

MINUTES of a meeting of the Waikato District Council held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **MONDAY 11 APRIL 2016** commencing at **1.19pm.**

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 [*until 3.00pm and from 3.02pm*]
Cr RC McGuire
Cr L Petersen
Cr J Sedgwick [*until 3.01pm and from 3.03pm until 3.15pm*]
Cr NMD Smith
Cr MR Solomon
Cr CS Tait

Present:

Mr TG Whittaker (Acting Chief Executive)
Ms S Duignan (General Manager Customer Support)
Mr T Harty (General Manager Service Delivery)
Mrs LM Wainwright (Committee Secretary)
Mr V Ramduny (Planning & Strategy Manager)
Mr S Howard (Senior Planner)
Mr K Lockley (Zero Harm Manager)
Ms A Diaz (Finance Manager)
Ms B Connolly (Senior Policy Planner)
Mr D Totman (Strategic Planning Project Manager)

APOLOGIES AND LEAVE OF ABSENCE

All members were present.

WDC1604/01

CONFIRMATION OF STATUS OF AGENDA ITEMS

Resolved: (Crs Sedgwick/Petersen)

THAT the agenda for the meeting of the Waikato District Council held on Monday 11 April 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 Council resolves that the following items be added to the agenda as a matter of urgency as advised by the Acting Chief Executive:

- Freshwater Submission
- Zero Harm

CARRIED on the voices

WDCI604/02

DISCLOSURES OF INTEREST

There were no disclosures of interest.

WDCI604/03

CONFIRMATION OF MINUTES

Resolved: (Crs Sedgwick/Church)

THAT the minutes of a meeting of the Waikato District Council held on Monday 14 March 2016 be confirmed as a true and correct record of that meeting.

CARRIED on the voices

WDCI604/04

MATTERS ARISING FROM THE MINUTES

There were no matters arising from the minutes.

WDCI604/05

COMMITTEE AND DEPARTMENTAL REPORTS

Receipt of Policy & Regulatory Committee Minutes held on Tuesday 15 March 2016
Agenda Item 6.1.1

Resolved: (Crs Fulton/Petersen)

THAT the minutes of a meeting of the Policy & Regulatory Committee held on Tuesday 15 March 2016 be received.

CARRIED on the voices

WDCI604/06/1/1

**Attendance at the LGNZ Conference and Excellence Awards 2016
– P&R1603/07/3**

Resolved: (Crs Gibb/Baddeley)

THAT the following delegates attend the LGNZ Conference and Excellence Awards in Dunedin from 24 July 2016 to 26 July 2016:

- His Worship the Mayor,
- Deputy Mayor, and
- Chief Executive;

AND THAT His Worship the Mayor is the presiding delegate at the Local Government New Zealand Annual General Meeting on 24 July 2016;

AND FURTHER THAT the Deputy Mayor is the alternate delegate at the Local Government New Zealand Annual General Meeting on 24 July 2016;

AND FURTHER THAT the Chief Executive is the third delegate (with no voting rights) at the Local Government New Zealand Annual General Meeting on 24 July 2016.

CARRIED on the voices

WDC1604/06/1/2

Local Government New Zealand Remit Process for 2016 Annual General Meeting – P&R1603/07/4

Resolved: (Crs Fulton/Sedgwick)

THAT Waikato District Council submits any proposed remits to the Local Government New Zealand Annual General Meeting by 13 June 2016.

CARRIED on the voices

WDC1604/06/1/3

Code of Conduct – P&R1603/07/5

Resolved: (Crs Fulton/Church)

THAT the updated draft Code of Conduct, as amended, be adopted by Council.

A division was called:

For:

His Worship the Mayor Mr AM Sanson
Cr JC Baddeley
Cr J Church
Cr DW Fulton
Cr SD Lynch
Cr RC McGuire
Cr L Petersen
Cr J Sedgwick
Cr MR Solomon

Against:

Cr R Costar
Cr WD Hayes
Cr NMD Smith

Cr Tait abstained from voting.

The Motion was CARRIED

WDC1604/06/1/4

Proposed Public Places Bylaw 2015 following Hearings and Deliberations – P&R1603/07/6

Resolved: (Crs Fulton/McGuire)

THAT subject to any amendments and pursuant to section 83 of the Local Government Act 2002, adopt the amended bylaw as the **Waikato District Council Public Places Bylaw 2016**;

AND THAT the Franklin District Council Public Places Bylaw 2007; the Franklin District Council Traffic Control Bylaw 2006; the Franklin District Council Trading in Public Places Bylaw 2008; the Waikato District Council Parking, Traffic Control and Public Places Bylaw 2007 and the Waikato District Council Trading in Public Places Bylaw 2008 be revoked the day the Waikato District Council Public Places Bylaw 2016 comes into force.

CARRIED on the voices

WDC1604/06/1/5

Policy Review Programme – Policies to be Revoked – P&R1603/07/7

Resolved: (Crs Fulton/Petersen)

THAT Council revokes the list of policies contained in appendix I as attached to the agenda report.

CARRIED on the voices

WDC1604/06/1/6

Proposed Waikato District Council Reserves and Beaches Bylaw 2016 – P&R1603/07/8

Resolved: (Crs Fulton/Petersen)

THAT Council make a determination that the proposed bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990 pursuant to section 155(2) of the Local Government Act 2002;

AND THAT the Statement of Proposal and the proposed Waikato District Council Reserves and Beaches Bylaw 2016 (subject to any amendments), be recommended for public notification on 20 April 2016, with the closing date for submissions being 20 May 2016;

AND FURTHER THAT submissions on the Statement of Proposal, (incorporating the proposed Waikato District Council Reserves and Beaches Bylaw 2016) be considered and, if requested, submitters be heard by Council at a meeting to be held on 22 June 2016, or as early thereafter as possible.

CARRIED on the voices

WDC1604/06/1/7

Proposed Waikato District Council Cemeteries Bylaw 2016 – P&R1603/07/9

Resolved: (Crs Fulton/Petersen)

THAT Council make a determination that the proposed bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990 pursuant to section 155(2) of the Local Government Act 2002;

AND THAT the Statement of Proposal, incorporating the proposed Waikato District Council Cemeteries Bylaw 2016 (subject to any amendments), be recommended for public notification on 20 April 2016 with the closing date for submissions being 5 pm 20 May 2016 in accordance with Sections 83 (special consultative procedure), 86 (use of special consultative procedure in relation to adoption or review or amendment of bylaws) of the Local Government Act 2002;

AND FURTHER THAT submissions on the Statement of Proposal, (incorporating the proposed Waikato District Council Cemeteries Bylaw 2016) be considered and, if requested, be heard by Council at a meeting to be held on 20 June 2016 or as early thereafter as possible.

CARRIED on the voices

WDC1604/06/1/8

Attendance at the Emergency Management Conference – P&RI603/07/10

Resolved: (Crs Fulton/Gibb)

THAT Cr Church be approved to attend the Emergency Management Conference from 31 May 2016 - 3 June 2016.

CARRIED on the voices

WDC1604/06/1/9

Draft Te Reo Maaori Policy – P&RI603/07/11

Resolved: (Crs Fulton/Baddeley)

THAT Council adopt the Te Reo Maaori policy for internal use.

CARRIED on the voices

WDC1604/06/1/10

Receipt of Hearing Minutes - New Zealand Transport Agency – Ruakura Intersection

Resolved: (Crs McGuire/Sedgwick)

THAT the minutes of the New Zealand Transport Agency – Ruakura Intersection hearing - be received.

CARRIED on the voices

WDC1604/06/1/11

Receipt of Hearing Minutes – Sunset Views Limited

Resolved: (Crs Smith/Fulton)

THAT the minutes of the Sunset Views Limited hearing - be received.

CARRIED on the voices

WDC1604/06/1/12

Zone Two Meeting Minutes 26 February 2016

Agenda Item 6.1.4

Resolved: (His Worship the Mayor/Cr McGuire)

THAT the report of the Chief Executive – Zone Two Meeting Minutes 26 February 2016 – be received.

CARRIED on the voices

WDC1604/06/1/13

Formation of Pokeno Community Committee
Agenda Item 6.1.5

The Acting Chief Executive gave a verbal report and answered questions of Council.

Resolved: (Crs Church/Hayes)

THAT the report from the Acting Chief Executive – *Formation of Pokeno Community Committee* – be received;

AND THAT Council support the establishment of a Pokeno Community Committee.

CARRIED on the voices

WDC1604/06/1/14

Submission on Waikato Regional Council's Proposed 2016/17 Annual Plan
Agenda Item 6.1.6

The Planning & Strategy Manager gave a verbal report and answered questions of Council.

Resolved: (Crs Church/Fulton)

THAT the report from the Acting Chief Executive – *Submission on Waikato Regional Council's Proposed 2016/2017 Annual Plan* – be received;

AND THAT Council approve the submission on the Waikato Regional Council's proposed 2016/2017 Annual Plan including any amendments.

CARRIED on the voices

WDC1604/06/1/15

Next Steps Freshwater – Council Submission
Add.Item

The Senior Planner gave a verbal report and answered questions of Council.

Resolved: (Crs Gibb/McGuire)

THAT the report from the General Manager Strategy & Support – *Next Steps Freshwater – Council Submission* – be received;

AND THAT the Council submission on Next Steps Freshwater, including amendments, be approved.

CARRIED on the voices

WDC1604/06/1/16

Zero Harm
Add.Item

The Zero Harm Manager gave a verbal report and answered questions of Council.

Resolved: (Crs Church/Tait)

THAT the report from the Chief Executive – *Zero Harm* – be received.

CARRIED on the voices

WDC1604/06/1/17

Receipt of Strategy & Finance Committee Minutes held on Tuesday 22 March 2016
Agenda Item 6.2.1

Resolved: (Crs Baddeley/Sedgwick)

THAT the minutes of a meeting of the Strategy & Finance Committee held on Tuesday 22 March 2016 be received.

CARRIED on the voices

WDC1604/06/2/1

Civic Assurance – Draft Statement of Intent 2016/17 – S&F1603/06/6

Resolved: (Crs Baddeley/Gibb)

THAT pursuant to Section 64 of the Local Government Act 2002, the Waikato District Council approves the draft Statement of Intent 2016/17 for Civic Assurance.

CARRIED on the voices

WDC1604/06/2/2

Economic Development Strategy Implementation Programme – S&F1603/06/7

Resolved: (Crs Baddeley/Petersen)

THAT Council adopt the Economic Development Strategy Implementation Programme.

CARRIED on the voices

WDC1604/06/2/3

Plan Change 8: Technical Amendments – S&F1603/06/11

Resolved: (Crs Baddeley/Church)

THAT an independent commissioner and two suitably qualified Councillors be appointed as the hearing panel;

AND THAT the hearing panel is delegated the authority to make the decision on Plan Change 8.

CARRIED on the voices

WDC1604/06/2/4

Plan Change 17 – Ngaruawahia and Surrounding Villages: Stage One - Proposed Rezoning – S&F1603/06/12

Tabled: PC17 updated

Resolved: (Crs Baddeley/Gibb)

THAT Council approves Plan Change 17 to be publicly notified on 15 April 2016.

CARRIED on the voices

WDC1604/06/2/5

Onewhero Public Toilets & Domain Works – S&F1603/06/19

Resolved: (Crs Baddeley/Petersen)

THAT Loan funding of \$80,500 from the existing budget ITO10085-C0-0000-0117 be brought forward to the 2015-2016 year to be applied towards the cost of the Onewhero public toilet build;

AND THAT the existing \$23,080 budget be utilised towards the cost of a walkway (IRG10085-C0-0000-0115);

AND FURTHER THAT the funds available in the Onewhero Domain Reserve (8929) be released and made available for the proposed playground project (new project IPL10085-C0-0000-0116).

CARRIED on the voices

WDC1604/06/2/6

Treasury Risk Management Policy Compliance

Agenda Item 6.2.2

The Finance Manager gave a verbal report and answered questions of Council.

Resolved: (Crs Church/Baddeley)

THAT the report from the Acting Chief Executive be received;

AND THAT Council approves an update to the Treasury Risk Management Policy to increase the limit for the fixed rate proportion of interest cover in the 5 years plus maturity band from 60% to 70% in line with current industry practice.

CARRIED on the voices

WDC1604/06/2/7

Operational Budget Review
Agenda Item 6.2.3

The Finance Manager gave a verbal report and answered questions of Council.

Resolved: (Crs Baddeley/Church)

THAT the report from the Acting Chief Executive – *Operational Budget Review* – be received.

CARRIED on the voices

WDC1604/06/2/8

Te Kowhai Community Hall Loan Request
Agenda Item 6.2.4

The Acting Chief Executive gave a verbal report and answered questions of Council.

Resolved: (Crs Hayes/Lynch)

THAT the report from the Acting Chief Executive – *Te Kowhai Community Hall Loan Request* - be received;

AND THAT a Community Loan of \$30,000 over a term of five years be made available to the Te Kowhai Community Hall;

AND FURTHER THAT the loan repayments be deducted from the instalment payments made by Council to the Te Kowhai Community Hall.

CARRIED on the voices

WDC1604/06/2/9

Cr Smith requested his abstention from voting be recorded.

Receipt of Infrastructure Committee Minutes held on Tuesday 8 March 2016
Agenda Item 6.3.1

Resolved: (Crs Hayes/Solomon)

THAT the minutes of a meeting of the Infrastructure Committee held on Tuesday 8 March 2016 be received.

CARRIED on the voices

WDC1604/06/3/1

Road Asset Technical Accord (RATA) Update Report – INF1603/06/2

Resolved: (Crs Hayes/McGuire)

THAT Council approve the General Manager Service Delivery be delegated authority to enter into a multiparty funding agreement with LASS for RATA's services from 1 July 2016, for a period of 3+3+3 years (with rights of review after each 3 year period).

CARRIED on the voices

WDC1604/06/3/2

Service Delivery Report for March 2016 (Wally Pollock Reserve) – INF1603/06/3

Resolved: (Crs Hayes/McGuire)

THAT in accordance with Section 16 (10) of the Reserves Act 1977 the reserve at Titoki Drive legal description, Lot 2 DP 377052, 9811m² be declared "Wally Pollock Reserve".

CARRIED on the voices

WDC1604/06/3/3

Waikato Expressway Hamilton Section, Horsham Downs Public Consultation – INF1603/06/4

Resolved: (Crs Hayes/Fulton)

THAT Council confirm their support of the proposed connections to the Waikato Expressway at Horsham Downs;

AND THAT Council is satisfied with the level of public support for the proposed network layout at Horsham Downs and approve commencing with the development of the Multi Party Funding Agreement (MPFA).

CARRIED on the voices

WDC1604/06/3/4

Draft Waikato Integrated Land Transport Strategy – INF1603/06/6

Resolved: (Crs Hayes/Church)

THAT approval be given to circulate the draft strategy to stakeholders and interest groups for comment and feedback;

AND THAT following the consultative period, the revised document be brought back to Council for approval and adoption.

CARRIED on the voices

WDC1604/06/3/5

Neighbourhood Parks Reserve Management Plan – INF1603/06/7

Resolved: (Crs Hayes/Petersen)

THAT Council receive the Draft Neighbourhood Parks Reserve Management Plan and note that this will be released (with any amendments) for public submission in April 2016;

AND THAT Council reappoint the hearings panel comprising of Cr Fulton, Cr Gibb and Cr Smith and invite representation from Waikato-Tainui to join the panel to hear any submissions received on the Neighbourhood Parks Reserve Management Plan.

CARRIED on the voices

WDC1604/06/3/6

New Street Name Proposal at Dromgools Road, Tuakau
Agenda Item 6.3.2

The General Manager Service Delivery gave a verbal report and answered questions of Council.

Resolved: (Crs Petersen/Church)

THAT the report of the General Manager Service Delivery – New Street Name Proposal at Dromgools Road, Tuakau - be received;

AND THAT Council agrees to name the cul-de-sac in accordance with the owner's first preferred choice - Fermanagh Grove.

CARRIED on the voices

WDC1604/06/3/7

Stopping of Unformed Legal Road – Pokeno Township
Agenda Item 6.3.3

The General Manager Service Delivery gave a verbal report and answered questions of Council.

Resolved: (Crs Fulton/Church)

THAT the report of the General Manager Service Delivery – *Stopping of Unformed Legal Road – Pokeno Township* - be received;

AND THAT as the proposal to stop the unnamed legal road, shown as Section I on SO Plan 489883, has been publicly notified in accordance with the requirements of the Tenth Schedule to the Local Government Act 1974 and as no objections were received by the closing date, Council resolve that the road described in the Schedule below, be declared stopped;

AND FURTHER THAT once stopped, the land be transferred to the owner of 41 Great South Road and 23 Marlborough Street, Pokeno at a current market valuation, on such terms and conditions as the Chief Executive may consider appropriate.

Schedule (Road to be stopped):

1213m² being Section I on Survey Office Plan 489883.

CARRIED on the voices

WDC1604/06/3/8

Cr Lynch withdrew from the meeting [3.00pm] following discussion on the above item and was not present when voting took place.

Cr Sedgwick withdrew from the meeting [3.01pm] following discussion on the above item and was not present when voting took place.

Stopping of Unformed Legal Roads – 61 Market Street, Pokeno Township
Agenda Item 6.3.4

Resolved: (Crs Fulton/Church)

THAT the report of the General Manager Service Delivery – *Stopping of Unformed Legal Roads – 61 Market Street, Pokeno Township* - be received;

AND THAT as the proposal to stop the unformed roads known as William and High Street, Street, Pokeno, shown as Sections 1 and 2 on SO Plan 493530 respectively, has been publicly notified in accordance with the requirements of the Tenth Schedule to the Local Government Act 1974 and as no objections were received by the closing date, Council resolve that the roads described in the Schedule below be declared stopped;

AND FURTHER THAT once stopped, the land be transferred to the owner of 61 Market Street, Pokeno at a current market valuation, on such terms and conditions as the Chief Executive may consider appropriate.

Schedule (Roads to be stopped):

1912m² being Section 1 on Survey Office Plan 493530

2422m² being Section 2 on Survey Office Plan 493530

CARRIED on the voices

WDC1604/06/3/9

Cr Lynch re-entered the meeting [3.02pm] during discussion on the above item and was present when voting took place.

Cr Sedgwick re-entered the meeting [3.03pm] during discussion on the above item and was present when voting took place.

Raglan Recreation Ground Sports Lighting Upgrade

Agenda Item 6.3.5

The General Manager Service Delivery gave a verbal report and answered questions of Council.

Resolved: (Crs Smith/Baddeley)

THAT the report of the General Manager Service Delivery – Raglan Recreation Ground Sports Lighting Upgrade – be received;

AND THAT funds of \$30,894 be made available from the Parks & Reserves Replacement Fund (8500) to be applied to towards the cost of the Raglan Recreation Ground Sports Lighting Renewal.

CARRIED on the voices

WDC1604/06/3/10

Removal of Limited Access Restriction over part of Great South Road, Ngaruawahia

Agenda Item 6.3.6

Resolved: (Crs Smith/Solomon)

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

AND THAT pursuant to section 346A(2) of the Local Government Act 1974, the status of limited access road of that part of Great South Road fronting the land comprised in Computer Freehold Registers 108093, 108094, 198095 and SA35C/293 (South Auckland Registry), be revoked;

AND FURTHER THAT pursuant to section 346(H)(2) of the Local Government Act 1974 the Chief Executive sign and forward a certificate to the Registrar-General of Land, notifying the Registrar of the revocation.

CARRIED on the voices

WDC1604/06/3/11

Receipt of Discretionary & Funding Committee Minutes held on Monday 14 March 2016
Agenda Item 6.4.1

Resolved: (Crs Lynch/Church)

THAT the minutes of a meeting of the Discretionary & Funding Committee held on Monday 14 March 2016 be received.

CARRIED on the voices

WDC1604/06/4/1

COMMUNITY BOARD MINUTES

Receipt of Onewhero-Tuakau Community Board Minutes held on Monday 7 March 2016
Agenda Item 7.1

Resolved: (Crs Petersen/Costar)

THAT the minutes of a meeting of the Onewhero-Tuakau Community Board held on Monday 7 March 2016 be received.

CARRIED on the voices

WDC1604/06/7/1

Receipt of Taupiri Community Board Minutes held on Monday 14 March 2016
Agenda Item 7.2

Resolved: (Crs Gibb/Solomon)

THAT the minutes of a meeting of the Taupiri Community Board held on Monday 14 March 2016 be received.

CARRIED on the voices

WDC1604/06/7/2

Receipt of Raglan Community Board Minutes held on Tuesday 8 March 2016
Agenda Item 7.3

Resolved: (Cr Baddeley/His Worship the Mayor)

THAT the minutes of a meeting of the Raglan Community Board held on Tuesday 8 March 2016 be received.

CARRIED on the voices

WDC1604/06/7/3

Receipt of Ngaruawahia Community Board Minutes held on Tuesday 8 March 2016
Agenda Item 7.4

Resolved: (Crs Solomon/Gibb)

THAT the minutes of a meeting of the Ngaruawahia Community Board held on Tuesday 8 March 2016 be received.

CARRIED on the voices

WDC1604/06/7/4

Receipt of Huntly Community Board Minutes held on Tuesday 15 March 2016
Agenda Item 7.5

Resolved: (Cr Lynch/His Worship the Mayor)

THAT the minutes of a meeting of the Huntly Community Board held on Tuesday 15 March 2016 be received.

CARRIED on the voices

WDC1604/06/7/5

COMMUNITY COMMITTEE MINUTES

Receipt of Te Kauwhata Community Committee Minutes held on Wednesday 2 March 2016
Agenda Item 8.1

Resolved: (Crs Sedgwick/Petersen)

THAT the minutes of a meeting of the Te Kauwhata Community Committee held on Wednesday 2 March 2016 be received.

CARRIED on the voices

WDC1604/06/8/1

Receipt of Tamahere Community Committee Minutes held on Monday 7 March 2016
Agenda Item 8.2

Resolved: (Crs Hayes/Sedgwick)

THAT the minutes of a meeting of the Tamahere Community Committee held on Monday 7 March 2016 be received.

CARRIED on the voices

WDC1604/06/8/2

Cr Sedgwick retired from the meeting [3.15pm].

EXCLUSION OF THE PUBLIC

Resolved: (Crs McGuire/Costar)

THAT the report of the Chief Executive – *Exclusion of the Public* – be received;

AND THAT the public be excluded from the meeting during discussion on the following items of business:

- a. **Confirmation of Minutes dated 14 March 2016**
- b. **Receipt of Minutes:**
 - Policy & Regulatory Committee dated 15 March 2016**
 - Strategy & Finance Committee dated 22 March 2016**
 - Infrastructure Committee dated 8 March 2016**
 - Te Kauwhata Community Committee dated 2 March 2016**
- c. **Reports**
 - Property at Ralph Street Huntly to be declared surplus for disposal**

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:

Good reason for passing this resolution to withhold exists under:

section 7(2)(i):

(i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

Ground(s) under section 48(1) for the passing of this resolution is:

section 48(1)(a)

(i) where the local authority is named or specified in Schedule 1, under section 6 or section 7 (except section 7(2)(f)(i))

CARRIED on the voices

WDC1604/09

Resolution nos WDC1604/10 to WDC1604/17 are contained in the public excluded section of these minutes.

Having resumed open meeting and there being no further business the meeting was declared closed at 4.13pm.

Minutes approved and confirmed this day of 2016.

AM Sanson

CHAIRPERSON

Minutes2016/CCL/160411 CCL Minutes