAKING

10 Executive

10.1 Schedule of Meetings for 2018

Executive Summary

Council are asked to give consideration to the meeting cycle which best suits their needs.

The schedule outlined below follows a similar schedule to that used this year.

Council meet every 2nd Wednesday of the month.

Corporate and Operations Committee (COC) meet every 4th Wednesday of the month.

In April 2018 the COC meeting falls on Anzac Day - Council has the options to hold a meeting on Tuesday 24 April, Thursday 26 April or have no COC meeting in April. Council is also asked to consider whether two meetings are required in December; an option would be to hold the Council meeting on 12 December, and have no COC meeting that month.

MONTH	COUNCIL	CORPORATE & OPERATIONS
January 2018	No Meeting	No Meeting
February 2018	14 February	28 February
March 2018	*7 March (LTP draft adoption) 14 March	28 March
April 2018	11 April	**26 April
May 2018	9 May	23 May
June 2018	13 June 27 June (LTP and rates)	27 June
July 2018	11 July	25 July
August 2018	8 August	22 August
September 2018	12 September	26 September
October 2018	10 October	24 October
November 2018	14 November	28 November
December 2018	12 December	-----
	* 1 st Wednesday	**4 th Thursday

COUNCIL RESOLUTION

That:

1. The Council confirm and adopt its schedule of meetings for 2018.
2. Council rescind part of Item 10.5 resolution approved at the Council meeting 9 November 2016 and move the approved Council meeting from 6 December 2017 to the 13 December 2017 and remove the Corporate and Operations meeting scheduled for 13 December 2017.

Moved by: Cr Peter M Jager
Seconded by: Cr Neil C Goodger

CARRIED

10.2 Council Controlled Organisation Exemption for the Hauraki Rail Trail Charitable Trust

Executive Summary

The Hauraki Rail Trail Charitable Trust (the Trust) is the Governance entity for the cycleway known as the Hauraki Rail Trail (HRT). Currently the Trust is responsible for developing, managing and promoting the HRT, which is part of the New Zealand wide network of cycleways branded as Nga Haerenga.

The purpose of this report is to undertake the third review of the Hauraki Rail Trail Charitable Trust (Trust) from being a Council Controlled Organisation (CCO) under the Local Government Act 2002 (LGA) and determine if the exemption is still appropriate.

COUNCIL RESOLUTION

That:

1. the report be received, and
2. Council resolve that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provisions of Section 79 of that Act determines that it does not require further information prior to making a decision on this matter;
3. Council grant the Hauraki Rail Trail Charitable Trust an exemption from the Council-Controlled Organisation requirements of the Local Government Act 2002 under section 7(3) of that Act.
4. Noting Clause 13.1 of the Trust Deed creating The Hauraki Rail Trail Charitable Trust, “.....Within 2 months of the end of each Financial Year a meeting (“the annual meeting”) shall be called to;

Receive and consider the annual report and review the Board’s activities during the preceding year.”

Moved by: Cr Kevin Tappin
Seconded by: Cr Ash B Tanner

CARRIED

10.3 Maori Representation

Executive Summary

This report provides information detailing the process for establishing a Maori Ward in Matamata-Piako District and seeks a Council decision on whether to establish such a Ward. The body of the report sets out matters the Council may wish to take into account when considering its position.

The Local Electoral Act 2001 (Act) provides an opportunity for councils to establish Maori wards for the purpose of electing members. Those on the Maori electoral roll are entitled to vote for a Maori ward candidate.

Council can retain the current representation of the Council (subject to the representation review in 2018) and not introduce Maori Wards. Or, the Council can establish Maori Wards.

The establishment of Maori Wards can be achieved by a Council resolution or it as a result of a poll of electors. A poll can be initiated by a Council resolution or it can be demanded by five percent of electors. An option is for the council to initiate its own poll, for example in conjunction with the next triennial election, which will cost about \$34,000.

Five percent of electors equates to approximately 1,200 electors. The likelihood of 1,200 electors making a valid petition to demand a poll is unknown. If there was a valid petition, the cost of a poll would be in the order of \$38,000. The experience to date of other councils is that a poll generally overturns the council's resolution.

To take effect at the 2019 election a resolution to establish a Maori Ward would need to be made by 23 November 2017. If Council passes a resolution to establish one or more Maori Wards, a petition of five percent of electors may demand a poll on whether or not the Council should have Maori Wards.

Based on legal formula and the current number of Councillors, Council is entitled to one Councillor elected by a Maori ward. This member would be one of 11 Councillors (not including the mayor) and not an additional member. In order to meet the fair representation requirements in the Act (the +/- 10% rule) the overall representation arrangements would probably need to be modified to accommodate a Maori Ward by decreasing or increasing the numbers of general Ward Councillors.

Maori representation was discussed at the June and September 2017 meetings of the Te Mana Whenua Forum Mo Matamata Piako (Forum). The majority of Forum members support the creation of a Maori Ward. Members consider that whatever Council decide on the Maori Wards the Forum itself has continuing role as a representative body of mana whenua and a Maori Ward would not replace or be a substitute for the Forum.

Council signals a desire to build on the relationship with Iwi and staff to report back on options to involve Iwi in Council processes

Comments

Council signals a desire to build on the relationship with Iwi and staff to report back on options to involve Iwi in Council processes

COUNCIL RESOLUTION

That:

1. The information be received.
2. Council does not establish a Maori Ward in the Matamata-Piako District for the 2019 triennial general election.
3. Council does not establish a Maori Ward for the 2019 triennial election in view of:
 - The pending treaty settlements
 - The current review of the Te Manawhenua Forum Heads of Agreement
 - Development of Iwi participation agreements which are underway

Moved by: Cr Kevin Tappin
Seconded by: Cr Ash B Tanner

CARRIED

10.4 Waikato Plan Minutes of meeting held 18 September 2017

Executive Summary

The purpose of this report is to provide the minutes of a meeting of the Waikato Plan Leadership Group meeting on 18 September 2017. This was the first meeting of the newly formed Leadership Group.

COUNCIL RESOLUTION

That:

1. The information be received.
2. The budgeted contribution, \$35,873 to the Plan is confirmed.

Moved by: Cr James A F Thomas

Seconded by: Cr James P Sainsbury

CARRIED

10.5 Resource Consent Funding Application - Kaimai Ridgeway Trust - Te Whare Okioki Project

Executive Summary

An application for resource consent funding has been received from Kaimai Ridgeway Trust (KRT). KRT is seeking funding assistance to cover the costs of their resource consent application relating to construction of a hut (Te Whare Okioki backcountry hut) at the Ngamuwahine Shelter clearing in the southern Kaimai Range replacing the existing Ngamuwahine Shelter which is in poor condition. KRT lodged a resource consent application on 18 October 2017.

Matamata-Piako District Council (Council) has an annual fund of \$15,000 to contribute towards the Council related cost of processing resource consents for non-profit community organisations. This is the first application for the 2017/18 financial year so full annual budget of \$15,000 is available. Council Policy allows for funding of up to a maximum of \$5,000 (inclusive of GST if any) per application towards Council related costs of processing resource consents.

A copy of the Policy on Resource Consent Funding, previous applications and decisions summary and KRT application are attached to this report. Circulated separately are KRTs & DOCs Business Case, DOCs non-notified report, Kaimai Ridgeway Plan, site map and shelter photos, Ngati Hinerangi naming letter and letters of support. Council is asked to consider and make a decision on the funding application.

COUNCIL RESOLUTION

That:

1. The information is received.
2. Council considers the funding application from Kaimai Ridgeway Trust and decides to approve, up to \$5,000 including GST.

Moved by: Cr Ash B Tanner

Seconded by: Cr Adrienne J Wilcock

CARRIED

The meeting adjourned for morning tea at 10.10am and reconvened at 10.30am

10.6 Request for Special Assessment - Norman's Transport, Avenue Road North/Keith Camp Place

Executive Summary

Development contributions are a charge imposed on a developer by a council to recover some of the capital costs incurred by a council when providing infrastructure services for the development. This report seeks a decision from Council whether it wishes to enter into a special assessment process with the applicant, Normans Transport, to waive or reduce the amount of Development Contributions payable on the extension of their storage facilities.

Under the 2015-25 policy Council can make the decision as to whether a special assessment be undertaken for specific developments or whether the DC be upheld and the applicant can proceed with a reconsideration and/or objection process.

The applicant requests that the Water and Wastewater Development Contributions be waived or reduced. It also requests to waiver or reduce the Roding Development Contributions

Comments

Council determine whether to enter into a special assessment with Normans Transport to waiver or reduce the Development Contributions for Roding for the proposal to add a new storage shed at Avenue Road North/Keith Camp Place, Morrinsville. Additional information requested to determine original concept provided by developer and discussions with Council planners.

COUNCIL RESOLUTION

That:

1. Council receive the report; and
2. Council determine to waiver the Development Contributions for Water and Wastewater for the proposal to add a new storage shed at Avenue Road North/Keith Camp Place, Morrinsville and ensure the disconnection of the water and wastewater services as part of the previous amalgamation requirements.

Moved by: Cr Kevin Tappin

Seconded by: Cr Brian Hunter

CARRIED

This item was taken out of order and considered after Item 11.1 and before Item 12.1.

11 Community Development

11.1 State of the Environment Report 2016/17

Executive Summary

The Matamata-Piako District State of the Environment Report has been updated with 2016/17 information. Mark Hamilton was in attendance to give a presentation on the report.

COUNCIL RESOLUTION

That the report be received.

Moved by: Cr James P Sainsbury

Seconded by: Cr Adrienne J Wilcock

CARRIED

This item was taken out of order and considered after Item 10.5 and before item 10.6

INFORMATION ONLY

12 Executive

12.1 Mayoral Diary For October 2017

The Mayoral Diary for the period 1 October to 30 October is attached.

COUNCIL RESOLUTION

That the report be received.

Moved by: Mayor Jan E Barnes

Seconded by: Cr Ash B Tanner

CARRIED

13 Urgent Additional Business

There was no urgent additional business.

11.24 pm

The Chairperson thanked Members for their attendance and attention to business and declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD
AT A MEETING OF COUNCIL HELD ON

DATE: 13 December 2017

CHAIRPERSON:.....

J E Barnes, JP