



Otorohanga District Council

MINUTES

2 March 2015

OTOROHANGA DISTRICT COUNCIL

2 March 2015

Minutes of a special meeting of the Otorohanga District Council held in the Otorohanga Club, Maniapoto St, Otorohanga on Monday 2 March commencing at 6.55pm.

MINUTES

Minutes are unconfirmed and subject to amendment at the next meeting of Council.

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PRESENT

Mr MM Baxter (Mayor), Crs RM Johnson, KC Phillips, DM Pilkington (Deputy Mayor), RJ Prescott, PD Tindle and AJ Williams.

IN ATTENDANCE

Messrs DC Clibbery (Chief Executive & Engineering Manager).

APOLOGY

Resolved that the apology received from Cr RA Klos be sustained.

His Worship / Cr Prescott

His Worship declared the meeting open.

REPORTS

Item 179 WAIKATO PLAN

Discussion

The Chief Executive presented the report 'Waikato Plan: Appointment of 5th Non-Local Government member and minor amendments to the Waikato Plan Terms of Reference' (Report attached below).

Resolved

That pursuant to clause 30 of Schedule 7 of the Local Government Act 2002, Otorohanga District Council resolves:

1. To appoint Mark Ingle as the 5th non-local government member of the Waikato Plan Joint Committee.
2. To amend the following section 3.1 of the Terms of Reference for the Waikato Plan Joint Committee in respect of the interest of Maori:

from

At least one of the five non-Local Government Members must be a suitable person to represent the interests of Māori.

to

At least one of the five non-Local Government Members must be a suitable person to provide a perspective on the interests of Māori.

Cr Prescott / Cr Phillips

MEETING CLOSED

The meeting concluded at 7.00pm.

MAYOR:

DATE: 17 March 2015

Item 179 **WAIKATO PLAN REPORT**

To: **His Worship the Mayor & Councillors
Otorohanga District Council**

From: **Chief Executive**

Date: **2 March 2015 – Special Meeting**

Relevant Community Outcomes

- Ensure services and facilities meet the needs of the Community
 - Provide for the unique history and culture of the District
 - Promote the local economy and opportunities for sustainable economic development
 - Manage the natural and physical environment in a sustainable manner
 - Foster an involved and engaged Community
 - Protect the special character of our harbours and their catchments
 - Recognise the importance of the Districts rural character
-

Executive Summary

The purpose of this report is to:

1. Seek Council approval for the nomination of Mark Ingle as the 5th non-local government representative on the Waikato Plan Joint Committee; and
2. Seek Council approval for minor amendments to the Terms of Reference for the Waikato Plan Joint Committee. The changes relate to the role of the non-local government member selected to provide a perspective on the interests of Māori.

Staff Recommendation

It is recommended:

That Pursuant to clause 30 of Schedule 7 of the Local Government Act 2002, Otorohanga District Council resolves:

1. To appoint Mark Ingle as the 5th non-local government member of the Waikato Plan Joint Committee.
2. To amend the following section 3.1 of the Terms of Reference for the Waikato Plan Joint Committee in respect of the interest of Maori:

from

At least one of the five non-Local Government Members must be a suitable person to represent the interests of Māori.

to

At least one of the five non-Local Government Members must be a suitable person to provide a perspective on the interests of Māori.

Report Discussion

Council has previously confirmed its commitment to progress with a Waikato Plan, and has approved a terms of reference for the Waikato Plan Joint Committee.

Features of the terms of reference include:

1. A membership representative of each participating local authority; and
2. Appointment of five non-local government members, one of whom must represent the interests of Maori.

Appointment of Mark Ingle to Joint Committee

Council has previously received and approved the nomination of the following non-local government members:

- Margaret Devlin
- Michael Spaans
- Bev Gatenby
- Steven Wilson
- Professor Iain White

Since that time, Professor White has had to withdraw his membership of the Joint Committee due to increased work commitments.

At their November meeting, the Joint Committee received a nomination of Mark Ingle as the 5th non-local government member.

Mark has an extensive range of governance experience and his current governance portfolio includes Director of Midlands Health Network Ltd, Chairman WEL Energy Trust and Boathouse Events Limited, and Trustee of Te Awa Great River Ride Charitable Trust. Mark is a member of the New Zealand Institute of Directors, and has a Bachelor of Management Studies with a major in accounting.

Mark's Governance CV is provided in Attachment A for information.

Mark's nomination is recommended to Council for approval.

Amendments to Terms of Reference

The Joint Committee operates under a terms of reference approved by all participating Councils that includes a statement that:

At least one of the five non-Local Government Members must be a suitable person to represent the interests of Māori.

At the November meeting of the Joint Committee, concerns were expressed by Steven Wilson (non-local government appointee) that the current wording is unlikely to be acceptable to Iwi/Māori, and the terms of reference should be amended to state:

At least one of the five non-Local Government Members must be a suitable person to provide a perspective on the interests of Māori.

The Joint Committee do not consider this change will make a material difference to the outcome of the Waikato Plan.

This change has been approved by the Joint Committee and it is recommended that participating Councils confirm this change to the terms of reference.

Conclusion

The Waikato Plan Joint Committee Terms of Reference requires five non-local government members be appointed. The Joint Committee consider that Mark Ingle is very suitable for this role and recommends his appointment to the participating councils.

The Iwi/Maori representative on the Joint Committee is seeking a minor wording change to the terms of reference to ensure greater clarity in relation to his role on the Joint Committee. The Joint Committee consider this to be a minor amendment that will not materially change

the outcome of the Waikato Plan, and recommends this change be approved by the participating councils

DC Clibbery
CHIEF EXECUTIVE

Terms of Reference for the Waikato Spatial Plan Joint Committee

Approved by all participating local authorities 30 June 2014.

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1) Objectives of the Waikato Spatial Plan Joint Committee

This is a Committee established to govern, lead and resource the development and recommendation to adopt the Waikato Spatial Plan ("WSP") to Councils within the Waikato region.

The primary objective of the WSP itself is "to contribute to the Waikato's social, economic, environmental and cultural well-being through a comprehensive and effective long-term (30 year) strategy for Waikato's growth and development."

2) Specific Responsibilities of the Waikato Spatial Plan Joint Committee

Subject to the delegations set out in clause 6 below, the Committee's responsibilities include:

- a) To oversee the ongoing selection and recommendation of five (5) non-Local Government Members for appointment to the WSP Joint Committee.
- b) Stage 1 of the development of the WSP (common evidence base within the region) has already been completed.
- c) On behalf of all the Councils of the Waikato Region to take responsibility for overall guidance on and further development of the WRSP including the following stages, noting that Stage 1 is complete:
 - i. WSP : Stage 2 – Fill knowledge and research gaps
 - ii. WSP : Stage 3 – Community engagement on key issues
 - iii. WSP : Stage 4 – Plan formation and engagement
 - iv. WSP : Stage 5 – Special Consultative process, including hearings
 - v. WSP : Stage 6 – Consideration and adoption.
- d) For the avoidance of doubt the Committee does not have any specific role or responsibility in relation to the practical and detailed implementation of the WRSP. This is a matter that will be determined by the Councils at the appropriate time.

3) Membership

3.1 Quantum of Members

The membership will be 15 persons in total, made up and appointed by the Committee (from time to time), as follows:

Ten Local Government Members

One member nominated by each of the following constituent Local Authorities within the Region – namely Waikato Regional Council, Hamilton City Council, Hauraki District Council, Matamata-Piako District Council, Otorohanga District

Council, South Waikato District Council, Taupo District Council, Waikato District Council, Waipa District Council, and Waitomo District Council.

The Local Government Members may be replaced from time to time by the respective Local Authorities providing written notice to the Committee confirming the amended nomination.

Five Non-Local Government Members

Five non-Local Government Members, recommended by the ten Local Government Members, appointed on the basis of skills, experience, standing and networks in the regional community relevant to the goals of the WSP.

At least one of the five non-Local Government Members must be a suitable person to ~~represent~~ **provide a perspective on** the interests of Māori.

Local Government Members as Invited Observers

The two Local Authorities without specific membership are Thames-Coromandel District Council and Rotorua District Council. These Councils can nominate one member as invited observers at the discretion of the Joint Committee and subject to any limitations that the Joint Committee consider appropriate.

3.2 Chairperson

Appointment of the Chairperson and deputy to be determined by the full Committee when all 15 members have been appointed.

The Chairperson must be one of the five non-Local Government members.

3.3 Quorum

Must include the Chairperson or deputy Chairperson of the Committee and at least 50% of the remaining membership.

3.4 Alternates

Each of the Councils is entitled to appoint an alternate member who may attend and vote at meetings of the Committee, but only in the event that the nominated and appointed member is unable to do so.

3.5 Remuneration

Each Council shall be responsible for remunerating its representative on the Committee for the cost of that person's participation in the Committee.

The remuneration of the non-Local Government Members will be determined and approved by the Councils, following consideration of any recommendation by the Committee.

3.6 Term of Appointment

The initial ten Local Government Members shall be appointed for terms that expire on the date of each Local Government triennial election.

The subsequent Local Government Members shall be appointed in accordance with the process set out above as soon as possible after each Local Government triennial election, and for a term that expires on the date of the next Local Government triennial election.

The initial five non-Local Government Members shall be appointed for terms that expire on the date of the Local Government triennial election in 2016. Each of the initial five non-Local Government Members shall, subject to the following clauses, be eligible for re-appointment at the beginning of the Triennium following the 2016 elections:

- a) On 30 January 2017, and on each succeeding 30 January one of the five non-Local Government Members shall retire from office.
- b) The non-Local Government Members to retire in any year shall be the member who has been longest in office since the last appointment, but as between members who became or were appointed as members on the same day, the order in which members shall retire shall (unless they otherwise agree among themselves) be decided by lot.

4) Operating Principles

- 4.1 The Councils have agreed that they will not act independently of the Committee, so that any Joint Committee recommendations that the Council(s) are not prepared to accept will be referred back to the Committee for further consideration.
- 4.2 Local Authority Shared Services Ltd (LASS) will be the administering body for the Joint Committee.

5) Standing Orders

The Model Standing Orders are adopted.

6) Delegations

The Councils delegate to the Committee the following functions and powers to enable the Committee to achieve the specific responsibilities:

6.1 Membership

- a) To oversee the ongoing selection and recommendation of five (5) non-Local Government Members for appointment to the WSP Joint Committee.

6.2 WSP : Stage 2

- a) Management and oversight of the completion of Stage 2.

6.3 WSP : Stage 3

- a) Formulation of the community engagement strategy including the determining of the key issues;
- b) A recommendation on the community engagement strategy and key issues to be reported back to the Councils for information prior to Stage 4.

6.4 WSP : Stage 4

- a) Management and oversight of the development of a draft WSP and the process for further community engagement.
- b) A recommendation on the form and content of the draft WSP and the process for further community engagement to be reported back to the Councils for approval prior to Stage 5.

6.5 WSP : Stage 5

- a) Formulation, management and the oversight of the running of the special consultative process.

6.6 WSP : Stage 6

- a) Receiving and considering the recommendation from those hearing submissions on the draft WSP ("hearings panel");
- b) Making a recommendation on the hearings panel recommendation to the Councils.
- c) In the local authority sector, only the Councils can adopt the WSP.

7) Duration of the Committee

In accordance with clause 30(7) of Schedule 7 of the Local Government Act 2002, the Waikato Spatial Plan Joint Committee is not deemed to be discharged following each triennial election.

8) Signature of Appointed Representatives

Independent Chairperson:

Margaret Devlin

Representative of Waikato DC:

Cnr Wally Hayes

Representative of Hamilton CC:

Mayor Julie Hardaker

Representative of Waipa DC:

Mayor Jim Mylchreest

Representative of Waikato Regional Council:

Cnr. Bob Simcock

Representative of Hauraki DC:

Deputy Mayor Bruce Gordon

Representative of Matamata-Piako DC:

Cnr Leonie Tisch

Representative of Sth Waikato DC:

Mayor Neil Sinclair

Representative of Taupo DC:

Cnr. Rosanne Jollands

Representative of Otorohanga DC:

Mayor Max Baxter

Representative of Waitomo DC:

Cnr Allan Goddard

Non-local government representative:

Michael Spaans

Non-local government representative:

Dr Bev Gatenby

Non-local government representative:

Steven Wilson

Non-local government representative:

Mark Ingle