

MINUTES	MEETING	TIME
<b>COUNCIL</b>	<b>THURSDAY 20 AUGUST 2020</b>	<b>8:30 AM</b>

Minutes of a meeting of the Council held on Thursday 20 August 2020, commencing at 8:30am in the Manawatū District Council Chambers, 135 Manchester Street, Feilding.

<b>PRESENT:</b>	Mayor Helen Worboys	(Chairperson)
	Cr Steve Bielski	
	Cr Stuart Campbell	
	Cr Shane Casey	
	Cr Michael Ford	
	Cr Heather Gee-Taylor	
	Cr Grant Hadfield	
	Cr Hilary Humphrey	
	Cr Phil Marsh	
	Cr Andrew Quarrie	
	Cr Alison Short	
 <b>IN ATTENDANCE:</b>		
	Richard Templer	(Chief Executive)
	Shayne Harris	(General Manager – Corporate and Regulatory)
	Hamish Waugh	(General Manager - Infrastructure)
	Brent Limmer	(General Manager – Community and Strategy)
	Frances Smorti	(General Manager – People and Culture)
	Rebecca Bell	(Strategy Manager)
	Catherine Knight	(Senior Policy Adviser)
	Michael Hawker	(Project Delivery Manager)
	Mathew Bayliss	(Community Facilities Manager)
	Carl Johnstone	(Parks and Property Team Leader)
	John Jones	(Roading Manager)
	Jo Botha	(Maintenance and Operations Manager)
	Georgia Etheridge	(Policy Adviser)
	Brittney Evans	(Corporate Projects Adviser)
	Stacey Eagle	(Community and Strategy Support Officer)
	Karel Boakes	(Regulatory Manager)
	Andrew Royds	(Compliance and Monitoring Officer)
	Allie Dunn	(Governance Team Leader)
	Steph Skinner	(Governance Officer)

#### MDC 20/372 MEETING OPENING

Her Worship the Mayor opened the meeting.

#### MDC 20/373 APOLOGIES

##### **RESOLVED**

**That the apology for early departure from Councillor Alison Short be approved.**

**Moved by: Councillor Michael Ford**

**Seconded by: Councillor Shane Casey**

##### **CARRIED**

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#### MDC 20/374 REQUESTS FOR LEAVE OF ABSENCE

##### **RESOLVED**

**That Councillor Hilary Humphrey be granted leave of absence for 24 September 2020 and 20-22 October 2020.**

**Moved by: Councillor Michael Ford**

**Seconded by: Councillor Phil Marsh**

##### **CARRIED**

#### MDC 20/375 CONFIRMATION OF MINUTES

##### **RESOLVED**

**That the minutes of the Council meeting held 6 August 2020 and the extraordinary Council meeting held 30 July 2020 be adopted as a true and correct record.**

**Moved by: Councillor Michael Ford**

**Seconded by: Councillor Heather Gee-Taylor**

##### **CARRIED**

#### MDC 20/376 DECLARATIONS OF INTEREST

Councillor Hilary Humphrey – Public Excluded Item 4 – Manchester House Request for Additional Funding

Councillor Heather Gee-Taylor – Public Excluded Item 4 – Manchester House Request for Additional Funding

Her Worship the Mayor and Councillors Short, Bielski and Ford noted that although not a conflict of interest, they made donations to Manchester House during the year.

The General Manager – Community and Strategy noted that he was a member of the Community Development Assessment Panel with Councillors Humphrey and Gee-Taylor.

#### MDC 20/377 PUBLIC FORUM - SANSON BACK STREETS

Del Parker and Sanson residents attended the meeting to speak about issues affecting Sanson, including heavy traffic on Sanson back streets.

Grant McGaughey, Chairperson of the Sanson Community Committee, noted that the Community Committee were in favour of the submission from Del Parker circulated to Councillors in June 2020, expressing concern about heavy traffic using the Sanson back streets to avoid using the junction intersection at State Highway One in Sanson.

Del Parker outlined her concerns regarding the junction corner of State Highway One in Sanson. She spoke about the issues caused by heavy traffic using Cemetery Road and

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Hedges Street as a detour to avoid that intersection, and expressed concern that the traffic may get heavier with the future expansion of Ohakea.

She also noted the narrowness of streets and open drains, and lack of footpaths and advised that she believed the Council needed to address those issues. She compared Sanson to Feilding and noted that Sanson streets needed footpaths and curb and channelling.

Sydney Lankshear expressed his concern regarding the following three points:

- The new water scheme had not improved the quality of the water provided, noting deposits were still forming on tapware;
- Single lane roads being used by heavy transport avoiding the state highway intersection, with exhaust braking being used outside houses;
- Drainage improvements needed for stormwater.

Pam Workman circulated a photograph of Hedges Street taken from her gate that showed the state of the road edge being damaged by vehicles needing to move over to make way for oncoming traffic.

Donny Wilson outlined her concerns with the poor drainage affecting her property on the corner of Cemetery Road and Hedges Street. She also spoke about her concerns from cars speeding in that area, and noted her house had been hit twice by vehicles not making the corner.

#### MDC 20/378 PUBLIC FORUM - JAMES BEARD

James Beard was not able to attend the meeting to speak in public forum.

#### MDC 20/379 PRESENTATIONS

There were no presentations scheduled for this meeting.

#### MDC 20/380 NOTIFICATION OF LATE ITEMS

There were no late items of business notified for consideration.

#### MDC 20/381 RECOMMENDATIONS FROM COMMITTEES

There were no recommendations from committees.

#### MDC 20/382 MINUTES OTHER COMMITTEES – FOR INFORMATION

The draft minutes of Ngā Manu Tāiko Manawatū District Council meeting held 11 August 2020 and the Audit And Risk Committee meeting held 13 August 2020 were circulated for information.

#### MDC 20/383 DRAFT CEMETERIES MANAGEMENT STRATEGY – ADOPTION FOR CONSULTATION

Report of the General Manager – Community and Strategy dated 3 August 2020 presenting the draft Cemeteries Management Strategy for public consultation.

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**RESOLVED**

- 1. That the Council receives the report on the draft Cemeteries Management Strategy for public consultation.**
- 2. That the Council adopts the draft Cemeteries Management Strategy for public consultation.**

**Moved by: Councillor Heather Gee-Taylor**

**Seconded by: Councillor Shane Casey**

**CARRIED**

**MDC 20/384 STOCK MOVEMENT AND GRAZING BYLAW DELIBERATIONS REPORT**

Report of the General Manager – Community and Strategy dated 1 August 2020 seeking consideration of the oral and written submissions received on the draft Stock Movement and Grazing Bylaw and the Stock Underpass Policy. The Senior Policy Adviser gave a presentation that set out the recommended changes for the bylaw and policy, and explained the rationale for the proposed changes.

*Councillor Short left the meeting at 9:15am.*

The following matters were raised in discussion:

- The source of the requirements for droving, with it being noted that the minimum requirements were set by New Zealand Transport Authority;
- Whether the Council could simply require people to follow industry best practice, rather than implementing a bylaw, with it being advised that if the Council did not follow New Zealand Transport Authority guidelines it could leave Council at risk of liability should an accident occur;
- Clarification of the legislative basis, which was noted as being the Land Transport Act 1998;
- Request not to create additional obstacles for farmers;
- Clarification around legal requirement for farmers regarding the Health and Safety at Work Act 2015 and whether a bylaw could just enforce New Zealand Transport Authority and Worksafe requirements.

Following discussion a motion was proposed to withdraw the draft Stock Movement and Grazing Bylaw and consider stock movement and droving as part of the review of the 2015 Traffic Safety Bylaw. It was noted that if the proposed bylaw was withdrawn, officers would need to provide further advice on the implications for Council, and would also need to seek direction from Council on the way forward.

**RESOLVED**

**That the Council withdraws the draft Stock Movement and Grazing Bylaw and further considers stock movement and grazing as part of the review of the Traffic Safety and Road Use Bylaw 2015.**

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**Moved by: Councillor Stuart Campbell**

**Seconded by: Councillor Grant Hadfield**

**CARRIED**

***Councillors Humphrey and Bielski recorded their votes against the motion***

*The meeting adjourned at 9:55am and reconvened at 9:59am. Councillor Gee-Taylor left the meeting at 9:55am.*

#### MDC 20/385 MANGAWEKA BRIDGE REPLACEMENT TENDER AWARD

Report of the General Manager – Infrastructure dated 29 July 2020 seeking approval to award Contract MP1068-3 Mangaweka Bridge Replacement for the construction of a new bridge over the Rangitikei River near Mangaweka.

*Councillor Gee-Taylor returned to the meeting at 10:00am.*

It was noted that approval would be sought from Rangitikei District Council at their next Council meeting, with the tender not being awarded until both Councils had given their approval.

**RESOLVED**

- 1. That the Council awards Contract MP1068-3 Mangaweka Bridge Replacement to Emmetts Civil Construction Limited, Stringfellows Contracting Limited, and Dempsey Wood Civil Limited for the sum of Seven Million, and Nine Hundred Thousand Dollars (excl GST).**
- 2. That the Council notes that this amount includes a 16% contingency, which can be utilised only upon the Engineer's approval.**
- 3. That the Council notes the cost of construction will be shared equally between the Manawatū and Rangitikei District Councils.**

**Moved by: Councillor Steve Bielski**

**Seconded by: Councillor Michael Ford**

**CARRIED**

#### MDC 20/386 SCHEDULE OF MEETINGS 2021

Report of the General Manager – Corporate and Regulatory dated 14 July 2020 presenting for adoption the proposed schedule of meetings for the 2021 calendar year. An amended schedule of meetings was circulated, proposing to schedule the bi-monthly Community Development Committee meetings in 2021 starting in February 2021, rather than March 2021.

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**RESOLVED**

**That the Council adopts the 2021 meeting calendar as set out in the amended Appendix 1 to the report of the General Manager - Corporate and Regulatory dated 14 July 2020.**

**Moved by: Councillor Michael Ford**

**Seconded by: Her Worship the Mayor**

**CARRIED**

**MOVED**

That the Council be in recess for the period 3 July 2021 to 18 July 2021.

Moved by: Councillor Hilary Humphrey

Seconded by: Councillor Shane Casey

**LOST**

**MDC 20/387 MINUTES FROM COMMUNITY COMMITTEES**

Report of the General Manager – Community and Strategy dated 29 July 2020 presenting minutes from recent meetings of Community Committees for information.

**RESOLVED**

**That the Council receives the minutes of the Community Committees' meetings.**

**Moved by: Councillor Grant Hadfield**

**Seconded by: Councillor Heather Gee-Taylor**

**CARRIED**

**MDC 20/388 CONSIDERATION OF LATE ITEMS**

There were no late items notified for consideration.

**MDC 20/389 PUBLIC EXCLUDED BUSINESS**

**RESOLVED**

**That the public be excluded from the following parts of the proceedings of this meeting, namely:**

- a) **Confirmation of minutes**
- b) **Draft Minutes from Audit and Risk Committee for information**
- c) **Manchester House – Request for Additional Funding**
- d) **Three Waters Reform Memorandum of Understanding and Funding Agreement**

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That 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:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Grounds under Section 48(1) for the passing of this resolution
a) Confirmation of minutes re Council Building Project – Strengthening and Modernisation Options and Manawatu Wastewater Centralisation Project – Mt Stewart Road Intersection.	Section 7(2)(h) – enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities and Section 7(2)(i) – Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Section 48(1)(a) - the public conduct of the relevant part of the proceedings would be likely to result in a disclosure of information for which good reason for withholding that information would exist, under Section 7 of the Local Government Official Information and Meetings Act 1987.
b) Draft minutes from Audit and Risk Committee for information	Section 7(2)(i) - enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	As above.
c) Manchester House – Request for Additional Funding	Section 7(2)(a) – to protect the privacy of natural persons, including that of deceased natural persons; and Section 7(2)(f)(ii) – to maintain the effective conduct of public affairs through the protection of such members, officers, employees, and persons from improper pressure or harassment.	As above.
d) Three Waters Reform Memorandum of Understanding and Funding Agreements	Section 7(2)(h) Enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities.	As above.

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This resolution is made in reliance on Section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interests protected by Section 6 or Section 7 of the Act which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public as specified above.

Moved by: Her Worship the Mayor

Seconded by: Councillor Michael Ford

**CARRIED**

*The meeting went into public excluded session at 10:31am. For items MDC 20/390 to MDC 20/395 refer to public excluded proceedings. The meeting returned to open session at 11:44am.*

**MDC 20/396 RESOLUTIONS CONFIRMED IN OPEN SESSION**

The following public excluded resolutions were confirmed in open session:

MDC 20/393 MANCHESTER HOUSE – REQUEST FOR ADDITIONAL FUNDING

**RESOLVED**

**That the Council approves the request of Manchester House for \$45,000 in additional funding for the 2020/21 and 2021/22 financial years.**

MDC 20/394 THREE WATERS REFORM - MEMORANDUM OF UNDERSTANDING AND FUNDING AGREEMENTS

**RESOLVED**

**That the Council:**

**Notes that:**

- Central Government has commenced a three-year programme of reform of local government water services delivery arrangements; and
- Central Government has announced an initial funding package of \$761 million to provide a post COVID-19 stimulus to maintain and improve water networks infrastructure
- Initial funding will be made available to those councils that agree to participate in the initial stage of the reform programme, through a Memorandum of Understanding (MoU), Funding Agreement, and approved Delivery Plan.
- The MoU and Funding Agreement cannot be amended or modified by either party, and doing so would void these documents.

**Agrees:**

- To sign the MoU at Attachment A and Funding Agreement at Attachment B.
- To nominate the Chief Executive of the Council as the primary point of communication for the purposes of the MoU and reform programme – as referred to on page 6 of the MoU.



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- To approve for submission to Crown Infrastructure Partners the attached Delivery Plan.

**Notes in addition:**

- That participation in this initial stage is to be undertaken in good faith, but this is a non-binding approach, and the Council can opt out of the reform process at the end of the term of the agreement.
- That the allocation of regional funding to the Council will be based upon the formula used to calculate the direct council allocations.
- That participation by two-thirds of territorial authorities within the Horizons region to access the regional allocation has been agreed.
- That the Council has been allocated five million, and eighty thousand dollars (\$5,080,000) of funding, which will be received as a grant as soon as practicable once the signed MoU and Funding Agreement are returned to the Department of Internal Affairs, and a Delivery Plan has been supplied and approved.

**MDC 20/397 MEETING CLOSURE**

The meeting was declared closed at 11:45am.