Council

Open Minutes

Minutes of a meeting of Matamata-Piako District Council held in the Council Chambers, 35 Kenrick Street, TE AROHA on Wednesday 14 February 2018 at 9:15am.

Present

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

Apologies

Councillor	Teena Cornes
Councillor	James Thomas, JP

Also Present

Don McLeod	Chief Executive Officer	
Vicky Oosthoek	Committee Secretary	
Michelle Staines-Hawthorne	Corporate Strategy Manager	Item 10.1, 10.6
Niall Baker	Policy Planner	Item 10.2
Tania Scott	Customer Services Supervisor	Item 10.5
Manaia Te Wiata	Group Manager Business Support	Item 10.5
Dennis Bellamy	Group Manager Community Development	Item 10.5
Jennie Bethell	Customer Service Supervisor	Item 10.5
Michele Morrow	Senior Customer Services Advisor	Item 10.5
Sheree O'Brien	Customer Services Manager	Item 10.5
Norm Barton	Building Control Manager	Item 10.5
Mark Naude	Parks and Property Planner	Item 10.6
Ally van Kuijk	District Planner	Item 10.7, 10.8, 10.9 and 10.10
Mark Hamilton	Environmental Policy Planner	Item 10.7, 10.8, 10.9 and 10.10
Susanne Kampshof	Asset Manager Strategy and Policy	Item 11
Fiona Vessey	Group Manager Service Delivery	Item 11

In Attendance

Claire Ashton	Community	In at 9.15am Out at 9.48am
Rexine Hawes	Press – Fairfax Media	In at 9.33am Out at 11.50

1 Meeting Opening

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

2 Apologies

That the apologies from Cr Teena Cornes and Cr James Thomas be accepted and leave of absence from the meeting be granted.

Moved by: Cr Donna Arnold
Seconded by: Cr Ash Tanner **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.

Item 11.1 New Zealand Transport Agency - Highway issues

Moved by: Cr Paul Cronin
Seconded by: Cr Ash Tanner **CARRIED**

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, 13 December 2017, be confirmed as a true and correct record of the meeting.

Moved by: Cr Adrienne Wilcock
Seconded by: Cr Donna Arnold

CARRIED

7 Matters Arising

There were no matters arising.

8 Announcements

There were no announcements.

9 Notices of Motion

There were no notices of motion.

DECISION MAKING

10 Executive

10.1 Hauraki Rail Trail - Funding Agreement

Executive Summary
This report is to update Council on the progress made in developing a new Hauraki Rail Trail funding agreement between the Hauraki Rail Trail Charitable Trust and the settlor councils (Hauraki District, Thames-Coromandel District and Matamata-Piako District councils). The Trust will present its three year business case to the Council at a future meeting.

Council is a stakeholder and funder for the Hauraki Rail Trail with the Hauraki District Council and Thames Coromandel District Council. The trail is managed by the Hauraki Rail Trail Charitable Trust. Council's operational funding for the trail has previously been determined by way of an underwriting agreement. There are two substantial extensions underway or proposed for the trail.

In 2016 it was considered appropriate to review the underwriting agreement to take account of the trail extensions.

COUNCIL RESOLUTION

That:

1. **That the report be received.**
2. **That Council provides feedback to staff to continue to undertake negotiations with the settlor councils and the Hauraki Rail Trail Charitable Trust on the Funding Agreement.**

Moved by: **Cr Neil Goodger**
Seconded by: **Cr Adrienne Wilcock**

CARRIED

10.2 Regional Theatre - Regional Council Targeted Rate

Executive Summary
Council feedback is sought in relation to the Waikato Regional Theatre Proposal funding option of a Regional Council targeted rate that has been considered by the Waikato Regional Council. A response from Council is requested by 18 February 2018.

Momentum Waikato Community Foundation (Momentum Waikato) has requested for the 'Waikato Regional Theatre' proposal (the proposal), requesting $5 million from Waikato Regional Council towards the $72.9 million capital cost of the project on the assumption Hamilton City Council contributes $25 million, and requesting an additional $300,000 for operating costs (starting year 3 of the LTP 2018-28) through the Community Facilities Funding framework approved by the Waikato Mayoral Forum.

The proposed Regional Council targeted rate model is based upon collecting the majority of the funding via a Regional Council targeted rate from Hamilton, Waipa, Waikato and Matamata-Piako District Council ratepayers which are considered to be the primary beneficiaries.

A copy of the letter from Waikato Regional Council is attached to this report which includes a brief summary of the proposal. A copy of the report to Waikato Regional Council and Regional Community Facilities Funding Framework is also attached.

COUNCIL RESOLUTION

That:

1. **The information be received.**
2. **Council confirms its response to the proposed 'Waikato Regional Theatre' Regional Council targeted rate as follows:**
   a) **Council supports the proposed targeted rate for capital works only, as it will be a regional facility.**
   b) **The capital works targeted rate should be apportioned evenly across the region.**
   c) **Operational costs should not be levied through a targeted rate on regional ratepayers.**

Moved by: Cr Adrienne Wilcock
Seconded by: Cr Brian Hunter

CARRIED

Cr Ash Tanner and Cr Kevin Tappin voted against the motion.

10.3 Te Manawhenua Forum Membership

Executive Summary

This report is to advise Council that:

- Shelley Turner will no longer be the alternate member for Ngati Rahiri-Tumutumu; and
- Weka Pene will no longer be the alternate for Ngati Haua

on Te Manawhenua Forum mo Matamata-Piako. Neither Iwi have advised of a replacement yet.

COUNCIL RESOLUTION

That:

1. The information be received.

Moved by: Cr Ash Tanner
Seconded by: Cr Peter Jager

CARRIED

10.4 Documents Executed Under Seal

Executive Summary

The schedule of documents executed under Council Seal is attached.

COUNCIL RESOLUTION

That the report of the schedule of documents executed under Council Seal December 2017 and January 2018 be received.

Moved by: **Cr Kevin Tappin**
Seconded by: **Cr Neil Goodger**

CARRIED

10.5 Staff Long Service Presentation

Executive Summary

There will be a presentation to Tania Scott for 25 years' service at 10.15am.

COUNCIL RESOLUTION

That:

1. The information be received and Council congratulates Tania Scott on 25 years of service.

Moved by: Cr Donna Arnold
Seconded by: Cr Paul Cronin

CARRIED

The meeting adjourned for morning tea at 10.35am and reconvened at 11.10am.

10.6 Power Co - Easement Request - Centennial Drive, Matamata

Executive Summary

Council has received a request from Power Co. to grant an easement for electricity over land owned by Council in Matamata, as shown on the survey plan, maps and certificates of title attached to this report. The land is the Centennial Drive reserve.

COUNCIL RESOLUTION

That:

1. **The information be received.**
2. **Council resolve to grant an easement to Power Co. over Centennial Drive Reserve.**
3. **Council resolves to classify Centennial Reserve as Recreation Reserve in terms of Section 16 of the Reserves Act 1977.**

Moved by: Cr Brian Hunter
Seconded by: Cr Ash Tanner

CARRIED

10.7 Proposed Private Plan Change 50 - Hobbiton Movie Set Development Concept Plan

Executive Summary

Proposed Private Plan Change 50 – Hobbiton Movie Set Development Concept Plan has been proposed by Rings Scenic Tours ("RST"). The Plan Change seeks to "overlay" the site's current zoning with a customised Development Concept Plan ("DCP"). Under the proposed DCP, expansion of the site will be subject to site-specific development controls that reflect the actual activity and the management of its effects, rather than to rely on the more generic underlying zoning controls and the resource consents process.

The plan change application sets out the proposed DCP, as well as the background to the proposed plan change, including the Section 32 assessment.

Planning staff assisted by external planning consultant Marius Rademeyer have reviewed the plan change application under the statutory requirements.

The attached report summarises staff's review and recommends that Council accepts the plan change request for public notification.

COUNCIL RESOLUTION

That:

1) **Council resolves to accept "Proposed (Private) Plan Change 50 – Hobbiton Movie Set Development Concept Plan" in accordance with clause 25(2)(b) of Part 2 of Schedule 1 of the Resource Management Act 1991.**

2) **Council resolves to publicly notify "Proposed (Private) Plan Change 50 – Hobbiton Movie Set Development Concept Plan" for submissions in accordance with clause 26 of Part 2 of Schedule 1 of the Resource Management Act 1991, as soon as practicable.**

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

CARRIED

10.8 Proposed Private Plan Change 52 - Development Concept Plan Milk Processing Factory, SH 26, Tatuanui

Executive Summary

Proposed Private Plan Change 52 - Milk Processing Factory, SH 26, Tatuanui has been proposed by Tatua Cooperative Dairy Company Ltd (Tatua). The Plan Change seeks to update the site's current Development Concept Plan ("DCP"), which was introduced in 1996, with a revised DCP to cater for growth in operations at the site. Under the proposed DCP, expansion of the site will be subject to site-specific development controls that reflect the actual activity and the management of its effects, rather than to rely on the more generic underlying zoning controls and the resource consents process.

The plan change application sets out the proposed DCP, as well as the background to the proposed plan change, including the Section 32 assessment.

Planning staff assisted by external planning consultant Marius Rademeyer have reviewed the plan change application under the statutory requirements.

The attached report summarises staff's review and recommends that Council accepts the plan change request for public notification.

COUNCIL RESOLUTION

That:

1. **Council resolves to accept "Proposed (Private) Plan Change 52 – Milk Processing Factory, SH26, Tatuanui" in accordance with clause 25(2)(b) of Part 2 of Schedule 1 of the Resource Management Act 1991.**

2. **Council resolves to publicly notify "Proposed (Private) Plan Change 52 – Milk Processing Factory, SH26, Tatuanui" for submissions in accordance with clause 26 of Part 2 of Schedule 1 of the Resource Management Act 1991, as soon as practicable.**

Moved by: **Cr James Sainsbury**
Seconded by: **Cr Paul Cronin**

CARRIED

Cr Donna Arnold declared a Conflict of Interest and took no part in the discussion or voting on this report.

10.9 Plan Change 47 - Plan Your Town: Part decision

Executive Summary

Plan Change 47 reviews the parts of the District Plan relating to the planning rules and zoning for each of our three towns and the areas around them. Following public notification, and prior to the public hearing in May 2017, the Plan Change was divided into two parts to allow the majority of the plan change to progress while a smaller portion underwent further work. The majority of Plan Change 47 was heard at the hearing in May 2017 while the balance, the proposed rezoning at Horrell and Kuranui Roads was deferred while Council worked with the New Zealand Transport Agency.

The proposed rezoning at Horrell Road was withdrawn in December 2017 and consensus has now been reached with the Transport Agency about Kuranui Road. Council have now completed discussions and no submitters wish to be heard in relation to Kuranui Road. A Council resolution is now sought for a decision on this part of Plan Change 47.

Council, in accordance with clause 10 of Schedule 1 of the Resource Management Act 1991, needs to make a decision on the provisions of the proposed plan change and on the matters raised in submissions. This decision once notified will then be subject to a 30 working day appeal period. Should no appeals be received, the plan change can then be made operative by Council.

COUNCIL RESOLUTION

That:

1. **Pursuant to Clause 10 of Schedule 1 of the Resource Management Act 1991, Council accept the part of Plan Change 47, as relates to Kuranui Road:**
   - **for the reasons outlined in the Decision Report; and**
   - **accept or reject the submissions received as outlined in Part 4.5 of the Decision Report.**

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

CARRIED

Cr Neil Goodger declared a Conflict of Interest and took no part in the discussion or voting on this report.

10.10 Plan Change 47 - Plan Your Town. Request to make plan change part-operative.

Executive Summary

Plan Change 47 reviews the parts of the District Plan relating to the planning rules and zoning for each of our three towns and the areas around them. Following public notification and prior to the hearing, Plan Change 47 was divided into two parts to allow the majority of the plan change to progress while a smaller portion underwent further work. The majority of Plan Change 47 was heard at a Council hearing while the balance of the proposed rezoning was deferred while Council worked with the New Zealand Transport Agency.

The appeal period closed with only one appeal received, from Calcutta Farms Limited, for proposed rezoning in the Banks Road area. Given that the area under appeal can be clearly demarcated, a Council resolution is now sought for a decision to make the rest of Plan Change 47 operative, with the exception of Kuranui Road.

COUNCIL RESOLUTION

That:

1. **Pursuant to Clause 17 of Schedule 1 of the Resource Management Act 1991, Plan Change 47 is approved in part, (excluding Kuranui Road, and the Banks Road Appeal area) sealed with the seal of Council, and signed by the Mayor and Chief Executive Officer.**
2. **Pursuant to Clause 20 of Schedule 1 of the Resource Management Act 1991, Plan Change 47 becomes operative, in part, on 6th April 2018.**

Moved by: **Cr Adrienne Wilcock**
Seconded by: **Cr Donna Arnold**

CARRIED

Cr Neil Goodger declared a Conflict of Interest and took no part in the discussion or voting on this report.

INFORMATION ONLY

11 Urgent Additional Business

11.1 New Zealand Transport Agency - Highway issues

Councillor Paul Cronin raised additional business with regard to article published in the Piako Post Wednesday 14th February 2018 on State Highway at Ngarua.

COUNCIL RESOLUTION

That:

1. **Council ask staff draft a response to the newspaper article.**
2. **Council invite a representative from New Zealand Transport Agency to come and speak to Council about issues across the district.**

Moved by: Cr Paul Cronin
Seconded by: Cr Brian Hunter

CARRIED

11.50am 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: 7 March 2018

CHAIRPERSON:.....

Janet E Barnes, JP