

Minutes of the meeting of the Council held in the Council Chambers, Waipa District Council Offices, 101 Bank Street, Te Awamutu on 29 November 2005 commencing at 9.00am.

Opening Prayer

1 ATTENDANCE

His Worship the Mayor AD Livingston

Members

EH Barnes, RJ Cooper – until item 18, AJH Empson, GC Flay, GH Jull, PL Lee, EC Newlands – from item 7.1.1, GG Scaramuzza – from item 7.1.1, DL Sharpe, BJ Taranaki, BS Thomas, GRP Webber

Staff

Chief Executive (JC Inglis), Group Manager – Business, Assets & Community Services (JM Mills), Utilities Services Operations Manager (T Harty) – until item 8 & items 16 -17, Secretary (C Plowright)

Public – 2 (until item 16)

2 APOLOGIES

RESOLVED

1/05/206

That an apology for lateness be received from Councillor Scaramuzza.

Cr Jull/Cr Barnes

3 LATE ITEMS

Mayor Livingston advised Councillors that there would be a late item on the Chief Executive's routine performance review which would be taken with the public excluded.

4 CONFIRMATION OF ORDER OF MEETING

File: 01-22-21

RESOLVED

1/05/207

That the order of the meeting be confirmed subject to items 16 and 17 being taken at 11.30am.

Cr Sharpe/Cr Thomas

5 MINUTES OF PREVIOUS MEETINGS

File: 01-22-21

Minutes of meeting held on 25 October 2005 were included in the agenda.

RESOLVED

1/05/208

*That the minutes of the meeting of the Waipa District Council held on 25 October, having been circulated, be taken as read and confirmed as a correct record subject to inclusion of the word "**Vernon**" in item 5.*

Cr Taranaki/Cr Flay

Matters Arising -

5.1 Council Controlled Organisation (CCO) – Local Authority Shared Services

File: 01-22-38

Res: 1/05/201

The Chief Executive said he would report back on progress to Council following the first meeting of the CCO on 9 December 2005.

6 COUNCIL COMMITTEE MINUTES

6.1 Policy Committee

File: 01-85-12

6.1.1 Matter Arising from minutes of meeting held on 10 October 2005 – Lake Te Ko Utu

File: 85-08-06

Res: 2/05/118

Minutes of extraordinary meeting of the Cambridge Community Board held on 23 November 2005 were provided separately to the agenda .

Councillors were reminded that a report on the proposed works for Lake Te Ko Utu had been forwarded to the Cambridge Community Board for comment and the Board had sought feedback from the public on the proposal. The submissions received were considered at an extraordinary meeting of the Board on 23 November and a copy of the minutes of the meeting had been provided to Councillors separate to the agenda because time did not allow them to be included.

RESOLVED

1/05/209

That the minutes of the extraordinary meeting of the Cambridge Community Board held on 23 November 2005 be received.

Cr Barnes/Cr Taranaki

[Councillor Newlands joined the meeting at 9.18am.]

Cambridge Community Board Chairperson, Rob Feisst, spoke about some of the issues raised in the submissions to the Board.

RESOLVED

1/05/210

That having had regard to the Cambridge Community Board's comments, Council proceed with the following works at Lake Te Ko Utu, and that it work with Environment Waikato to find out what other options may be available other than the infilling of the lake arm and the removal of the small residential catchment area, and report back to Council

- a) *Public awareness programme.*
- b) *The installation at source control gross litter traps.*
- c) *Reticulation of those properties serviced by septic tanks in Thornton Road.*
- d) *Removal of weeds from the lake and replanting of appropriate species.*
- e) *Lake edge improvements (retaining works to the northern lake edge).*
- f) *Upgrade of walkways around the lake with easier access for wheelchairs where appropriate.*
- g) *Construction of a toilet block.*

Cr Webber/Cr Lee

[Councillor Scaramuzza joined the meeting at 9.29am.]

6.1.2 Minutes of meeting held on 14 November 2005 were included in the agenda.

RESOLVED

1/05/211

That the unconfirmed minutes of the meeting of the Policy Committee held on 14 November 2005 be received.

Cr Barnes/Cr Webber

6.2 Regulatory Committee

File: 01-89-04

Minutes of meeting held on 31 October 2005 were included in the agenda.

RESOLVED

1/05/212

That the confirmed minutes of the meeting of the Regulatory Committee held on 31 October 2005 be received.

Cr Taranaki/Cr Sharpe

6.3 Maungatautari Reserve Committee

File: 01-85-26

Minutes of meeting held on 2 November 2005 were included in the agenda.

RESOLVED

1/05/213

That the unconfirmed minutes of the meeting of the Maungatautari Reserve Committee held on 2 November 2005 be received.

Cr Cooper/Cr Flay

7 COMMUNITY BOARD MINUTES

7.1 Cambridge

File: 01-21-14

7.1.1 Minutes of meeting held on 2 November 2005 were included in the agenda.

RESOLVED

1/05/214

That the unconfirmed minutes of the meeting of the Cambridge Community Board held on 2 November 2005 be received.

Cr Webber/Cr Taranaki

Matters Arising -

a) McLean Street Adventure Playground

File: 01-95-03

Res: 5/05/274

The Chief Executive advised that the McLean Street Playground design is to be tendered in January 2006 with construction expected to start in February/March.

b) Street Realignment

File: 55-26-06

Res: 5/05/285

Councillors were advised that the Board's recommendation concerning the realignment of the street junction of Whittaker and Lake Streets has been referred to staff for comment.

7.2 Te Awamutu

File: 01-21-13

7.2.1 Minutes of meeting held on 18 October 2005 were included in the agenda.

RESOLVED

1/05/215

That the confirmed minutes of the meeting of the Te Awamutu Community Board held on 18 October 2005 be received.

Cr Barnes/Cr Flay

7.2.2 Minutes of meeting held on 15 November 2005 were included in the agenda.

RESOLVED

1/05/216

That the confirmed minutes of the meeting of the Te Awamutu Community Board held on 15 November 2005 be received.

Cr Flay/Cr Barnes

Matters Arising -

a) Elimination of Potential Public Health Hazard

File: 33-22-02

Res: 6/05/255

Councillors were advised that the Board's recommendation concerning a potential public health hazard has been referred to staff for comment.

b) Proposed New Road Names - Kihikihi

File: 55-28-12

Res: 6/05/269

Councillors were advised that although the Te Awamutu Community Board supports the proposed name of Linehan Road in the new subdivision on St Leger Road, Kihikihi, it is opposed to the proposed name of Watson Place.

The Chief Executive said the developer had submitted names to Council as provided by the conditions of the subdivision consent.

RESOLVED

1/05/217

That Council approves use of the names Linehan Road and Watson Place in the new subdivision on St Leger Road, Kihikihi being Lot 3 DPS 87831 and Lot 1 DPS 89241.

Cr Empson/Cr Newlands

8 COUNCILLORS REPORTS FROM CONFERENCES, SEMINARS AND MEETINGS ATTENDED ON BEHALF OF COUNCIL

File: 75-09-06

No reports.

9 USE OF COUNCIL SEAL

File: 01-22-30

RESOLVED

1/05/218

That the following schedule of documents to which the Common Seal of the Waipa District Council has been applied under delegated authority be received.

Documents Sealed by Chief Executive

Sale & Purchase Agreements

- a) *Sale & Purchase Agreement & Transfer Document – TJ & MS King (for lessors interest in Lot 11 DPS 3636 comprised in Certificate of Title SA 7A/969, situated at 200 Mangahoe Street, Te Awamutu)*
File: 04471/152.00
Res: 1/05/197
- b) *Sale & Purchase Agreement – PD Christiansen (for the purchase of land for Sewer Pump Station and Access and Easement documents for laying sewer pipes over private land – Allot 124 & 125, Town of Kihikihiki)*
File: 04552/200.00
Res: 1/05/201

Transfer Documents

- c) *Transfer Document – Brooks Family Trust (for 4 allotments of land comprising 3.0487 ha located off Grove Road, Te Pahu)*
File: UR 5/153 & 154
Res: 8/96/026 & 027
- d) *Transfer Document – Waipa District Council / Saffron Properties (for Lots 2 & 3 DP 349201)*
File: 04445/359.12
Res: 1/03/129

Other Documents

- e) *Deed of Lease – ERG Automotive Ltd (for portion of Lot 1 DPS 6506 being part of 106 Mahoe Street, Te Awamutu)*
File: 04492/026.00
Delegations Ref: 5.1(b) Leases with a term up to 5 years
- f) *Agreement for Road Stopping & Sale – JS & HD Alston (for Section 2 SO 346691 being part overwidth Fletcher Road, Koromatua)*
File: UR 1/544
Res: 1/05/157
- g) *Consent to Stopping of Road s116 Public Works Act 1981 – Jenks, Jackson & Broughton (for an unformed road off Sainsbury Road, Pirongia)*
File: UR 9.545
Res: 1/05/158

- h) *Transmission of Ownership from Waipa County Council to Waipa District Council – Lot 2 DPS 36373 comprised in CT 32A/75.*
File: 04605/116.00
Policy Ref: 1.71
- i) *Easement Instrument – DR & JM Balsom & SC & MI Yates (for right to drain water at Lot 4 DPS 21824)*
File: 04482/750.00A & B
Policy Ref: 1.7.1
- j) *Easement Instrument – SA & SD Watson (for right to drain water at Lot 22 DPS 4550 CT SA 1718/25)*
File: 04482/806 & 813
Policy Ref: 1.7.1
- k) *Easement Instrument – R & TJ Herbert (for right to drain water at Lot 3 DPS 18285 CT SA16D/1325)*
File: 04482/806 & 813
Policy Ref: 1.7.1
- l) *Easement Instrument – JMR & WE Graham (for right to drain water at Lot 15 DPS 4550 CT SA7A/566)*
File: 04482/806.00
Policy Ref: 1.7.1
- m) *Fencing Covenant – Saffron Properties Ltd*
File: 04445/359.00
Res: 4.4.6(a)i2
- n) *Access & Service Easement in connection with Buffer Reserve – JE & AB Boone (Lot 4 DP 357646 CT 234784)*
File: 04445/345.03
Res: SP 4615 approved 23.12.04
- o) *Shareholders Agreement Relating to Local Authority Shared Services Limited – Version 1.0 dated 5 October 2005*
File: 01-22-38
Res: 1/05/201

Liquor Licenses

- p) *General Manager's Certificate – AE Paget*
File: 33-26-02
Pol Ref: 1.7.19
- q) *General Manager's Certificate – SC McKenzie*
File: 33-26-02
Pol Ref: 1.7.19

- r) *General Manager's Certificate – GM Taumanu*
File: 33-26-02
Pol Ref: 1.7.19
- s) *General Manager's Certificate – LA Gee*
File: 33-26-02
Pol Ref: 1.7.19
- t) *General Manager's Certificate – AJ Spelchan*
File: 33-26-02
Pol Ref: 1.7.19
- u) *General Manager's Certificate – BCC Tamati*
File: 33-26-02
Pol Ref: 1.7.19
- v) *General Manager's Certificate – RM Clark*
File: 33-26-02
Pol Ref: 1.7.19
- w) *General Manager's Certificate – RJ Clark*
File: 33-26-02
Pol Ref: 1.7.19
- x) *On Licence – GPO Bar & Brasserie, 43 Victoria St, Cambridge*
File: 33-25-18
Pol Ref: 1.7.19
- y) *On Licence – Karapiro Cruiser NNZ 132020, 806 Oreipunga Road, RD2, Cambridge*
File: 33-26-02
Pol Ref: 1.7.19
- z) *On Licence – Cambridge Tavern, Burns Street, Cambridge*
File: 33-26-02
Pol Ref: 1.7.19
- aa) *Off Licence – Cambridge Tavern, Burns Street, Cambridge*
File: 33-26-02
Pol Ref: 1.7.19

***Survey Plans sealed by Environmental Services Manager,
Planning Services Manager or Senior Planner***

- ab) *Instrument for Esplanade Strip – CG Clarke*
File: 4611/181
- ac) *Withdrawal of Caveat – RI & ME Shaw*
File: 4601/053

Memorandum of Agreement to enter on Land to Lay Sewer Pipes

Memorandum of Agreement between Council and property owners in Kihikihi, allowing Council to enter onto land and lay pipes for the sewerage reticulation project currently being undertaken.

There are approximately 700 individual properties involved and they are progressively being attended to. To date 267 memoranda (38%) have been sealed.

Cr Newlands/Cr Lee

10 NOTIFIABLE CONTRACTS LET

File: 02-12-01

RESOLVED

1/05/219

That the following Notifiable Contract be received.

10.1 Contract No 27-05-35 – 2005/06 Shape Correction Treatment Resubmitted – Cambridge Road (Urban) – 2 Sites

File: 27-05-35

Contract for the shape correction treatment of 1.163kms of Cambridge Road (urban) 2 sites. Three tenders were received ranging from \$818,983.60 - \$1,040,133.01. The contract was let to the tender of \$818,983.60 (excluding GST) from McFall Enterprises Ltd.

Cr Taranaki/Cr Webber

[The meeting adjourned at 10.20 am and reconvened at 10.45am.]

11 FINANCIAL REPORTS

File: 01-84-16

11.1 Financial Report for Period Ended 31 October 2005 was included in the agenda.

RESOLVED

1/05/220

That the Financial Report for period ended 31 October 2005 be received.

Cr Jull/Cr Scaramuzza

In answer to a question from Councillor Lee, the Chief Executive said the Kihikihi sewerage upgrade project is on time and on budget and has been made easier by good public participation and support. The project is on target to have all properties connectable to the sewerage scheme by the middle of 2006.

12 PROPOSED WAIPA DISTRICT PLAN CHANGE NO 1 (CAMBRIDGE NORTH) – OPERATIVE STATUS

File: 65-07-01

Report of Planning Services Manager dated 7 November 2005 was included in the agenda.

RESOLVED

1/05/221

That -

- a) *The report of Planning Services Manager dated 7 November 2005 be received.*
- b) *Pursuant to Clauses 17 and 20 of the First Schedule to the Resource Management Act 1991, Proposed Plan Change No 1 Cambridge North (Environment Court Consent Order Version October 2005) to the Waipa District Plan, after considering and determining all submissions and the Appeal lodged, shall become operative on 12 December 2005 and that this date shall be publicly notified.*

Cr Sharpe/Cr Taranaki

13 ADOPTION OF TRADE WASTE AND WASTEWATER DRAINAGE BYLAWS

File: 45-02-25 & 45-02-26

Trade Waste Bylaw and Schedule of Fees & Charges and Wastewater Drainage Bylaw were included in the agenda.

Councillor Lee said there should be some reference to HASNO in the Trade Waste Bylaw enforcement policies.

RESOLVED

1/05/222

That Council -

- a) Pursuant to Sections 83, 146, 148, 150, 155 and 157 of the Local Government Act 2002, and following consideration of public submissions, make the Waipa District Council Trade Waste Bylaw 2005, to come into force on 1 December 2005, and adopt the associated trade waste schedule of fees and charges with effect from 1 December 2005.
- b) Pursuant to Sections 83, 146, 150, 155, 157, 158 and 159 of the Local Government Act 2002, and following consideration of public submissions, make the Waipa District Council Wastewater Drainage Bylaw 2005, to come into force on 1 December 2005.
- c) Revoke the Waipa District Council Wastewater Drainage Bylaw 1998, with effect from 1 December 2005.

Cr Empson/Cr Barnes

14 AVIAN INFLUENZA PANDEMIC PLANNING

File: 33-22-02

Councillors were informed on planning and preparedness to address the possibility of a pandemic and to ensure continuity of Council business in such an event.

RESOLVED

1/05/223

That the information be received.

Cr Barnes/Cr Jull

15 RESOLUTION TO EXCLUDE THE PUBLIC

File: 01-37-01

(Section 48, Local Government Official Information and Meetings Act 1987)

RESOLVED

1/05/224

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	Minutes/Report of:	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
16	Chief Executive dated 16.11.05	Drain – Kihikihi	Good reason to withhold exists under section 7	Section 48(1)(a)

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:

Item No		
16	Protection of privacy of natural persons	Section 7(2) (a)

That Mr and Mrs Atkinson and M Janmaat (a friend supporting them) be permitted to remain at this meeting, after the public has been excluded, because they are the owners of the property that is the subject of this agenda item and they have been asked to address the Council on it.

Cr Cooper/Cr Empson

16 DRAIN – KIHIKIHI

File: 01-22-17

Report of Chief Executive dated 16 November 2005 was considered with the public excluded.

[The public were readmitted at 12.40pm when the meeting adjourned for lunch. Councillor Cooper left the meeting at 12.40pm. The meeting reconvened at 1.30pm when the public were excluded for the late item (item 20). The public were readmitted at 1.45pm.]

17 OTHER COMMITTEE MINUTES

17.1 Waipa Heritage Council

File: 65-11-02

Minutes of meeting held on 20 October 2005 were included in the agenda.

RESOLVED

1/05/225

That the minutes of the meeting of the Waipa Heritage Council held on 20 October 2005 be received.

Cr Taranaki/Cr Scaramuzza

18 RATEPAYER ASSOCIATION REPORTS

18.1 Ohaupo Ratepayers Association

File: 01-08-37

Minutes of meetings held on 29 September & 27 October 2005 were included in the agenda.

RESOLVED

1/05/226

That the minutes of the meetings of the Ohaupo Ratepayers Association held on 29 September & 27 October 2005 be received.

Cr Sharpe/Cr Thomas

Councillor Sharpe asked if a 50 km/h sign could be installed on Sandes Street, to ensure drivers approaching Ohaupo on the “back road” from Pirongia are made aware of the speed restriction. She also asked if a sign could be placed near Windsor Court warning drivers that there is a retirement village in the area.

Councillor Sharpe said the Ohaupo Memorial Toilets get a lot of use and she asked if they could be repainted, lights fixed, etc.

The Chief Executive said staff would look into Councillor Sharpe’s requests.

18.2 Pirongia Residents and Ratepayers Association

File: 01-08-07

Minutes of meeting held on 5 October 2005 were included in the agenda.

RESOLVED

1/05/227

That the minutes of the meeting of the Pirongia Residents and Ratepayers Association held on 5 October 2005 be received.

Cr Thomas/Cr Sharpe

The Chief Executive said some of the matters noted in the minutes have already been attended to by Council. He said staff would send a response to the Ratepayers Association to update them on progress. A new point of contact at Council will be established with the Ratepayers Association now that the Roading Manager, Chris Clarke had resigned.

18.3 Te Pahu Ratepayers & Residents Association

File: 01-08-06

Minutes of meeting held on 27 October 2005 were included in the agenda.

RESOLVED

1/05/228

That the minutes of the meeting of the Te Pahu Ratepayers & Residents Association held on 27 October 2005 be received.

Cr Thomas/Cr Sharpe

Councillor Thomas asked if staff could assist by randomly visiting the Kaniwhaniwha Reserve to monitor parking issues.

19 RESOLUTION TO EXCLUDE THE PUBLIC

File: 01-37-01

(Section 48, Local Government Official Information and Meetings Act 1987)

RESOLVED

1/05/229

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	Minutes/Report of:	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
20		Chief Executive's routine performance review	Good reason to withhold exists under section 7	Section 48(1)(a)

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:

Item No		
20	Protection of privacy of natural persons	Section 7(2) (a)

Cr Empson/Cr Taranaki

20 CHIEF EXECUTIVE'S ROUTINE PERFORMANCE REVIEW

File: P/F

This item was considered with the public excluded.

There being no further business the meeting closed at 2.30pm

CONFIRMED

.....
MAYOR

Completed and despatched 9 December 2005
Next Meeting: 20 December 2005