MINUTES OF THE MEETING OF THE WAIMAKARIRI DISTRICT COUNCIL HELD IN
THE COUNCIL CHAMBER, 215 HIGH STREET, RANGIORA COMMENCEING AT 1PM
ON TUESDAY 7 FEBRUARY 2017

PRESENT:

Mayor D Ayers (Chair), Deputy Mayor K Felstead, Councillors P Allen, N Atkinson,
A Blackie, R Brine (departed 3.50pm during item 19.2), W Doody, D Gordon, J Meyer,
S Stewart and P Williams.

IN ATTENDANCE:

Messrs J Palmer (Chief Executive), J Millward (Manager, Finance & Business Support),
K LaValley (Project Delivery Manager), G Meadows (Policy Manager) and S Nichols
(Governance Manager).

The meeting adjourned for refreshments at 3.10pm and recommenced at 3.25pm.

1 APOLOGIES

Moved: Mayor Ayers  Seconded: Councillor Atkinson

An apology for early departure was received and sustained from Councillor Brine
from 3.50pm.

CARRIED

J Palmer introduced a new Communications team member, D Huisman, who would
be operating a video camera in the Chambers for a portion of the meeting for future
editorial.

ADDITIONAL ITEM

Moved: Councillor Felstead  Seconded: Mayor Ayers

THAT the Council:

(a) Receives an additional report for consideration under item 10, referred
from the Kaiapoi-Tuahiwi Community Board, being the formation of
Kaiapoi Regeneration Steering Group - C Sargison (Manager
Community and Recreation).

CARRIED

2 CONFLICTS OF INTEREST

Councillor Felstead enquired of the CE regarding item 8.4, being the current Chair
of the Audit and Risk Committee. It was deemed no conflict of interest.

3 ACKNOWLEDGEMENTS

Mayor Ayers acknowledged the passing of Karen Eastwood, Woodend-Sefton
Community Board Member. He spoke of Karen's participation in local government
and the local community.

Mayor Ayers acknowledged the passing of Former Councillor Peter McMorran,
being the last chair of the Oxford County Council and on the first term of the
Waimakariri District Council, speaking of Peter’s contribution with the transition committee in 1989 and the first term of the Oxford ward.

Mayor Ayers acknowledged the passing of staff member Richard Cocker from the building team.

A moments silence was held in respect of those persons that have passed.

Mayor Ayers acknowledged the New Year’s Honours listing and Waimakariri people being recognised at the national level for their contribution to the wider community.

Vi Cottrell, of Ohoka, was awarded the Officer of the New Zealand Order of Merit (ONZM) recognising over 40 years of involvement with Trade Aid, and as an honorary member of the World Fair Trade Organisation and member of its monitoring committee.

Dr David Mitchell of Pegasus was awarded the Officer of the New Zealand Order of Merit (ONZM), being recognised for his work in education for children with special needs.

Dr John Hyndman, of Clarkville, was awarded the Member of the New Zealand Order of Merit (MNZM) and recognised for his services to health and innovation in the development of a low-cost portable anaesthetic machine.

4 CONFIRMATION OF MINUTES

4.1 Minutes of a meeting of the Waimakariri District Council held on Tuesday 6 December 2016

Moved: Councillor Doody Seconded: Councillor Williams

THAT the Council:

(a) Noted an amendment to item 7.1 with Councillor Atkinson and Williams against the motion.

(b) Confirms as a true and correct record the minutes of a meeting of the Waimakariri District Council held on Tuesday 6 December 2016.

CARRIED

5 DEPUTATIONS AND PRESENTATIONS

Nil.

6 ADJOURNED BUSINESS

Nil.

7 REGENERATION REPORTS

Nil.
8 REPORTS

8.1 Draft Development Contribution Policy 2017/18 – K LaValley (Project Delivery Manager)

K LaValley spoke to the report highlighting key aspects. It was advised the existing policy was last updated for the 2015/16 financial year and as part of 2017/18 Annual Plan consultation it is an opportunity to rectify inconsistencies. Key changes proposed included policy setting the timeframe at the standard five years plus three years and if a developer applied for a ten year delay then the development contributions would be reassessed. K LaValley spoke of the development contributions in the rural areas and their effect on roading contribution charging. The proposed policy had a definition of eastern districts sewer scheme and plain language improvements; water source upgrades were spread over 35 years rather than 10 years, as it serves for growth. Also the policy included additional criteria for private developer agreements to provide greater direction.

K LaValley advised some aspects had not been addressed in the policy improvements which included assessment of roading contributions, commercial developments and water/solid waste development contributions as it was more appropriate for review these aspects at the time of the Long Term Plan, the following year.

Councillor Allen sought clarity on several definitions relating to the policy. Staff advised of the necessary detail.

Councillor Allen enquired about back-dating the contribution. Staff explained projects that were completed in 10 years with an example of water supply and how the contributions at both the previous 10 years and forward 10 years for related expenditure were calculated to incorporate growth factors.

Councillor Allen referenced pg 44 and the situation of the Council not using land for reserve purposes, enquiring if it is the same issue for roading contributions. Staff could not recall the delegation being used to return reserve land for development contributions, but it had occurred for roading financial contributions. Legislation outlines situations when the Council is compelled to refund contributions including interest.

Councillor Allen enquired how the volume of 2,000 litres of water per day is derived. Staff explained the process of averaging households near average peak demand, which takes into account projected growth, with general discussion of examples and capacity loadings.

Councillor Allen enquired why some consultation will occur with the Annual Plan, and some withheld until the Long Term Plan (LTP) the following year, as some questions may arise this year. K LaValley spoke of key reasons with the larger consultation of the LTP being more appropriate to have more significant changes. In a secondary question Councillor Allen asked if those issues have been identified by staff or raised by developers. It was advised staff, developers and review from an independent specialist are all matters to reflect on. Staff are trying to focus on technical changes and avoid implication to amendments to the LTP.

Councillor Atkinson referred to para 4.4.4.1 in relation to the expectation of Maori, enquiring if there was a statement to explain what it means. Staff advised the fundamental driver for the community is national standards, policy statements and legislative frameworks, which is a continuing and
growing issue for the Council. It was acknowledged the description could be enhanced.

Councillor Doody sought clarity on pg 40 relating to vehicle crossings and land used for development and damage to roading. K LaValley explained the development contribution for roading is district wide, but in areas where vehicle crossings are put in independently or after the development then there can be some issues. It was suggested the definition be deleted as it no longer related to vehicle crossing but was linked with the dwelling.

Councillor Atkinson queried if land was vested, and when a company no longer exists, where do the funds go. Staff advised it was more of an issue of financial contributions and to date such a situation has not occurred, however if the company was unable to be located then funds would go to the Inland Revenue.

Moved: Councillor Allen Seconded: Councillor Gordon

THAT the Council:

(a) Receives report No 170109000819.

(b) Approves the Draft Development Contribution Policy 2017/18 for consultation as part of the 2017/18 Annual Plan.

(c) Notes that this update has been undertaken through the Development Contribution Internal Review Group.

CARRIED

Councillor Allen commented the issues were complex and took some understanding. He commented that the questions that he had asked were not uncommon to be asked during a consultation period, and therefore staff responses assisted clarity of understanding of what is being sought.

Councillor Gordon concurred with Councillor Allen regarding the complexity of issues involved.

8.2 Draft submission to the Health Select Committee on the Health (Fluoridation of Drinking Water) Amendment Bill – G Meadows (Policy Manager)

G Meadows spoke briefly to the report outlining key aspects including advising LGNZ oppose the Bill; national leadership is needed, and that consultation is statutory for local government but not for Health Boards. The Council have a placeholder submission pending the outcome of the Council considerations today.

Mayor Ayers advised that Christchurch City had changed views; therefore the submission from the Canterbury Council’s was suggested to be from the Canterbury Mayor’s Forum. The Deputy Chair of the Mayor’s Forum will speak to the Select Committee.

Councillor Allen sought clarity on other Council’s positions. G Meadows commented that if the Bill proceeds as the current draft, then the Canterbury District Health Board may not necessarily take ownership. J Palmer outlined the Canterbury Mayor’s Forum and subtle differences in other views of Canterbury Mayors. He commented that Waimakariri District Council was seeking national leadership, and the submission expressed concerns for bearing the cost. Whilst this Council held a similar view to many other councils there was confusion over the Bill content.
Councillor Allen stated it was a contentious issue and enquired if it posed a consistency issue for all Councils to maintain high water quality standards. Staff commented on the Director General of Health and the potential effect on drinking water standards.

Councillor Atkinson sought clarification on water rating systems. Staff suggested legislative and regulation changes were likely to be required pending the outcome of this phase. The Waimakariri District Council currently does not fluoridate the water.

Moved: Mayor Ayers Seconded: Councillor Brine

**THAT** the Council:

(a) **Receives** report No. 161220131266.

(b) **Approves** the attached submission to the Health Select Committee (TRIM No. 161220131296);

(c) **Authorises** the points of this submission to be incorporated into the Canterbury Mayoral submission, and the Local Government New Zealand national submission;

(d) **Authorises** the Mayor to represent the Council at the hearing before the Health Select Committee;

(e) **Approves** the distribution of the submission to Community Boards for their information.

**CARRIED**

Mayor Ayers commented on South Taranaki fluoridation decisions and issues that followed. He stated that he occasionally receives letters on fluoridation matters, expressing either view. Mayor Ayers stated if it is a health issue in one area of the country, then it will be a health issue across the country, in which case let parliament deal with the issues and ensure the provision of consistency across the country.

Councillor Brine agreed with the mayoral comments, reiterating the need for national consistency, and therefore decisions were needed at central government level.

Councillor Allen, supported the motion, but expressed disappointment with the District Health Board and failure to submit on the matter after lobbying the government. Councillor Allen commented that it was, in his view, not acceptable for smaller councils to bear the pressures from differing groups to determine outcomes and therefore sought consistency of regulations nationally.
8.3 Triennial Agreement – Canterbury Authorities – J Palmer (Chief Executive)

J Palmer spoke to the report briefly, drawing attention to the Charter and outlining work being done, including how the work of the Forum is communicated. He commented on the effectiveness of the Forum for providing a collective voice for the betterment of Canterbury.

Councillor Gordon enquired who the current Forum chairperson was. J Palmer advised that at the Mayoral Forum meeting of 27 January, Lianne Dalziel of Christchurch was selected as chair, alongside Timaru Mayor Damon Odey as deputy chair. The Chief Executive Chair has been held by himself (J Palmer) for the past three years, and will he will continue in that role during 2017.

Moved: Councillor Atkinson  Seconded: Councillor Felstead

THAT the Council:

(a) Receives report No. 170130008140.

(b) Ratifies the Canterbury Local Authorities Triennial Agreement for the 2017-2019 term.

CARRIED

8.4 Independent Member on the Audit and Risk Committee – J Millward (Manager Finance and Business Support)

J Millward spoke briefly to the report, and took the report as read.

Councillor Allen enquired how does the Council decide it has significant experience around the table (referring to pg 103). J Millward advised that was for the Council to determine, based on life experience. He spoke of the media and fraud that had occurred at other Councils, although the examples were of an operational nature and an independent person on the Committee may not have mitigated the fraud from occurring in those instances. J Millward explained how this Council has an independency around treasury and borrowing practices that is reported through the Audit and Risk Committee.

Councillor Allen enquired of independent consultants. Staff confirmed the Council utilises independent advice at various times and examples were provided. It was commented there was mixed feedback from different Councils on how effective independent persons were on a Committee.

Councillor Allen enquired if any gaps had been identified for additional training of the Audit and Risk Committee membership. Staff advised additional training was purely for assurance if members wish to take up the option, but no gaps in experience had been clearly identified.

Councillor Gordon enquired about Audit NZ, their function and costs to the Council. J Millward explained that in an LTP year the Auditors cost from assessing the accounts would be approximately $120,000, and in an Annual Plan year it would be a little less. With the additional earthquake related work approximately $20,000 was spent on Audit processes and assessment.
Councillor Gordon enquired of J Millward’s qualifications as the Manager of Finance. J Millward outlined his 30 years involvement in local government, financial positions, responsibilities, ongoing learning and being a qualified Chartered Accountant. The organisation also had two other staff that held the qualification of Chartered Accountant. The Chief Executive’s financial experience was also acknowledged.

Councillor Blackie sought clarification on the interests register. Staff explained by providing an example and outlined its purpose of offering business assurance through providing openness of private business relationships.

Councillor Felstead enquired if by having an independent member on the Audit and Risk Committee, would there be any exterior benefits such as more favourable credit rating by Standards & Poor’s. J Millward advised the AA rating from Standards & Poor’s would not be affected by the Committee membership. He spoke of best practice and recommendations by local financial agencies; as an investor viewpoint it would be favoured. J Palmer commented that it is circumstances from each Council to be considered based on practices and members experience.

Mayor Ayers queried if an independent member was appointed and they were also chair, would it upset the consistency of chairs on other Council standing committees. J Palmer confirmed it would have an impact on the rotation of chairs at the standing committees as it would be likely the independent member would be the chair for the whole of term.

Councillor Atkinson reflected that given the nature of the Audit and Risk Committee what past actions have occurred to mitigate risk. J Millward commented on the Auditor from Audit NZ having direct contact with the Council itself, independent of staff. There is the management report and the auditor undertakes two audits per year, looking for affects to the Council and follows up matters with a formal report to the Council.

Councillor Atkinson enquired if management considered the Council’s current auditor as thorough. J Millward confirmed Audit NZ examine all areas of Council business and are very through in their practices.

Councillor Doody queried the decision making/voting powers of an independent member to the Committee. J Palmer spoke of terms of reference and delegation of powers being set or amended by the full Council.

Moved: Councillor Gordon  Seconded: Councillor Atkinson

THAT the Council:

(a) Receives report No 161205124862

(b) Agrees that no change to the existing Audit and Risk Committee structure is required for the balance of the triennium being to October 2019;

(c) Approves additional Governance training for the Audit and Risk Committee.

(d) Notes the Council recommends to the 2019-2022 incoming Council to review the matter of an independent member to the Audit and Risk Committee.

CARRIED
Councillor Allen Against
Councillor Gordon commented on the role of being an elected member, and that the public have put faith in colleagues and himself to be the stewards of the Council. He reflected on the previous weeks briefing. Councillor Gordon advised he was comfortable with the degree of advice, annual budget processes, and other opportunities throughout the year to assess matters that are then backed up by Audit NZ reporting. He commented briefly on the extensive experience that both the Chief Executive and Manager of Finance hold. Councillor Gordon reflected on report para 5.2 and the objective of the Annual Plan review meetings; what members are elected to do and the good processes in place. Councillor Gordon was supportive of any additional governance related training being available for any Councillor to partake.

Councillor Atkinson reserved his speaking rights until later in the debate.

Councillor Allen opposed the motion, but stated his comments were not to be taken as a reflection on current members or senior staff experience. He agreed with colleagues comments relating to the contribution and experience Councillors and senior staff bring to the organisation. Councillor Allen believed it to be a ‘red-herring’ to have an independent person as chair, commenting that what was important is to have the appropriate skills on the Audit and Risk Committee. Councillor Allen posed the question of why should this committee be any different to any other committee; however in his view this particular committee was the key decision body feeding into the Council and responsible for financial matters. He acknowledged staff do an excellent job and this Council performs well nationally, but that was a separate issue in his view. Councillor Allen reflected on his role as Deputy Chair of the Canterbury Rural Primary Health Organisation, and unfortunate situations with Dunedin and Kaipara Councils. Councillor Allen stated he was concerned at what it takes to keep the Waimakariri reputation and that by having an external person it enhances another perspective and advice channel. He urged Councillors to focus on the benefit to the Council and Committee, stating he strongly believed the Council should have an independent member on the Audit and Risk Committee.

Councillor Brine disagreed with Councillor Allen’s viewpoint, reflecting on examples, and commenting on the experience and skill of both Councillors and senior staff before the Council today. Councillor Brine stated he could not find a reason to pay another $20,000 on top of the current audit fees and believed an independent member on the Audit and Risk Committee is an unnecessary step, as there was a well skilled team with appropriate checks and balances in place.

Councillor Blackie was supportive of the motion and was comfortable with the current situation being aware of good systems in place, including Bancorp NZ for additional independent financial assistance when needed.

Councillor Atkinson stated he was a Councillor who objected to the Environment Canterbury situation, and was elected to execute democracy; independent chairs are not elected but appointed. He commented that at any time the Council can seek independent legal or financial advice. Councillor Atkinson stated the staff and elected team work well together, and if there is perceived a need or something unusual arose then it is dealt with quickly. Councillor Atkinson acknowledged the risk for fraud is still there for any council regardless of an independent member or not. He acknowledged the good business practices currently, and the continual review and improvement of business practices and processes. Councillor Atkinson acknowledged the importance of further training for any member who wished to enhance their knowledge and confidence. Councillor
Atkinson stated elected people are there to make elected decisions which is the most democratic action to take.

Mayor Ayers said today was an important discussion to have and consider every three years. He acknowledged the Council could appoint an independent person without voting rights. Anecdotally one concern held from another Council was that the independent member acted like an auditor and caused layering of workloads. Mayor Ayers reflected his desire for the Council to discuss the matter, as many Councils consider options, in conjunction with LGNZ viewpoints. Mayor Ayers stated the most important decisions are not held at the Audit and Risk Committee but at the top Council table for the Long Term Plan and Annual Plan when the rates are struck; this is a collective decision of the whole Council; the committees make lower financial decisions. Mayor Ayers advised this Council had not had a financial committee since the 1990’s. Mayor Ayers stated he personally would not like to see an independent member chairing a committee as rotation is important. Whilst he stated he did not have a strong view either way he would support the motion.

Councillor Doody commented she was satisfied with the current arrangement of the Committee due to the experience and practices of the current Council, but would like the matter reviewed and discussed again at the beginning of the new electoral term. Councillor Doody stated she did not believe an independent person should be chair of the committee but play the role of adviser, with no voting rights.

9 MATTERS REFERRED FROM COMMITTEES

9.1 Financial Report for the period ended 30 September 2016 – P Christensen (Finance Manager)
(referred to copy of report no. 16114116574 to the Audit and Risk Committee meeting of 13 December 2016)

J Millard spoke to the report, advising of costs based on additional waste that had gone through the Transwaste site. Staff commented the source of the special dividend is predominately from the Burwood operation which is earthquake related hence the recommendation for funds to be allocated back against the earthquake loan.

Councillor Doody enquired if this was likely to be a one-off occurrence. Staff believe it to be a one-off dividend, but that is the discretion of the Directors. There are still a number of years of waste processing ahead, so the situation may potentially change in time.

Moved: Councillor Felstead  Seconded: Councillor Doody

THAT the Council:

(a) Approves the special dividend received from Transwaste Canterbury to be applied to the Earthquake Loan Rate account, to be used to offset the Earthquake Loan.

CARRIED

Councillor Felstead was supportive of the motion, and deemed it appropriate.

Councillor Doody concurred with her colleague.
10 MATTERS REFERRED FROM COMMUNITY BOARD

10.1 Kaiapoi Regeneration Steering Group – C Sargison (Manager Community and Recreation)

J Palmer spoke briefly to the report, and advised of an additional discussion next week to scope out the mechanism for driving the project forward.

Councillor Steward enquired how the public will be informed of the meetings. Staff confirmed the steering group meetings will be open to the public and advertised monthly with the normal meeting schedule.

Moved: Councillor Atkinson Seconded: Councillor Blackie

(a) Receives report No.161129123237

(b) Approves the establishment of a Regeneration Steering Group

(c) Approves the Terms of Reference for the Regeneration Steering Group (161129123269)

(d) Approves the appointment of the following to the Regeneration Steering Group:

- Mayor
- Council Portfolio Holder (Chair)
- Kaiapoi - Tuahiwi Community Board (full Board)
- Kaiapoi Ward Councillors
- Te Ngāi Tūāhuriri Rūnanga (representative (s))
- Te Kohaka o Tūhaitara Trust (representative)
- Environment Canterbury (representative)
- Chief Executive
- Manager, Community & Recreation
- Implementation Programme Manager, District Regeneration

(e) Notes the Draft Project Structure.

CARRIED

Councillor Atkinson commented he was looking forward to the first meeting in early March and matters progressing.

Councillor Blackie, as regeneration portfolio holder, commented on the staff support, the structure, how it is proposed to operate, and the ability to now enable non-council members to be involved.

11 HEALTH AND SAFETY

11.1 Health and Safety Report – J Palmer (Chief Executive)

J Palmer advised it had been a safe Christmas period, and the Audit and Risk Committee would receive a report on the ACC assessment at the upcoming meeting.

Councillor Doody commented on the graph information in the report, and catering for persons with colour deficiencies, such as colour blindness. Staff noted the request.
THAT the Council:

(a) **Receives** report no. 170120005183.

CARRIED

12 COMMITTEE/WORKING PARTY/JOINT COMMITTEE MINUTES FOR INFORMATION

12.1 **Minutes of a meeting of the District Planning and Regulation Committee** held on Tuesday 22 November 2016

12.2 **Minutes of a meeting of the Utilities and Roading Committee** held on Tuesday 22 November 2016

12.3 **Minutes of a meeting of the Community and Recreation Committee** held on Tuesday 13 December 2016

12.4 **Minutes of a meeting of the Audit and Risk Committee** held on Tuesday 13 December 2016

THAT the information in Items 12.1 to 12.4 be received.

CARRIED

13 COMMUNITY BOARD MINUTES FOR INFORMATION

13.1 **Minutes of a meeting of the Oxford-Ohoka Community Board** held on Thursday 8 December 2016

13.2 **Minutes of a meeting of the Woodend-Sefton Community Board** held on Monday 12 December 2016

13.3 **Minutes of a meeting of the Rangiora-Ashley Community Board** held on Wednesday 14 December 2016

13.4 **Minutes of a meeting of the Kaiapoi-Tuahiwi Community Board** held on Monday 19 December 2016

Councillor Felstead commented on the anticipated high public attendance at the upcoming Oxford-Ohoka Community Board meeting, related to a proposed quarry in the area. J Palmer advised the Council of a Notice of Motion from the Board to Council reflecting the sentiment of the community regarding the quarry proposal.

Mayor Ayers commented on potential sealing of Mill Road verge by the Domain; advising staff will consult further with the Oxford-Ohoka Community Board.

Councillor Atkinson commented on the Fairway Crescent tree issue that had come before the Kaiapoi-Tuahiwi Community Board, acknowledging problems with roots and the type of trees, and the Board seeking further information from staff; there are potential Annual Plan implications.

Mayor Ayers reflected on changing arbour practices.
Moved: Councillor Atkinson  Seconded: Councillor Felstead

THAT the information in Items 13.1 to 13.4 be received.

CARRIED

14 CORRESPONDENCE

Nil.

15 MAYOR’S DIARY FROM 29 NOVEMBER 2016 TO 31 JANUARY 2017

Moved: Councillor Felstead  Seconded: Councillor Meyer

THAT the Council:

(a) Receives report no. 170125006748.

CARRIED

16 COUNCIL PORTFOLIO UPDATES

16.1 Iwi Relationships

Mayor Ayers reflected on a successful citizenship ceremony held on Waitangi Day in conjunction with Christchurch City. He acknowledged the hosts, Tuahiwi Marae, and staff including Christchurch City for their contribution. Mayor Ayers outlined how the ceremony came about, the involvement of Marae Trustees and made special mention of Te Marie Tau’s involvement.

Councillor Atkinson reflected on the tenth anniversary of the Waitangi event held in Kaiapoi and the timing of the Citizenship Ceremony.

Councillor Gordon commented on the special citizenship ceremony at the Marae and how it was a privilege to attend.

Mayor Ayers will be visited by the Council’s Kaumatua later in the week; her role and involvement at future citizenship ceremonies will be discussed.

16.2 Canterbury Water Management Strategy

Councillor Stewart commented on the 12 December Water Zone meeting, including ongoing issues that were anticipated to be resolved for the February meeting.

Councillor Stewart reflected on the public consultation progress; recommended reading of a recently released hydrology report and reflected on a recent Tuahiwi Stream walk with Dr Hudson. She spoke of a dairy farm breach in Fernside Road and updated the Council on the Kaiapoi River Rehabilitation Project planting by the Mandeville Bridge as part of a trial; also the Southbrook Stream environment has shown signs of improvement, in part due to fencing.

There are also workshops planned for the Water Zone Committee in coming weeks, with a recent discussion on the Committee culture and purpose.
The report by Dr Henry Hudson is due to be released later in the week; having been anticipated since 2015. Councillor Stewart spoke of rehabilitation projects of streams and the need to consider the report findings from Dr Hudson; commented on linkages for funding allocations.

16.3 **International Relationships**

Councillor Felstead spoke of the progression of plans for the visit to Zonnebeke, Belgium in October.

Councillor Felstead recently attended a Chinese New Year event, and eluded to a delegation from sister city Enshi anticipated in the near future.

17 **QUESTIONS**

Nil.

18 **URGENT GENERAL BUSINESS**

Nil.

*The meeting adjourned for refreshments at 3.10pm and recommenced at 3.25pm.*

19 **MATTERS TO BE CONSIDERED WITH THE PUBLIC EXCLUDED**

*Section 48, Local Government Official Information and Meetings Act 1987*

Moved: Councillor Felstead   Seconded: Councillor Meyer

**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:

<table>
<thead>
<tr>
<th>Item No</th>
<th>Minutes/Report of:</th>
<th>General subject of each matter to be considered</th>
<th>Reason for passing this resolution in relation to each matter</th>
<th>Ground(s) under section 48(1) for the passing of this resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td>19.1</td>
<td>Minutes of the public excluded portion of Council meeting of 6 December 2016</td>
<td>Confirmation of minutes</td>
<td>Good reason to withhold exists under Section 7</td>
<td>Section 48(1)(a)</td>
</tr>
<tr>
<td>19.2</td>
<td>Report of Gerard Cleary (Manager Utilities and Roading)</td>
<td>Ocean Outfall Corrosion of Stainless Steel Components – Progress Report and Update for New/Returning Councillors</td>
<td>Good reason to withhold exists under Section 7</td>
<td>Section 48(1)(a)</td>
</tr>
<tr>
<td>19.3</td>
<td>Report of Kelly LaValley, (Project Delivery Manager)</td>
<td>Report to approve an amendment to the Private Developer</td>
<td>Good reason to withhold exists under Section 7</td>
<td>Section 48(1)(a)</td>
</tr>
<tr>
<td>Item No.</td>
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<td></td>
<td>Agreement with Townsend Fields Ltd</td>
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This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987, and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public are as follows:

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Reason for protection of interests</th>
<th>Ref NZS 9202:2003 Appendix A</th>
</tr>
</thead>
<tbody>
<tr>
<td>19.1, 19.2 and 19.3</td>
<td>Protection of privacy of natural persons To carry out commercial activities without prejudice</td>
<td>A2(a) A2(b)ii</td>
</tr>
</tbody>
</table>

CARRIED

**CLOSED MEETING**

The Public excluded meeting occurred from 3.26pm to 4.48pm.

**Resolution to resume in Open Meeting**

Moved: Mayor Ayers Seconded: Councillor Felstead

THAT open meeting resumes and the business discussed with the public excluded remains public excluded for Items 19.1 and 19.2, and the resolution for Item 19.3 is made public.

CARRIED

**OPEN MEETING**

**19.3 Report to approve an amendment to the Private Developer Agreement with Townsend Fields Limited – K LaValley (Project Delivery Manager)**

Moved: Councillor Gordon Seconded: Councillor Atkinson

THAT the Council:

(a) Receives report No. 170118003821.

(b) Authorises the Chief Executive to enter into the Amendment to the Private Developer Agreement (170118003821) with Townsend Fields Limited including:

i. Cost sharing of urbanisation works including work associated with the Pentecost Road drain along Johns Road frontage; and
ii. Setting development contributions at the 2015/16 rate for a period of 8 years.

(c) **Authorises** the Chief Executive to make minor amendments to this Amendment as required.

(d) **Circulates** this report to the Rangiora-Ashley Community Board and remains public excluded.

CARRIED
NEXT MEETING

The next scheduled meeting of the Council is the Annual Plan Budget meeting commencing at 9am on Wednesday 15 February 2017.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 4.49PM.

CONFIRMED:

__________________________________________
Chairperson

__________________________________________
Date

The proposed briefing to discuss the issue of contaminated sites was postponed at Councillor Atkinson’s request.