

**MINUTES OF THE ORDINARY MEETING OF THE MASTERTON DISTRICT
COUNCIL HELD IN THE FRANK CODY LOUNGE, MASTERTON DISTRICT
COUNCIL BUILDING, 64 CHAPEL STREET, MASTERTON ON
WEDNESDAY 23RD MARCH 2016 AT 3.00PM**

PRESENT

Mayor Lyn Patterson (Chair), Councillors Doug Bracewell, Garry Caffell, Brent Goodwin, Pip Hannon, Mark Harris, David Holmes, Jonathan Hooker, Graham McClymont, Simon O'Donoghue and Chris Peterson.

IN ATTENDANCE

Chief Executive, Manager Assets and Operations, Manager Finance, Manager Community Facilities and Activities, Manager Strategic Planning, Communications and Marketing Advisor, Manager Planning and Regulatory Services, Rheegin Anderson-McKenzie, Laura Bradley, Rob Irwin and Jeff Ryan (Trails Wairarapa Trust), Hamish Wilson and Jeff Ravenswood, two members of the public, and Minute taker.

CONFLICT OF INTEREST

Councillor C Peterson declared a conflict regarding the Trails Wairarapa Trust.

LATE ITEM

The meeting was advised of a late item for inclusion in the agenda:

Henley Lake Resource Consent Renewal

This item had not been available for inclusion with the agenda and could not be held over until a later meeting.

Moved by Councillor G Caffell – **That in terms of section 46A(7) of the Local Government Official Information and Meetings Act 1987 the item be dealt with at this meeting.**

Seconded by Councillor J Hooker and CARRIED.

TUIA PROGRAMME

Rheegin Anderson-McKenzie and Laura Bradley spoke on their experiences in the Tuia programme.

Mayor L Patterson selected Laura Bradley as the 2016 participant, with Rheegin Anderson-McKenzie undertaking the programme in 2015.

It was noted that Air New Zealand have provided sponsorship to enable Laura to attend the five wananga this year.

Both Rheegin and Laura felt that it was a valuable experience and were very appreciative of the opportunity afforded to them.

ROB IRWIN AND JEFF RYAN, TRAILS WAIRARAPA TRUST

Rob Irwin gave a presentation on the Trust's proposal to extend the Waipoua Trail, which would create a loop track.

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The building of a suspension bridge to enable the crossing of the Waipoua River was suggested by the Trust, at an approximate cost of \$200,000.

It was noted that the Flood Protection Plan allows for some beautification, with the possibility of using some of the funds towards the trail suggested.

Members queried whether it would be cheaper to clip a bridge onto the railway bridge, and were advised that it would cost twice as much to do this, due to maintenance access and safety issues.

Jeff Ryan advocated for the development of a regional cycling strategy for both the Wellington and Wairarapa regions, with the creation of a cycling track from Castlepoint to Pencarrow an aspiration.

He noted the potential for increased tourism if cycle trails were further developed and encouraged work to be done in the area.

Members noted their support for the trails, and encouraged the Trust to look into the WREDA funding opportunity also.

HAMISH WILSON AND JEFF RAVENSWOOD, FERNGLEN ROAD

Hamish Wilson and Jeff Ravenswood gave a presentation on the history of the Fernglen Road situation, and what they are seeking to resolve the issue. They stated they wished to see the road open to all who wish to use it by whatever means of transport.

LOCAL GOVERNMENT NEW ZEALAND PUBLIC CAMPAIGN

The Communications and Marketing Advisor briefly outlined the LGNZ campaign which will inform the public of the services Councils provide.

Examples of the posters, pull up banners and business cards were circulated, with local photographs utilised.

CONFIRMATION OF MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 9TH DECEMBER 2015 (223/15 – Pages 101/110)

Moved by Councillor M Harris – **That the minutes of the Ordinary Meeting of the Masterton District Council held on 9th December 2015 be confirmed.**

Seconded by Councillor J Hooker and CARRIED.

CONFIRMATION OF MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 16TH DECEMBER 2015 (234/15 – Page 121)

Moved by Councillor D Bracewell – **That the minutes of the Special Meeting of the Masterton District Council held on 16th December 2015 be confirmed.**

Seconded by Councillor M Harris and CARRIED.

ITEMS TO BE CONSIDERED UNDER SECTION 48(1)(A) OF THE LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

Moved by Councillor D Holmes – **That in terms of section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 the items be dealt with at this meeting.**

Seconded by Councillor S O'Donoghue and CARRIED.

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FERNGLEN ROAD (036/16 - Pages 211/212)

A report was provided that informed the Notice of Motion from Councillor B Goodwin.

The Chief Executive advised that legal opinions had been sought on Council's obligations. Paper roads are unformed legal roads owned by the Council with an obligation to allow public to have access to them.

Members were advised that the Council's obligation was solely for the unformed paper road, and that mediation between Juken New Zealand and other parties was not Council's responsibility.

Moved by Councillor B Goodwin – **That Council be updated on whether or not Fernglen Road is open to passage by any means, and that Council seeks to assist the two parties with mediation.**

Seconded by Councillor G Caffell and CARRIED.

POLICY AND FINANCE COMMITTEE (026/16 – Pages 301/306)

Mayor L Patterson introduced the report and noted that the following matters had been discussed at the meeting held 2nd March 2016:

- Non-Fluoridated Potable Water Options (015/16 – Pages 311/312)
- Wairarapa Regional All Weather Track Trust
- Wairarapa Councils' Shared Services Working Party Terms of Reference (022/16 – Pages 321/323)
- Drones Over Open Spaces (011/16 – Pages 331/338)
- Placenta Garden (012/16 – Pages 341/342)
- Contracts Let Under Delegated Authority (010/16 – Page 345)
- Aquatic Education Experiences (019/16 – Pages 351/356)
- Notes of the Economic Development Task Group meeting 4th February 2016 (020/16 – Pages 361/363)
- Notes of the Parks and Open Spaces Task Group meeting 24th February 2016 (021/16 – Pages 371/374)
- Tinui Fire Depot Building (025/16 – Page 318)
- Appointment Of Representative On The Connecting Communities Wairarapa Board

Moved by Councillor D Holmes – **That the Policy and Finance Committee Report 026/16 including the following resolutions be confirmed:**

- **NON-FLUORIDATED POTABLE WATER OPTIONS (015/16 – Pages 311/312)**

1. ***That Council approve Officers negotiating with the representatives of an existing, private water supply to determine whether a connection can be provided, and;***
2. ***That Council approve Officers proceeding with establishing the supply point.***

- **WAIRARAPA REGIONAL ALL WEATHER TRACK TRUST**

That the following questions concerning the Wairarapa Regional All Weather Track Trust [The Trust] be forwarded to the Trust for response so as to provide transparency and accountability for a significant publicly funded project:

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1. *The insurance in 2015 accounts is less than half the amount budgeted in the Business Plan [BP] – please supply details of insurance cover.*
2. *Usage fees in 2015 accounts are less than a third of BP budget – please explain.*
3. *The BP shows the Track Replacement Fund receiving over \$10,000/year from the Trust but there is no mention of it in annual accounts – please explain.*
4. *The BP shows annual income of \$12,000 for 40 signs and also shows over \$4,400 annual income from 'soccer, other annual events and fundraising'. These income streams are not evident in the annual accounts – in 2015 there is 10% of the budgeted amount as sundry income, in 2014 there is nothing – please explain.*
5. *The BP promised [p25-27] the Trust would be self-supporting without public grants – please explain.*
6. *The BP on p21 shows formation of the WRATT with membership comprising of athletics clubs, secondary schools and community. Who is on the Trust now and who do they represent?*

- **WAIRARAPA COUNCILS' SHARED SERVICES WORKING PARTY TERMS OF REFERENCE (022/16 – Pages 321/323)**

That the Council approves the amended Terms of Reference for the Wairarapa Councils' Shared Services Working Party.

- **DRONES OVER OPEN SPACES (011/16 – Pages 331/338)**

That the Council approves the Masterton District Council Guidelines on Flying Unmanned Aircraft Over Council Land.

- **PLACENTA GARDEN (012/16 – Pages 341/342)**

That the Council approves the establishment of a Placenta Burial Garden at Henley Lake.

- **CONTRACTS LET UNDER DELEGATED AUTHORITY (010/16 – Page 345)**

That Council receives the information in report 010/16.

- **AQUATIC EDUCATION EXPERIENCES (019/16 – Pages 351/356)**

That the Council notes the information contained in report 019/16.

- **NOTES OF THE ECONOMIC DEVELOPMENT TASK GROUP MEETING 4TH FEBRUARY 2016 (020/16 – Pages 361/363)**

That the notes of the Economic Development Task Group be received.

- **NOTES OF THE PARKS AND OPEN SPACES TASK GROUP MEETING 24TH FEBRUARY 2016 (021/16 – Pages 371/374)**

That the Parks and Open Spaces Task Group recommends that the request to install a bidet and hoist at the Genesis Energy Recreation Centre be declined.

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TINUI FIRE DEPOT BUILDING (025/16 – Page 318)

That Council agrees to grant full ownership of the proposed new Tinui Fire Depot building to the Wairarapa Rural Fire Service, subject to the Fire Service successfully fundraising the \$55,000 shortfall required to complete the project.

- **APPOINTMENT OF REPRESENTATIVE ON THE CONNECTING COMMUNITIES WAIRARAPA BOARD**

That the information regarding the Connecting Communities appointment be released to the public when appropriate, at the discretion of the Chief Executive.

Seconded Councillor B Goodwin and CARRIED.

AUDIT AND RISK (017/16 – Pages 401/403)

Mayor L Patterson introduced the report and noted that the following matters had been discussed at the meeting held 17th February 2016:

- Sensitive Expenditure Policy (008/16 – Pages 411/419)
- Second Quarter And Six Monthly Reports (006/16 – Pages 421/451)
- Six Months Year To Date Commentary And Financial Statements (007/16 – Pages 455/481)
- Six Months Non-Financial Report (009/16 – Pages 491/501)
- Minutes Of The Audit And Risk Committee Meeting Held On 18th November 2015 (199/15 – Pages 401/403)

Moved by Councillor B Goodwin – **That the Audit and Risk Committee Report 017/16 including the following resolutions be confirmed:**

- **SENSITIVE EXPENDITURE POLICY (008/16 – Pages 411/419)**

That the Audit and Risk Committee approves the proposed Sensitive Expenditure Policy.

- **SECOND QUARTER AND SIX MONTHLY REPORTS (006/16 – Pages 421/451)**

1. ***That Council receives the quarterly reports and financial statements as at 31 December 2015 from Aratoi Regional Trust and Destination Wairarapa, and the six monthly reports from Sport Wairarapa and Toi Wairarapa.***
2. ***That Council completes the KPIs for 2015/16 as soon as practical.***
3. ***That the KPIs for 2016/17 are progressed through the Annual Plan process.***

- **SIX MONTHS YEAR TO DATE COMMENTARY AND FINANCIAL STATEMENTS (007/16 – Pages 455/481)**

1. ***That the Audit and Risk Committee receives the six months to date financial report and commentary – incorporating the Rates Requirement Summary, Operating Statements, and Capital Expenditure Statement.***
2. ***That the report provides Council with good financial assurance that there is very good reporting within Masterton District Council and that the Chief Executive should be congratulated.***

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- **SIX MONTHS NON-FINANCIAL REPORT (009/16 – Pages 491/501)**

That Council receives the six month non-financial performance measures report for the 2015/16 financial year.

- **MINUTES OF THE AUDIT AND RISK COMMITTEE MEETING HELD ON 18TH NOVEMBER 2015 (199/15 – Pages 401/403)**

That the minutes of the Audit and Risk Committee meeting held 18th November 2015 be received.

Seconded by Councillor M Harris and CARRIED.

HENLEY LAKE RESOURCE CONSENT RENEWAL (038/16 – Pages 650/650B)

Members were informed of the pending renewal of the current Henley Lake water take resource consent and implications surrounding this renewal. The current consent expires in May 2017.

Background was provided to the water flow into Henley Lake and current issues, including the toxic algae, were noted.

Members discussed the issues, noting their support for options to improve the condition of Henley Lake. A financial provision for the options is to be made in the Draft Annual Plan.

Moved by Councillor G Caffell – **That Council:-**

1. **Agrees to consult via the Annual Plan process to seek community feedback on the Henley Lake water take.**
2. **Notes officers will investigate options to improve the quality of the lake for future Council consideration, with a financial provision of up to \$500,000 to be included in the Draft Annual Plan.**

Seconded by Councillor G McClymont and CARRIED.

ADOPTION OF DRAFT ANNUAL PLAN 2016/17 AND CONSULTATION DOCUMENT (035/16 – Pages 601/609)

The Draft Annual Plan 2016/17 and the Annual Plan Consultation Document were presented for adoption for public consultation. It was noted that the consultation process will be launched on 8th April 2016.

Members discussed the draft plan and consultation document, with the Food Fees proposal and Henley Lake to be included in the consultation document.

Note to Minutes:

Food Act 2014 Fees and Charges Proposal was adopted at the 9th December 2015 Council meeting.

A Member queried whether it was necessary to include in the Draft Annual Plan the schedule of fees for areas that are not being changed. The Manager Strategic Planning will investigate this further and report back.

Members discussed the method of dispersal for the consultation document, deciding that they should be hand delivered to every household.

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Moved by Mayor L Patterson – **That Council adopts the Draft Annual Plan 2016/17, with the addition of the Henley Lake proposal, for consultation with the community.**

Seconded by Councillor D Bracewell and CARRIED.

Moved by Mayor L Patterson – **That Council adopts the Draft Annual Plan 2016/17 Consultation Document, with the addition of the Henley Lake proposal, for consultation with the community.**

Seconded by Councillor D Bracewell and CARRIED.

Moved by Mayor L Patterson – **That Council:-**

- **agrees to use the Special Consultative Process to consult on the Draft Annual Plan 2016/17.**
- **Delegates authority to the Mayor, Chief Executive, Manager Finance, and Manager Strategic Planning to approve minor changes and complete the required detailed information, prior to the publication of the Draft Annual Plan and the Consultation Document.**

Seconded by Councillor D Bracewell and CARRIED.

WAIRARAPA GAMBLING VENUES POLICY AND TAB BOARD VENUES POLICY (030/16 – Pages 611/620B)

Adoption of the reviewed Wairarapa Gambling Venues Policy and the Wairarapa TAB Board Venue Policy for consultation was sought.

Members discussed the policies, noting that further measures may be required if there is no reduction in gaming machines as a result of the sinking lid policy by the next review.

Moved by Councillor M Harris – **That Council:-**

- **adopts the reviewed Wairarapa Gambling Venues Policy for consultation (subject to South Wairarapa District Council (SWDC) adoption);**
- **adopts the reviewed Wairarapa TAB Board Venue Policy for consultation (subject to SWDC adoption);**
- **notes that the special consultative process must be used for consultation on these policies; and that this process will commence once the policies are adopted for consultation by all three Wairarapa Councils;**

Seconded by Councillor B Goodwin and CARRIED.

SMOKEFREE POLICY (031/16 – Page 621)

Approval was sought to extend the period when fires in the open air are prohibited within the urban area of Masterton District.

Moved by Councillor G McClymont – **That Council endorses the Wairarapa Policy Working Group's recommendation that the development of a Wairarapa Smokefree Policy be postponed until the end of the 2016/17 financial year.**

Seconded by Councillor B Goodwin and CARRIED.

ASCENSION SCULPTURE (037/16 – Pages 623/630B)

Further information was provided regarding the ongoing cleaning and maintenance costs of the Ascension Sculpture, with approval sought that, once installed, Council will be the owner of the sculpture to be erected on the northern roundabout.

It was noted that the New Zealand Transport Agency have advised that bollards are required to be installed around the support poles for the sculpture.

Members discussed their support for the sculpture, noting that it needs to be clear that Council are not responsible for any future replacement of the sculpture.

Moved by Councillor G Caffell – **That Council:**

- 1. Approves that ownership of the Ascension Sculpture will be transferred to Council post installation, and after a defects period of six months, and subject to New Zealand Transport Agency final approval.**
- 2. Notes the proposed additions to the Commission Agreement relating to independent engineering advice to ensure structural integrity in a high wind loading area.**
- 3. Notes that all the installation costs are to be covered by Aratoi Foundation.**
- 4. Notes the updated estimated costs of the on-going maintenance, insurance and power costs of the Ascension Sculpture and that they will be the responsibility of Council.**
- 5. Notes that Council will not fund the depreciation of the sculpture, as it is not Council's intention to pay for its replacement at a future time.**
- 6. Delegates to the Chief Executive the finalisation of the Commission Agreement in line with the above recommendations.**

Seconded by Councillor P Hannon and CARRIED 9:2.

A division was called, with Councillors B Goodwin and S O'Donoghue voting against the motion.

NOTES OF THE ENVIRONMENT TASK GROUP MEETING HELD ON 9TH MARCH 2016 (027/16 – Pages 631/632)

Councillor C Peterson spoke to the report, noting the importance of the air quality issue.

Mayor L Patterson is to follow up on the discussion with the other Wairarapa councils on the creation of a Low Carbon Wairarapa Strategy.

The notes of the meeting are to be altered to provide clarification, with the ban on fires in the open air, as opposed to open fires.

Moved by Councillor C Peterson - **That the Environment Task Group notes 027/16 including the following resolution, and the amendment made as noted, be confirmed:**

- That Council discuss with the other Wairarapa councils the creation of a Low Carbon Wairarapa Strategy.**

Seconded by Councillor M Harris and CARRIED.

AMENDMENT TO PART SIX OF THE MASTERTON AND SOUTH WAIRARAPA DISTRICT COUNCIL'S CONSOLIDATED BYLAW 2012 (032/16 – Pages 633/647)

Approval was sought to extend the period when fires in the open air are prohibited within the urban area of the Masterton District.

Moved by Councillor G McClymont – **That Council:-**

- **Approves for consultation the proposed amendment to Part 6 of the Masterton and South Wairarapa District Council's Consolidated Bylaw 2012, being to extend the end of the annual outdoor fire ban in the Masterton District urban area from 31st July to 31st August each year;**
- **Notes that the special consultative process (SCP) must be used to amend this bylaw and that officers propose undertaking SCP in conjunction with the annual plan process;**
- **Notes that although the change applies to the Masterton urban area only, South Wairarapa District Council will need to be advised of the proposed change as it is a joint bylaw.**

Seconded by Councillor D Holmes and CARRIED.

NOTES OF THE COMMUNITY DEVELOPMENT TASK GROUP MEETING HELD ON 9TH MARCH 2016 (028/16 – Pages 651/653)

Councillor D Bracewell spoke to the report, noting that the meeting was held at Te Awhina Cameron Community House, and future community locations are sought.

A Member noted their appreciation for the work undertaken by Officers in organising the Inflatable Fun Day held at McJorow Park on 13th March 2016.

It was noted that Lynette Juno, the new Neighbourhood Support Co-ordinator, wishes to speak to the staff and Members (separately) about becoming a part of Neighbourhood Support groups.

The beautification, and better utilisation, of the end of River Road was discussed, with the Police to work with Council and the community to enhance the area.

Officers are to talk to Constable Dean Fawcett regarding crime prevention designs in council parks and reserves.

It was noted that the concrete boulders at Boltons Road have been moved, with Officers to follow this up.

A visit to the Fab Lab is to be organised for Members.

Mayor L Patterson is to follow up on the location of the MyMasterton bags.

Moved by Councillor D Bracewell – **That the notes of the Community Development Task Group meeting held 9th March 2016 be accepted as a true and accurate record.**

Seconded by Councillor G Caffell and CARRIED.

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CHIEF EXECUTIVE'S REPORT (033/16 – Pages 655/676)

Council was provided with an update on the key projects and areas of focus for the Chief Executive and the Senior Management Team.

Members discussed the report, noting that details on the efficiency savings, and the supporting commentary, were on pages 675/676.

An amendment is to be made to page 656 of the report, with the WREDA acronym to read Wellington Regional Economic Development Agency.

Members discussed the report, including their support for the Mayoral delegation to Changchun in China. It was noted that Members are travelling at their own expense.

A Member acknowledged the amount of work undertaken by Officers involved in the citizenship ceremonies and Civic Awards process.

Moved by Councillor C Peterson – **That Council:-**

- **Approves the Chief Executive and Maori Liaison Advisor accompanying Mayor L Patterson on a Mayoral Delegation to Masterton District Council's sister city, Changchun, in China.**
- **Notes the information contained in report 033/16.**

Seconded by Councillor D Holmes and CARRIED.

MAYOR'S REPORT (034/16 – Pages 681/685)

Information was provided on meetings and events undertaken by the Mayor, and other areas of interest between 5th December 2015 and 20th March 2016.

Information on the Vote 2016 campaign that Local Government New Zealand will be running is to be circulated to Councillors.

Luther Toloa is to be invited to give an update on the Colombo Road Netball project to Members.

MP Phil Twyford is to be invited to speak on the social housing issue to Council.

Wairarapa Police Area Commander Donna Howard is to be invited to speak to Council.

Moved by Councillor G Caffell – **That Council receives the information in report 034/16.**

Seconded by Councillor G McClymont and CARRIED.

RUAMAHANGA WHAITUA COMMITTEE UPDATE (029/16 – Page 691)

An update on the Ruamahanga Whaitua Committee was provided.

Moved by Councillor D Holmes – **That Council receives the information in report 029/16.**

Seconded by Councillor G McClymont and CARRIED.

MATTERS TO BE CONSIDERED WITH THE PUBLIC EXCLUDED AT THE ORDINARY COUNCIL MEETING ON TH DECEMBER 2015

Moved by Councillor D Holmes – **That the public be excluded from the following parts of the proceedings of the meeting of the Masterton District Council:-**

1. **Confirmation of Minutes**
 Confirmation of Minutes – 9th December 2015
 Confirmation of Minutes – 16th December 2015
2. **Policy & Finance Committee**
 Connecting Communities Appointment
3. **Audit & Risk Committee**
 a. Risk Management Framework – Improvement Plan Update
 b. Draft Audit Management Report for the Year End 30th June 2015
4. **General Business**

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	Ground(s) under section 48(1) for the passing of this resolution
Confirmation of Minutes	Refer to Pages 108/109 9 th December 2015	s48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7.
Confirmation of Minutes	Refer to Page 121 16 th December 2015	s48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7.
<u>Policy and Finance –</u> *Connecting Communities Appointment	7(2)(i) The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	s48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7.
<u>Audit and Risk –</u> Risk Management Framework – Improvement Plan update	7(2)(i) The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	s48(1)(d) That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in any proceeding to which this paragraph applies.

Seconded by Councillor P Hannon and CARRIED.

The public was excluded at 7.20pm

The meeting returned to open session at 7.35pm

The meeting concluded at 7.36pm