**MINUTES** of an extraordinary meeting of the Waikato District Council held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **MONDAY
3 OCTOBER 2016** commencing at **1.17pm.**

**Present:**

His Worship the Mayor Mr AM Sanson

Cr JC Baddeley

Cr J Church

Cr R Costar

Cr DW Fulton

Cr J Gibb

Cr WD Hayes

Cr SD Lynch

Cr RC McGuire *[from 1.18pm]*

Cr L Petersen

Cr J Sedgwick

Cr NMD Smith

Cr MR Solomon

Cr CS Tait

**Attending:**

Mr TG Whittaker (Acting Chief Executive)

Ms S Duignan (General Manager Customer Support)

Mr T Harty (General Manager Service Delivery)

Mrs R Gray (Council Support Manager)

Mr M Mould (Waters Manager)

Mr V Ramduny (Planning & Strategy Manager)

Mrs J Vernon (Strategic Planning & Resource Management Team Leader)

Mr A Corkill (Parks & Facilities Manager)

Ms J Macartney (Senior Policy Planner)

6 staff

# APOLOGIES AND LEAVE OF ABSENCE

There were no apologies.

# CONFIRMATION OF STATUS OF AGENDA ITEMS

**Resolved: (Crs Sedgwick/Church)**

**THAT the agenda for the meeting of the Waikato District Council held on Monday 3 October 2016 be confirmed and all items therein be considered in open meeting with the exception of those items detailed at agenda item 9 which shall be considered with the public excluded;**

AND THAT the following item be discussed at an appropriate time during the course of the meeting;

* Closing Speeches (verbal);

AND FURTHER THAT Council resolves that the following item be added to the agenda as a matter of urgency as advised by the Acting Chief Executive:

* Transitional Committee.

**CARRIED on the voices WDC1610/01**

# DISCLOSURES OF INTEREST

There were no disclosures of interest.

# CONFIRMATION OF MINUTES

**Resolved: (Crs Tait/Sedgwick)**

**THAT the minutes of a meeting of the Waikato District Council held on Monday 12 September 2016 be confirmed as a true and correct record of that meeting.**

**CARRIED on the voices WDC1610/02/1**

# CONFIRMATION OF EXTRAORDINARY MINUTES

**Resolved: (Crs Sedgwick/Gibb)**

**THAT the minutes of an extraordinary meeting of the Waikato District Council held on Tuesday 20 September 2016 be confirmed as a true and correct record of that meeting.**

**CARRIED on the voices WDC1610/02/2**

# MATTERS ARISING FROM THE MINUTES

There were no matters arising from the minutes.

Cr McGuire entered the meeting at 1.17pm prior to discussion on the following item.

# COMMITTEE AND DEPARTMENTAL REPORTS

Receipt of Policy & Regulatory Committee Minutes held on Tuesday 20 September 2016

Agenda Item 6.1.1

**Resolved: (Crs Fulton/Smith)**

**THAT the minutes of a meeting of the Policy & Regulatory Committee held on Tuesday 20 September 2016 be received.**

**CARRIED on the voices WDC1610/03/1/1**

**Designation of Parks for Electric Charging Station - P&R1609/05/3**

**Resolved: (Crs Fulton/Petersen)**

**THAT the proposed amendments to Schedule 1 and Map 3 of Waikato District Council Public Places Bylaw 2016 be adopted.**

**CARRIED on the voices WDC1610/03/1/2**

**Amendment to Schedule One of the Dog Control Bylaw Following Community Engagement – P&R1609/05/4**

**Resolved: (Crs Fulton/Church)**

**THAT Council approves a budget of $25,000 to complete the required works;**

**AND THAT the works are to be loan funded, with principal repayments from the Parks & Reserves Replacement Fund and interest repayments from general rate.**

**CARRIED on the voices WDC1610/03/1/3**

**S10a Report – P&R1609/05/2**

**Resolved: (Crs Fulton/Tait)**

**THAT the Section 10a report be approved for forwarding to the Secretary for Local Government.**

**CARRIED on the voices WDC1610/03/1/4**

Receipt of Hearing Minutes – M Gray

**Resolved: (Crs Fulton/Sedgwick)**

**THAT the minutes of a hearing for M Gray held on Wednesday 17 August 2016 be received.**

**CARRIED on the voices WDC1610/03/1/5**

Receipt of Hearing Minutes – LD Cole

**Resolved: (Crs Fulton/Gibb)**

**THAT the minutes of a hearing for LD Cole held on Tuesday 10 August 2016 be received.**

**CARRIED on the voices WDC1610/03/1/6**

Zero Harm Update

Agenda Item 6.1.4

The Zero Harm Manager gave a verbal report highlighting:

* Overspeed statistics reducing
* Drug & Alcohol Draft policy.

**Resolved: (Crs McGuire/Baddeley)**

**THAT the report from the Chief Executive be received.**

**CARRIED on the voices WDC1610/03/1/7**

Appointment of Principal Rural Fire Officer

Agenda Item 6.1.5

The Parks & Facilities Manager answered questions of the members on this item.

**Resolved: (Crs Petersen/Smith)**

**THAT the report from the General Manager Service Delivery be received;**

**AND THAT Andy Baker be appointed as Principal Rural Fire Officer under section 13 of the Forest and Rural Fires Act 1977.**

**CARRIED on the voices WDC1610/03/1/8**

Appointment of Local Welfare Manager

Agenda Item 6.1.6

**Resolved: (Crs Petersen/Smith)**

**THAT the report from the General Manager Customer Support be received;**

**AND THAT Council acknowledge the contribution Angela Parquist has made over the last three years to local welfare;**

**AND FURTHER THAT the appointment of Helen Geddes as Local Welfare Manager be approved.**

**CARRIED on the voices WDC1610/03/1/9**

Waikato District Council Submission on Plan Change 16 (Tuakau Structure Plan – Stage 1: Residential and Industrial Rezoning)

Agenda Item 6.1.7

Cr Fulton, Cr Gibb and Cr Sedgwick declared a conflict of interest, withdrew to the gallery and did not speak to or vote on this item.

The Policy Planner provided an overview of this report.

**Resolved: (Crs Church/Hayes)**

**THAT the report from the General Manager Strategy & Support be received;**

**AND THAT Council retrospectively endorses its submission to Plan Change 16 as per the agenda report attachment.**

**CARRIED on the voices WDC1610/03/1/10**

Establishment of a Delegated Transitional Subcommittee following the 2016 Election

Add.Item

**Resolved: (Crs Hayes/Church)**

**THAT the following members of the Waikato District Council form a subcommittee to ensure continuity of Council’s financial decision-making during the interim period from 10 October 2016 until the new Council is sworn in and committees are duly constituted by the Council following the 2016 triennial election:**

* **Cr Fulton**
* **Cr McGuire**
* **Cr Sedgwick**
* **Cr Smith**
* **Chief Executive;**

**AND THAT the elected members and the Chief Executive so appointed be delegated Waikato District Council’s authority to approve contracts and financial approvals in line with the 2016/2017 Annual Plan until such time as the new Council and Committees are duly constituted by the new Council;**

**AND FURTHER THAT the subcommittee be dissolved once the committee structure and delegations have been approved;**

                                 AND FURTHER THAT a report be provided to the first Council meeting of any decisions made by the subcommittee.

**CARRIED on the voices WDC1610/03/1/11**

Cr Smith requested his abstention be noted.

Receipt of Strategy & Finance Committee Minutes held on Tuesday 27 September 2016

Agenda Item 6.2.1

**Resolved: (Crs Baddeley/Gibb)**

**THAT the minutes of a meeting of the Strategy & Finance Committee held on Tuesday 27 September 2016 be received.**

**CARRIED on the voices WDC1610/03/2/1**

**Risk Management Maturity Assessment – S&F1609/03**

**Resolved: (Crs Baddeley/McGuire)**

**THAT Council supports the engagement of KPMG to undertake a risk management maturity assessment review;**

**AND THAT Council approves funding from the 2015/16 General Rate surplus to fund this review.**

**CARRIED on the voices WDC1610/03/2/2**

**Plan Change 16: Tuakau Structure Plan Stage 1 (Rezoning for Residential and Industrial Purposes – S&F1609/04/3**

**Resolved: (Crs Baddeley/Church)**

**THAT an independent commissioner, two qualified Councillors and an iwi representative be appointed as the hearings panel;**

**AND THAT the hearings panel be delegated authority to make the decision on Plan Change 16.**

**CARRIED on the voices WDC1610/03/2/3**

**Final Draft Ngaruawahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai and Glen Massey Structure Plan – S&F1609/04/11**

**Resolved: (Crs Baddeley/Smith)**

**THAT Council approves the Final Draft Ngaruawahia, Hopuhopu, Taupiri, Horotiu, Te Kowhai and Glen Massey Structure Plan and be available for further community engagement.**

**CARRIED on the voices WDC1610/03/2/4**

**Preparation of the Annual Report 2016/2017 and Summary – S&F1609/04/20**

**Resolved: (Cr Baddeley/His Worship the Mayor)**

**THAT the final audited Annual Report 2015/16 and Summary as amended be adopted.**

**CARRIED on the voices WDC1610/03/2/5**

**Development Contributions Deferral Request Subdivision Matangi Farm Lands Limited – S&F1609/10**

**Resolved: (Crs Baddeley/Gibb)**

**THAT Council approves the draft Agreement to defer Contributions between Matangi Farm Lands Limited and Waikato District Council.**

**CARRIED on the voices WDC1610/03/2/6**

Cr Baddeley took this opportunity as Chair of the Strategy & Finance Committee to thank the General Manager Strategy & Support and staff for their support to this committee over the past three years.

Receipt of Audit & Risk Committee Minutes held on Tuesday 27 September 2016

Agenda Item 6.2.1

**Resolved: (Crs Baddeley/Hayes)**

**THAT the minutes of a meeting of the Audit & Risk Committee held on Tuesday 27 September 2016 be received.**

**CARRIED on the voices WDC1610/03/2/7**

**2016/2016 Annual Report Audit – A&R1609/07/1**

**Resolved: (Crs Baddeley/Gibb)**

**THAT Council adopts the risk assessment perspective from the Audit & Risk Committee in the 2015/2016 Annual Report.**

**CARRIED on the voices WDC1610/03/2/8**

Receipt of Infrastructure Committee Minutes held on Tuesday 13 September 2016

Agenda Item 6.3.1

**Resolved: (Crs Hayes/Petersen)**

**THAT the minutes of a meeting of the Infrastructure Committee held on Tuesday 13 September 2016 be received.**

**CARRIED on the voices WDC1610/03/3/1**

**Mangawara Stream Bridge Project Funding – INF1609/04/2**

**Resolved: (Crs Hayes/Gibb)**

**THAT Council approves additional funds of $77,000 be provided to fund the Mangawara Bridge construction shortfall;**

**AND THAT the funds be provided by increasing the loan amount for the project and covering interest repayments from the unsubsidised roading budget and principal repayments from the Roading Replacement Reserve Fund.**

**CARRIED on the voices WDC1610/03/3/2**

**Te Kopua Domain – Easement – INF1609/04/6**

**Resolved: (Crs Hayes/Solomon)**

**THAT subject to consultation with the Kopua Camp Board of Management, Council exercise its delegated authority under s48 Reserves Act 1977 to negotiate and complete a grant of an electricity easement in gross, in favour of WEL Networks Limited, over parts of the land legally described as part Papahua No.2 Block and Section 2 Block 1 Karioi Survey District.**

**CARRIED on the voices WDC1610/03/3/3**

**Stopping and Disposal of Unformed Factory Road, at Otaua – INF1604/7**

**Resolved: (Crs Hayes/Church)**

**THAT the section of unformed Factory Road comprising 4186 square metres shown as Section 1 SO 500754 be declared surplus to Council roading requirements;**

**AND THAT subject to the successful completion of statutory processes that the section of unformed Factory Road shown as Section 1 SO 500754 be stopped pursuant to Section 342 Local Government Act 1974;**

**AND FURTHER THAT when stopped, Section 1 SO 500754 be sold for amalgamation with part Lot 2 DP 53932 comprised in CFR NA 26D/1421, at a price to be established by market valuation and to be within Council property policy, with the applicant to be responsible for all costs incurred;**

**AND FURTHER THAT the proceeds of sale be credited to the Property Proceeds Reserve.**

**CARRIED on the voices WDC1610/03/3/4**

**Road Name Proposal at Birchwood Lane, Tamahere – INF1609/04/8**

**Resolved: (Crs Hayes/Tait)**

**THAT Council approves naming the new road developed to service the Kirrie Developments Ltd – Stage 4 subdivision – Kirriemuir Close.**

**CARRIED on the voices WDC1610/03/3/5**

**Land Exchange for Road Realignment – Waipuna Road, Waerenga – INF1609/04/9**

**Resolved: (Crs Hayes/Costar)**

**THAT the Chief Executive be authorised to sign agreements pursuant to Section 17 of the Public Works Act, to acquire from LN and JP Rankin, the parcels of land described in the First Schedule hereto and from GH and PJ Exton and BR Sheppard, the parcels of land described in the Second Schedule hereto, for road (Waipuna Road);**

**AND THAT the portions of unformed Waipuna Road described in Schedule 3 hereto, be stopped and amalgamated with the land of the adjoining owner, pursuant to Sections 116 and 117 of the Public Works Act 1981, in exchange for the land to be acquired for road;**

**AND FURTHER THAT Consents be executed by the Mayor and Chief Executive pursuant to part VIII of the Public Works Act 1981, to give effect to the above.**

**FIRST SCHEDULE (all as shown on SO Plan 462410)**

**Section 4 comprising 1112 m² being Part Lot 7 DP 404496;**

**Section 9 comprising 271 m² being Part Lot 6 DP 404496;**

**Section 10 comprising 182 m² being Part Lot 5 DP 404496;**

**Section 14 comprising 9 m²being Part Lot 8 DP 404496;**

**Section 15 comprising 51 m² being Part Lot 8 DP 404496.**

**SECOND SCHEDULE (all as shown on SO Plan 462410)**

**Section 5 comprising 230 m² being Part Allotment 419 Parish of Whangamarino;**

**Section 6 comprising 1039 m²being Part Allotment 415 Parish of Whangamarino.**

**THIRD SCHEDULE (all as shown on SO Plan 462410)**

**Legal road shown as:**

**Section 1 comprising 709m²**

**Section 2 comprising 773m²**

**Section 3 comprising 716m²**

**Section 7 comprising 1055m²**

**Section 8 comprising 299m²**

**Section 11 comprising 321m²**

**Section 12 comprising 267m²**

**Section 13 comprising 744m².**

**CARRIED on the voices WDC1610/03/3/6**

Razorback Road Water Treatment Site

Agenda Item 6.3.2

The report was taken as read and the Parks & Facilities Manager answered questions of the members.

**Resolved: (Crs Church/Petersen)**

**THAT the report from the General Manager Service Delivery be received;**

**AND THAT Lot 1 DP 201625 comprising 1045 square metres held in CT NA 138D/834 be declared surplus to Council requirements, and be released for sale on the open market, subject to section 40 Public Works Act 1981 offer back obligations;**

**AND FURTHER THAT the property proceeds of sale, less costs including the costs associated with the decommissioning of the site, be credited to the Property Proceeds Reserve.**

**CARRIED on the voices WDC1610/03/3/7**

Waters Team Resourcing

Agenda Item 6.3.3

The report was taken as read and the General Manager Service Delivery provided an overview of the report and answered questions of the members.

**Resolved: (Crs Fulton/Baddeley)**

**THAT the report from the General Manager Service Delivery be received;**

**AND THAT Council approves the sole supplier engagement of Downer New Zealand Limited to provide staffing services in accordance with those outlined within the agenda report;**

**AND FURTHER THAT the Chief Executive be delegated authority to enter into a contract with Downer New Zealand Limited for those services, up to a maximum value of $1,000,000;**

**AND FURTHER THAT the funds for this contract be drawn from the District‑Wide Water and Wastewater reserves;**

**AND FURTHER THAT it be noted that the salary savings in the order of $235,000 in respect of the 2017/2018 year be offset against this contract.**

**CARRIED on the voices WDC1610/03/3/8**

# COMMUNITY BOARD MINUTES

Receipt of Onewhero-Tuakau Community Board Minutes held on Monday 5 September 2016

Agenda Item 7.1

**Resolved: (Crs Petersen/Hayes)**

**THAT the minutes of a meeting of the Onewhero-Tuakau Community Board held on Monday 5 September 2016 be received.**

**CARRIED on the voices WDC1610/04/1**

Receipt of Taupiri Community Board Minutes held on Monday 12 September 2016

Agenda Item 7.2

**Resolved: (Crs Gibb/Solomon)**

**THAT the minutes of a meeting of the Taupiri Community Board held on Monday 12 September 2016 be received.**

**CARRIED on the voices WDC1610/04/2**

Receipt of Raglan Community Board Minutes held on Tuesday 13 September 2016

Agenda Item 7.3

**Resolved: (Crs Baddeley/Tait)**

**THAT the minutes of a meeting of the Raglan Community Board held on Tuesday 13 September 2016 be received.**

**CARRIED on the voices WDC1610/04/3**

Receipt of Ngaruawahia Community Board Minutes held on Tuesday 13 September 2016

Agenda Item 7.4

**Resolved: (Crs Gibb/Solomon)**

**THAT the minutes of a meeting of the Ngaruawahia Community Board held on Tuesday 13 September 2016 be received.**

**CARRIED on the voices WDC1610/04/4**

Receipt of Huntly Community Board Minutes held on Tuesday 20 September 2016

Agenda Item 7.5

**Resolved: (Crs Tait/Lynch)**

**THAT the minutes of a meeting of the Huntly Community Board held on Tuesday 20 September 2016 be received.**

**CARRIED on the voices WDC1610/04/5**

# COMMUNITY COMMITTEE MINUTES

Receipt of Te Kauwhata Community Committee Minutes held on Wednesday 7 September 2016

Agenda Item 8.2

**Resolved: (Crs Sedgwick/Lynch)**

**THAT the minutes of a meeting of the Te Kauwhata Community Committee held on Wednesday 7 September 2016 be received.**

**CARRIED on the voices WDC1610/05/1**

Receipt of Meremere Community Committee Minutes held on Thursday 8 September 2016

Agenda Item 8.1

**Resolved: (Crs Sedgwick/Lynch)**

**THAT the minutes of a meeting of the Meremere Community Committee held on Thursday 8 September 2016 be received.**

**CARRIED on the voices WDC1610/05/2**

Receipt of Tamahere Community Committee Minutes held on Monday 5 September 2016

Agenda Item 8.3

**Resolved: (Crs Hayes/Tait)**

**THAT the minutes of a meeting of the Tamahere Community Committee held on Monday 5 September 2016 be received.**

**CARRIED on the voices WDC1610/05/3**

Receipt of Pokeno Community Committee Minutes held on Monday 9 August 2016

Agenda Item 8.3

**Resolved: (Crs Church/Petersen)**

**THAT the minutes of a meeting of the Pokeno Community Committee held on Monday 9 August 2016 be received.**

**CARRIED on the voices WDC1610/05/4**

# EXCLUSION OF THE PUBLIC

Agenda Item 9

**Resolved: (Crs McGuire/Hayes)**

|  |
| --- |
| **THAT the report of the Chief Executive be received;****AND THAT the public be excluded from the meeting during discussion on the following items of business:** |

|  |
| --- |
| **Confirmation of Minutes dated 12 September 2016** |

|  |
| --- |
| **Receipt of Minutes:****Strategy & Finance Committee dated 27 September 2016****Audit & Risk Committee dated 27 September 2016Infrastructure Committee dated 13 September 2016** |

# REPORTS

|  |
| --- |
| 1. **Chief Executive’s Issues (Verbal Report)**
 |
| **This resolution is made in reliance on section 48(1)(a) and 48(2)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by sections 6 or 7 of that Act which would be prejudiced by the holding of the whole or the relevant part(s) of the proceedings of the meeting in public are as follows:** |

|  |  |
| --- | --- |
| **Reason for passing this resolution to withhold exists under:** | **Ground(s) under section 48(1) for the passing of this resolution is:** |
| **Section 7(2)(a)** | **Section 48(1)(a)** |

**CARRIED on the voices WDC1610/06**

*Resolution nos WDC1610/07 to WDC1610/09 are contained in the public excluded section of these minutes.*

Having resumed open meeting His Worship invited councillors to speak owing to this being the last meeting of the triennium.

Closing Speeches

Add.Item

Closing speeches were provided from councillors retiring; Cr Baddeley, Cr Costar,
Cr Petersen and Cr Tait.

Other speakers included Cr Fulton, Cr Gibb, Cr Church, Cr Solomon and His Worship the Mayor.

There being no further business the meeting was declared closed at 3.39pm.

Minutes approved and confirmed this 3rd day of October 2016.

Due to the 2016 Local Body Elections, His Worship the Mayor and the Chief Executive
Mr GJ Ion, signed off the ‘end of term’ October 2016 Waikato District Council Minutes.

………………………………………… ……………………

AM Sanson GJ Ion

**CHAIRPERSON CHIEF EXECUTIVE**

Minutes2016/CCL/161003 CCL Minutes