

## **HAURAKI DISTRICT COUNCIL MEETING**

### MINUTES OF A MEETING OF THE HAURAKI DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBERS, WILLIAM STREET, PAEROA ON WEDNESDAY 24 FEBRUARY 2016 COMMENCING AT 9.00 AM

**PRESENT** His Worship the Mayor Mr J P Tregidga (In the Chair), Crs D A Adams, J M Bubb, B A Gordon, G A Harris, P H Keall, M P McLean, P A Milner, H T Shepherd, D H Swales, J R Thorp and A A Tubman

**IN ATTENDANCE** Messrs L D Cavers (Chief Executive), A de Laborde (Engineering Services Manager), D Peddie (Corporate Services Manager), P Thom (Planning & Environmental Services Manager), S B Fabish (Community Services Manager), M Buttimore (Strategic Planning and Projects Manager), R Bierre (Manager, Regulatory Services), D Lees (Property Manager), J McIver (Community Development Officer), Ms R Kirby (Electoral Officer), Ms C Mischewski (Policy Analyst) and Ms C Black (Council Secretary)

### **APOLOGIES**

#### **RESOLVED**

THAT the apology of Crs G R Leonard and J R Thorp be received and sustained.

C16/22

Tubman/McLean

**CARRIED**

#### **LATE ITEMS**

There were no late items.

#### **DECLARATIONS OF INTERESTS**

There were no declarations.

#### **CONFIRMATION OF MINUTES**

ORDINARY MEETING HELD WEDNESDAY 27 JANUARY 2016 (1475662)

#### **RESOLVED**

THAT the minutes of the meeting of the Hauraki District Council held on Wednesday 27 January 2016 are confirmed and are a true and correct record.

C16/23

Milner/Harris

**CARRIED**

#### **MATTERS ARISING FROM THE MINUTES**

There were no matters arising.

#### **CONSIDERATION AND RECEIPT OF COMMITTEE MEETING MINUTES**

PLAINS WARD COMMITTEE (1494691) – Tuesday 9 February 2016

Chairperson, Cr Leonard presented the minutes.

**RESOLVED**

THAT the minutes of the Plains Ward Committee meeting held on Tuesday 9 February 2016 are received and the recommendations contained therein adopted.

C16/24

Harris/Swales

**CARRIED**

PAEROA WARD COMMITTEE (1489155) – Tuesday 9 February 2016

Chairperson, Cr Bubb presented the minutes.

**RESOLVED**

THAT the minutes of the Paeroa Ward Committee meeting held on Tuesday 9 February 2016 are received and the recommendations contained therein adopted.

C16/25

Bubb/Milner

**CARRIED**

WAIHI WARD COMMITTEE (1489247) – Tuesday 9 February 2016

Chairperson, Cr Shepherd presented the minutes.

**RESOLVED**

THAT the minutes of the Waihi Ward Committee meeting held on Tuesday 9 February 2016 are received and the recommendations contained therein adopted.

C16/26

Shepherd/Tubman

**CARRIED**

ECONOMIC DEVELOPMENT COMMITTEE (1493949) – Wednesday 10 February 2016

Cr Adams presented the minutes.

**RESOLVED**

THAT the minutes of the Economic Development Committee meeting held on Wednesday 10 February 2016 are received and the recommendations contained therein adopted.

C16/27

Adams/Tubman

**CARRIED**

AUDIT & RISK COMMITTEE (1495695) – Tuesday 16 February 2016

Deputy Chairperson, Cr Gordon presented the minutes.

**RESOLVED**

THAT the minutes of the Audit & Risk Committee meeting held on Tuesday 16 February 2016 are received and the recommendations contained therein adopted.

C16/28

Tregidga/Tubman

**CARRIED**

JUDICIAL COMMITTEE (1463213) – Monday 7 December 2015

Cr Milner presented the minutes.

**RESOLVED**

THAT the minutes of Judicial Committee meeting held on Monday 7 December 2015 are received.

C16/29

Milner/Shepherd

**CARRIED****DECISION MAKING****ECONOMIC DEVELOPMENT****ECONOMIC DEVELOPMENT CHINA TRIP 2016 (1496059)**

The Chairperson of the Economic Development Committee provided a report advising of the invitation from the Chinese Agribusiness leaders to himself and the Economic Development Manager to travel to China for the discussions on economic development opportunities for the Hauraki District. Council's consideration and approval of the proposed trip and its related costs was sought.

**RESOLVED**

THAT the report be received.

C16/30

Keall/Milner

**CARRIED****RESOLVED**

THAT the Council approves the Economic Development Committee's recommendation that the invitation from Chinese Agribusiness leaders for Cr Adams and the Economic Development Manager to travel to China for the purpose of discussing economic development opportunities for the Hauraki District is accepted, and

THAT the approximate cost of \$8,000 be met from the Economic Development Project Assistance budget.

C16/31

Tregidga/Shepherd

**CARRIED****CORPORATE SERVICES****STREET NAMING – ROCK RIDGE DRIVE (1496294)**

The Corporate Services Manager reported on and requested approval for Council to name a new street, off Norwood Road in Paeroa, as Rock Ridge Drive.

**RESOLVED**

THAT the report be received.

C16/32

Milner/Bubb

**CARRIED****RESOLVED**

THAT the road formed as part of the subdivision of Pt Lot 2 DP 34760 and Pt Lot 2 DPS Norwood Road, Paeroa, be named Rock Ridge Drive.

C16/33

Milner/Bubb

**CARRIED**

**COMMUNITY SERVICES****ORDER OF CANDIDATE NAMES ON VOTING PAPERS – ELECTION 2016 (1495185)**

The Electoral Officer reported on and sought Councils consideration of the order of candidate names on the voting documents for the election to be held on Saturday, 8 October 2016, in accordance with the requirements of the Local Electoral Act (LEA 2001) and Regulations 2001.

**RESOLVED**

THAT the report be received.

C16/34

Gordon/Swales

**CARRIED****RESOLVED**

THAT for the 2016 Triennial Local Body Elections in the Hauraki District, the order of candidate names on voting documents be alphabetical order.

C16/35

Gordon/Swales

**CARRIED****REQUEST FOR FINANCIAL ASSISTANCE – HAURAKI FAMILY VIOLENCE INTERVENTION NETWORK (1477241, 1477218, 1477220, 1477217)**

The Community Development Officer reported on a request for financial assistance which recommended that Council makes a grant to the Hauraki Family Violence Intervention Network (HFVIN) in support of the Hauraki District family violence campaign being run in Paeroa and Waihi.

**RESOLVED**

THAT the report be received.

C16/36

McLean/Keall

**CARRIED****RESOLVED**

THAT the correspondence from Hauraki Family Violence Intervention Network be received, and

THAT a grant of \$10,000 from the District Discretionary Social Fund be made to Hauraki Family Violence Intervention Network with \$5,000 each for resources for the Paeroa and Waihi campaigns.

C16/37

Adams/Milner

**CARRIED**

The meeting adjourned at 10.16am.  
The meeting reconvened at 10.35am.

**PROPOSED EASEMENT TO COVER ENCROACHMENT OF ROOF OVERHANG OF WORKSHOP EXTENSION INTO THE AIRSPACE OF THE ADJOINING LOCAL PURPOSE (DRAINAGE) RESERVE – PART LOT 1 DPS 29664: M&T BATH LIMITED (1474020, 1474065, 1474068)**

The Property Manager presented a report which sought Council approval to grant an easement, under section 48 (1) (f) of the Reserves Act 1977. The applicant (M & T Bath Limited) has not obtained building and resource consent to build on their land (Lot 1 DPS 67913) an extension to

an existing workshop. They have applied for an easement where the overhang encroaches into the airspace of Council's adjoining local purpose drainage reserve.

**RESOLVED**

THAT the report be received.

C16/38

Adams/Swales

**CARRIED**

**RESOLVED**

THAT Council approve the granting of an easement pursuant to section 48(1) Reserves Act 1977 to M&T Bath Limited, registered owners of Lot 1 DPS 67913, for the airspace above the local purpose drainage reserve of which the rear roof of their workshop extension encroaches, and

THAT the term for the easement be in perpetuity, and

THAT the applicant be required to meet all costs involved in the granting and registration of the easement, including any survey required enabling registration of the easement.

C16/39

Adams/Gordon

**CARRIED**

**PLANNING/REGULATORY SERVICES**

**PLANNING AND ENVIRONMENTAL SERVICES MANAGER'S MONTHLY MONITORING REPORT FOR THE PERIOD OF DECEMBER 2015 – JANUARY 2016 (1476488)**

The Planning and Environmental Services Manager and Strategic Planning Manager reported on planning and regulatory matters for the period of December 2015 – January 2016.

**RESOLVED**

THAT the report be received.

C16/40

Harris/Bubb

**CARRIED**

**Golden Cross – Deed of Novation**

A request has been received from Coeur Gold NZ Ltd and Viking Mining Company Ltd requesting that Council sign a Deed of Novation. Coeur Gold and Viking Mining are the Joint Venture partners in respect of the Golden Cross site. Coeur Gold and Viking Mining have agreed that Coeur Gold (80% participating interest) will purchase Viking Mining's interest (20% participating interest) once all conditions of the sale are met.

This Deed is a requirement as the Joint Venture partners have a Memorandum of Understanding with the Council (In the name of the previous Ohinemuri County Council) signed in 1989 relating to road works and accesses to the state forest park. The road works part of the memorandum has been completed but the question of access to the state forest park is still the subject of on-going negotiations with the Council.

It was recommended that the Mayor and a Councillor be authorised to sign the Deed of Novation.

**RESOLVED**

THAT the Mayor and a Councillor be authorised to sign the Deed of Novation required as part of the sale of Viking Mining's interest in the Joint Venture to Coeur Gold.

C16/41

Gordon/Tubman

**CARRIED****2016/17 ANNUAL PLAN DRAFT PROPOSALS AND FINANCIAL IMPACT (1476716, 1467878)**

The Chief Executive and Corporate Services Manager presented the 2016/17 Annual Plan proposals for the Council's consideration prior to adoption in March 2016.

**RESOLVED**

THAT the report be received.

C16/42

Bubb/Keall

**CARRIED****RESOLVED**

THAT the proposed changes to year two of the 2015-2025 Hauraki Long Term Plan (as presented in the proposed annual plan content and proposed financial impact information) be approved for inclusion in the 2016/17 annual plan document, and

THAT the Council determines that the 2016/17 annual plan proposals as drafted to date do not constitute a significant or material change from the Long Term Plan, and on this basis it does not intend to invite public consultation on the annual plan, but rather will inform the public of the adoption of the 2016/17 annual plan and its contents, and

THAT pursuant to section 12 of the Local Government Act 2002, the proposed increase of \$6.00 per week to the Council's pensioner housing rental fees be approved for inclusion in the draft 2016/17 Schedule of Fees and Charges.

C16/43

Milner/Tubman

**CARRIED****H G LEACH & CO LTD - TIROHIA QUARRY/LANDFILL BOND – BOND QUANTUM 2015/2016 (1464682, 1461694)**

The Manager, Regulatory Services sought Councils approval of the Bond Quantum of \$2,673,771.00 as proposed by HG LEACH & Co Ltd for the period of 1<sup>st</sup> November 2015 to 30 November 2016 for consent to operate a quarry and landfill.

**RESOLVED**

THAT the report be received.

C16/44

Milner /Bubb

**CARRIED****RESOLVED**

THAT the Bond Quantum of \$2,673,771.00 as proposed by HG LEACH & Co Ltd for the period of 1<sup>st</sup> November 2015 to 30 November 2016 be confirmed.

C16/45

Bubb/Swales

**CARRIED**

FOOD PREMISES FEES – CHANGES FROM 1 MARCH 2016 (1477286)

The Manager, Regulatory Services advised Council that there were no submissions received on the Proposed Food Premises Fees Statement of Proposal during the special consultative procedure submission period. It was therefore recommended that the proposed fees schedule be adopted (as per option one) and that these come into effect on 1 March 2016.

**RESOLVED**

THAT the report be received.

C16/46

Shepherd/McLean

**CARRIED****RESOLVED**

THAT the Council approves Option one and that the new fees schedule becomes effective from 1 March 2016, and

THAT the fees presented in Table 1 and Table 2 be included in the 2016/17 fees and charges schedule, and

THAT the new fees be communicated to food premises owners by letter, and the general public via the Hauraki Herald, the Council's Facebook page, and the Council's website.

C16/47

Shepherd/McLean

**CARRIED**PERMISSION TO TAKE A QUAD BIKE ONTO WHIRITOA BEACH (1495644)

The Manager, Regulatory Services presented a request from Mr Stuart White seeking permission to use his 4x4 bike on Whiritoa Beach to launch his fishing kontiki and carry out beach care activities. Mr White is the beach care coordinator for Whiritoa.

**RESOLVED**

THAT the report be received.

C16/48

Tregidga/Adams

**CARRIED****RESOLVED**

THAT Council grant permission to Mr Stuart White of 32 Mako Avenue, Whiritoa, to take his 4x4 bike onto Whiritoa beach and foreshore for the purpose of launching his fishing kontiki and carrying out beach care activities subject to the following conditions:-

- 1) That a designated vehicle access point on to the beach be used at all times.
- 2) That the 4x4 bike be driven at walking pace but certainly not at a greater speed than ten(10) km/h.
- 3) That the 4x4 bike must not be driven so as to endanger the safety of or be an annoyance or inconvenience to persons on the beach or foreshore.
- 4) The 4x4 bike shall be under the direction and orders of the appointed beach warden under the Bylaw, at all times.

C16/49

Shepherd/Milner

**CARRIED**

**FOR INFORMATION ONLY****CHIEF EXECUTIVE****CHIEF EXECUTIVE'S MONTHLY FOR FEBRUARY 2016 (1495526)**

The Chief Executive monthly report was presented. The report advised of recent staff changes within the organisation.

**RESOLVED**

THAT the Chief Executive's monthly report for the month of February 2016 be received.

C16/50

Tregidga/Gordon

**CARRIED****PLANNING/REGULATORY SERVICES****UPDATE ON PSYCHOACTIVE SUBSTANCE RETAIL APPLICATIONS TO SELL APPROVED PRODUCTS (1472786)**

The Policy Analyst provided an update on the Proposed Psychoactive Substances Regulations 2014 Amendment.

The Ministry of Health has advised that the Government is likely to make amendments to the Psychoactive Substances Regulations 2014 this year in order to establish a process for the application of retail and wholesale licences for approved products (legal highs)

While it is the role of the Psychoactive Substances Regulatory Authority to issue and monitor licences, the Council will have the opportunity to object to a retail licence application if the application does not comply with the Council's Local Approved Products (Legal Highs) Policy. The Council will also have the opportunity to recommend conditions to be placed on a retail licence. The proposed retail licence application process is outlined in this report.

**RESOLVED**

THAT the report be received

C16/51

Harris/Bubb

**CARRIED****COUNCIL FINANCIAL REPORT FOR THE PERIOD TO 31 JANUARY 2016**

The Mayor approved that the Council financial report for the period to 31 January 2016 be accepted.

The Corporate Services Manager tabled and presented the financial report for the period to 31 January 2016.

**RESOLVED**

THAT the reported be received.

C16/52

Milner/Tubman

**CARRIED**



**DECISION MAKING**

**MATTERS TO BE TAKEN WITH THE PUBLIC EXCLUDED**

**RESOLVED**

THAT the public be excluded from the following parts of the proceedings of this meeting.

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:

Item No.	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) Under Section 48(1) for the Passing of this Resolution
1	Request to depart from the Procurement Policy for the construction of the Kaiaua to Kopu Section of the Hauraki Rail Trail	<b>Section 7(2)(i)</b> Prejudice to Commercial Position/Negotiations To enable the local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Section 48(1)(a) That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.
2	Chief Executive Performance Review	<b>Section 7(2)(a)</b> – Protect the privacy of natural persons, including that of deceased natural persons	Section 48(1)(a) That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

C16/53

Adams/Swales

**CARRIED**

**RESOLVED**

THAT the public be re-admitted to the meeting and that the business in committee discussed be confirmed.

C16/57

Keall/Tubman

**CARRIED**

The meeting closed at 12.15pm.

CONFIRMED

J P Tregidga  
Chairperson

30 March 2016