

Minutes of a meeting of Council held in the Council Chambers, Waipa District Council offices, 101 Bank Street, Te Awamutu on Tuesday 18 December 2007 commencing at 9.00am

Opening Prayer

1 PRESENT

His Worship the Mayor AD Livingston

Members

EH Barnes, MEC Cox, LWE Hoverd (from 9.06am), GH Jull, PL Lee(from 9.07am), EC Newlands, GG Scaramuzza, DL Sharpe, GW Simmons, BJ Taranaki, BS Thomas, GRP Webber

Staff

Chief Executive – JC Inglis; Group Manager Finance – S Kew; Group Manager Assets & Community Services – J Mills (items 12, 13 and 14 only) Property Advisor – P Dugan (item 14 only); Secretary – C Shaw

2 APOLOGIES

There were no apologies

3 LATE ITEMS

There were no late items but an update on progress with the Karapiro project was requested and would be provided as part of item 21.

4 CONFIRMATION OF ORDER OF MEETING

File: 01-22-21

RESOLVED

1/07/245

That the order of the meeting be confirmed subject to taking item 5 the deputation from Tui 2000 at 11.00am and Crs Cooper and Flay together with representatives of Environment Waikato at 12.15pm

Cr Webber/Cr Thomas

5 DEPUTATION

Two members of the Tui 2000 project explained their plans for the Maungakawa reserve. It is understood that the Group will be liaising with the Biodiversity Council and will look at a MOU of the members of EW, DOC and Waipa for pest eradication.

6 VISITORS

Former Councillors Flay and Cooper
Environment Waikato members John Fisher and Andra Neeley
The visitors joined Councillors for lunch.

7 MINUTES OF PREVIOUS MEETING

File: 01-22-21

Minutes of meeting held on 13 November 2007.

RESOLVED

1/07/246

That the minutes of the meeting of the Waipa District Council held on 13 November 2007 be confirmed as a true and accurate record subject to the following changes:

Item 8.1 changing the order of the last two lines of the resolution to read "With the power to co-opt for resource consent hearings Nga Iwi Toopu Representative Gaylene Roberts"

Item 8.3 "Resolved that a new committee to be called the Strategic Planning & Development Committee be established"

Cr Barnes/Cr Cox

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

File: 75-09-06

Cr Jull gave an update on the Te Awamutu Museum Trust Board Meeting and the Heritage Places Trust presentation of the plaque at the Kihikihi Police House; Cr Thomas gave an update on the Biodiversity Committee Meeting; Cr Barnes gave an update on the Waikeria Prison meeting and Cr Simmons gave an update from the Te Awamutu Vision Group meeting.

9 USE OF COUNCIL SEAL

File: 01-22-30

Council policy and delegated authority provides for use of the Council seal prior to notification to Council in specified cases.

- 9.1 Documents to which the Council seal has been applied** under authority delegated to the Chief Executive and in accordance with Council Policy and **Survey Plans to which the Council seal has been applied** pursuant to an authority delegated to the Environmental Services Manager, Planning Services Manager, or Senior Planner – during November 2007.

RESOLVED

1/07/257

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

Cr Jull/Cr Scaramuzza

Documents Sealed by Chief Executive

Sale and Purchase Agreements

- a) *Sale & Purchase Agreement – RW Taylor and JR Taylor (approx 2416sqm being part Lot 1, DP 26194 CTSA 577/156 and part Lot 2 DP26194 CTSA 693/219*
File: 90-02025
Res: 1/07/189

Other Documents

- b) *Lease – C L O'Connor – grazing lease 1240 & 1244 Rewi Street, Te Awamutu*
File: 04470/316 & 317
Res: Delegated Authority 5.1
- c) *Consent to registration of a Mortgage: AT Kelly 07 Trust Limited, 18 Walmsley Street, Kihikihi*
File: P9818
Res:
- d) *New Easement: DA & JS Shoobert, Right to Drain Water*
File: 04482/802.00
Res:

- e) *New Easement: MA & KJ Goldsbury, Right to Drain Water*
File: 04482/810.00
Res
- f) *Surrender of Easement, DA & JS Shoobert, Water drainage*
File: 04482/802.00
Res
- g) *Withdrawal of Caveat, D & L Joyce, 2151 Arapuni Road*
File 04652/119.00
Res

Liquor Licenses

- h) *General Manager's Certificate – Isara Udyanin*
File: 33-26-02
Pol Ref: 1.7.19
- i) *General Manager's Certificate – J K Rouse*
File: 33-26-02
Pol Ref: 1.7.19
- j) *General Manager's Certificate – L J Unsworth*
File: 33-26-02
Pol Ref: 1.7.19
- k) *General Manager's Certificate – S E Kavanaugh*
File: 33-26-02
Pol Ref: 1.7.19
- l) *General Manager's Certificate – JAR Mitchell*
File: 33-26-02
Pol Ref: 1.7.19
- m) *General Manager's Certificate – P Kaewkomane*
File: 33-26-02
Pol Ref: 1.7.19
- n) *General Manager's Certificate – T A Atkins*
File: 33-26-02
Pol Ref: 1.7.19
- o) *Club Manager's Certificate – P A Stanton*
File: 33-26-02
Pol Ref: 1.7.19
- p) *On Licence – Time Out Café, 76 Queen Street, Cambridge*
File: 04370/405.02
Pol Ref: 1.7.19
- q) *On Licence – Northern Pubs Ltd (Commercial Hotel), 97
Alexandra Street, Te Awamutu*
File: 04492/177.00
Pol Ref: 1.7.19

- r) *On Licence – Joy Lindsay Enterprises Ltd (Joys Place), 44 Alexandra Street, Te Awamutu*
File: 04492/106.00
Pol Ref: 1.7.19
- s) *Off Licence – Joy Lindsay Enterprises Ltd (Joys Place), 44 Alexandra Street, Te Awamutu*
File: 04492/106.00
Pol Ref: 1.7.19
- t) *Off Licence – Northern Pubs Ltd (Commercial Hotel), 97 Alexandra Street, Te Awamutu*
File: 044992/177.00
Pol Ref: 1.7.19
- u) *Off Licence – Cambridge Supermarket (New World Cambridge), 14 Anzac Street, Cambridge*
File: 04492/106.00
Pol Ref: 1.7.19
- v) *Off Licence- General Distributors Ltd (Countdown Supermarket), 51 Queen Street, Cambridge*
File: 04370/324.00
Pol Ref: 1.7.19
- w) *Renewal of Off Licence – Westmount Education Trust (Viva Gifts), 35 Albert Street, Cambridge*
File: 04370/334.00
Pol Ref: 1.7.19

**Documents sealed by Environmental Services Manager,
Planning Services Manager or Senior Planner**

- x) *Easement Removal – Penmarric*
File: 04351/498.00
Pol Ref: 4.4.6(a)i)7
- y) *Bond Cancellation – J & L Scott*
File: 04650/148.00
Pol Ref: 4.4.6(a)i)3
- z) *Easement: Transland Investments*
File: 04445/363.00
Pol Ref: 4.4.6 (a) i) 7
- aa) *Bond Cancellation – L Ramsay*
File: 04641/490.00
Pol Ref: 4.4.6 (a) i) 3
- ab) *Bond Consent – Marwin Holdings Ltd*
File: 04445/222.02
Pol Ref: 4.4.6 (a) i) 3

10 NOTIFIABLE CONTRACTS LET

File: 02-12-01

RESOLVED

1/07/248

That the following Notifiable Contract be received.

Cr Barnes/Cr Lee

10.1 Contract No 27—06-14 – Signs and Street Furniture Maintenance and Renewal Contract

File: 27-06-14

Contract with Directions Ltd for \$701,727 is for the maintenance of traffic signs and edge marker posts in the District for a period of 14 months.

11 FINANCIAL REPORTS

File: 01-84-16

11.1 Financial Report for Period Ended 30 November 2007.

RESOLVED

1/07/248

That the Financial Report for the period ended 30 November 2007 from Group Manger – Finance, be received.

Cr Webber/Cr Thomas

12 CAMBRIDGE MOTORCYCLE CLUB – LEASE, SHELLEY STREET, CAMBRIDGE

File: P8811

Report of Property Advisor dated 23 November 2007

Group Manager - Assets and Community Facilities, explained that the Cambridge Motorcycle Club have occupied recreation reserve land at Shelley Street, Cambridge for over 20 years. The Club's lease of the land has expired.

The Club has a Resource Consent to carry out motocross activities on the site. The consent is for a period of ten (10) years expiring on 23 October 2016.

RESOLVED

1/07/250

That

- a) *The report of the Property Advisor dated 23 November 2007 be received.*
- b) *Council grant a lease to the Cambridge Motorcycle Club of recreation reserve land at Rowling Place, Cambridge, containing 8.1999 hectares more or less being Allotment 85 Cambridge Town Belt, for a term of five (5) years, with two (2) rights of renewal for five (5) years each, and otherwise on the terms and conditions of Council's Community Leases Policy. The lease will be subject to the tenant holding a current resource consent to carry out motocross activities on the lease property.*
- c) *The common seal of the Waipa District Council be affixed to all documents relating to the lease.*

Cr Newlands/Cr Webber

[Item 14 was taken 10.12am as members of the Cambridge BMX club were in attendance.]

13 UPDATE ON THE SALE OF FEE SIMPLE LAND IN THE CAMBRIDGE AND MAUNGATAUTARI WARDS

File: 01-22-14

Report of Group Manager Assets & Community Facilities dated 23 November 2007

At its June 2007 meeting, Council's Policy Committee resolved to progress the sale of a number of parcels of land which are surplus to Council's core activities.

Following that meeting, further investigation was completed to determine the legal status of the land parcels as well as the issues and processes associated with their sale and these were presented in the report.

The general view at that time was that further investigation be done on the net financial benefit and the best way of sale and report this to Council before any sale is completed.

RESOLVED

1/07/251

That

- a) *The report of the Group Manager – Assets & Community Facilities dated 23 November 2007 entitled "Update on the Sale of fee simple land in the Cambridge and Maungatautari Wards" be received.*

- b) *Council undertake the process to dedicate as public road the land used as access to the Arnold Street property (part Allotment 85 Cambridge Town Belt).*
- c) *That approval be given to start the process to stop the unformed road in Burns Street.*
- d) *That having regard to b) and c) above to what they entail, no definitive action be taken before coming back to Council.*
- e) *The Common Seal of the Waipa District Council be affixed to all sale, transfer and related documents for the properties identified in the schedule:*

Schedule

*Addison Street – part Allotment 8, Town of Cambridge West
Vogel Street – part Allotments 505 and 508 and part Allotments 510 and 511 Town of Cambridge East
Arnold Street – Part Lot 2 DP3517
Froude Street – Allotment 411 Town of Cambridge West
Burns Street - Allotments 170 and 199 Town of Cambridge West and the unformed road in this area
Harbutt Road Te Miro – Section 42 Te Miro Settlement
Roto-o-rangi Road – Lot 1 DP 33439*

Cr Webber/Cr Newlands

[This item was taken at 10.12am due to the BMX members being present followed by Item 13]

14 CAMBRIDGE BMX CLUB – REQUEST TO LEASE COUNCIL RESERVE LAND, CARLYLE STREET, CAMBRIDGE

File: P8077

Report of Group Manager – Assets & Community Facilities dated 26 November 2007

The Chief Executive explained that the Cambridge BMX Club Inc has leased about 1.2 hectares of green belt in Grace Avenue, Cambridge since 1981. The lease has expired and the Club considers the site to be too small for their needs. He said the Club has requested to lease a section of the green belt on the corner of Carlyle Street and Maungatautari Road.

RESOLVED

1/07/253

That

- a) *The report of the Group Manager – Assets & Community Facilities dated 26 November 2007 be received.*

- b) *Council defer any decision on leasing the land situated on the corner of Carlyle Street and Maungatautari Road, Cambridge, being Allotments 65 and 66 Cambridge Town Belt, (4.86 ha more or less) to the Cambridge BMX Club for the purpose of developing a BMX track and associated facilities for BMX activities until other options for the Club have been thoroughly investigated. These options to include:*
- i) *Purchase of part of the adjoining property to overcome the encroachment of the track and toilets onto that property;*
 - ii) *Development of and sharing of facilities with the nearby Cambridge Motorcycle Club.*
- c) *Council work with the BMX Club to investigate options and assist with the Clubs proposal to improve its facilities and provide a venue that is well suited to the North Island BMX Titles Championship in 2009 and other similar events.*

Cr Webber/Cr Scaramuzza

[Adjourned for Morning tea at 10.31 – reconvened at 11.03 with item 5]

15 ELECTED MEMBERS' REMUNERATION

File: 01-22-08

Report of Group Manager Finance dated 29 November 2007

Adjourned for visitors and lunch at 12.21 and reconvened at 1.58pm. Crs Newlands and Cox did not returned to the meeting at that time. John Fisher and Andra Neeley from Environment Waikato at 1.58pm.

Cr Newlands returned at 2.09pm

Cr Cox returned at 2.15pm

Visitors from Environment Waikato left the meeting at 2.25pm. Meeting continued with Item 15

RESOLVED

1/07/255

That

- a) *Council recommend the following remuneration level to the Remuneration Authority for approval for the elected members of the Waipa District Council and its Committees and the Cambridge and Te Awamutu Community Boards:*

Position	Recommended Remuneration	Remuneration prior to the Election
<i>Deputy Mayor/Committee Chairperson</i>	\$23,638	\$23,300
<i>Committee Chairperson appointed to a</i>	\$25,433	\$25,070

<i>Community Board</i>		
<i>Councillor</i>	\$21,193	\$20,890
<i>Councillor appointed to a Community Board</i>	\$23,638	\$23,300
<i>Community Board Chairperson</i>	\$15,540	\$15,540
<i>Community Board Elected Member</i>	\$6,220	\$6,220

- b) Council make available to the Mayor an appropriate vehicle for the carrying out of Mayoral duties and reasonable private use, subject to the requirements of the Remuneration Authority.
- c) That meeting allowances to non-elected Council appointees to Council committees be reconfirmed:
- Policy, Strategic Planning and Development and Regulatory Committees - \$170 per meeting; and,
 - Iwi Consultative Committee - \$130 per meeting.
- d) Council reconfirm that the following criteria for the provision of resources and payment of expenses be approved:

Expense Item	Criteria for Provision or Payment
<i>Telephone/Broadband connection</i>	<i>Reimbursement for one monthly landline rental to enable internet/email access and the reimbursement of work related telephone calls. A maximum of \$40 per month will be paid on receipt of monthly telecommunications invoice from Councillors</i>
<i>Facsimile machine</i>	<i>Provided by Council where Mayor or Councillor does not already have one. Council ownership retained</i>
<i>Consumables</i>	<i>Provision of reasonable quantities to meet council business usage – including toner cartridges, ink cartridges, paper for facsimile or printer. Council Secretary will provide supplies to Councillors on request</i>
<i>PC/Laptop</i>	<i>Provided by Council where Mayor or Councillor does not already have one. Council ownership retained</i>
<i>Vehicle use</i>	<i>When on Council/Community Board business a mileage rate of 70c per kilometre shall be paid</i>
<i>Travel and accommodation</i>	<i>Reimbursement of actual costs when attending a conference or forum approved by the Mayor. Travel by spouse/partner to be based on a sound business case</i>

Cr Jull/Cr Sharpe

16 WAIPA DISTRICT ANIMAL TRAP BYLAW 1994

File: 45-02-23

Report of Policy Analyst dated 6 December 2007

The Chief Executive explained that new legislation and regulations for the use of animal leg-hold traps will come into effect on 1 January 2008 and Councils' Animal Trap Bylaw will not be enforceable. Council does not need to take any action, and can let the Bylaw lapse.

RESOLVED

1/07/256

That the report of the Policy Analyst, entitled "Waipa Animal Trap Bylaw 1994" dated 6 December 2007 be received and the Animal Trap Bylaw be discontinued.

Cr Sharpe/Cr Taranaki

17 MAUNGATAUTARI BYLAW

File: 04-03-50

At its meeting of 28 August 2007 Council made the Maungatautari Bylaw subject to final approval by the Minister of Conservation which is required by S108 of the Reserves Act 1977 to make the Bylaw operative.

The Chief Executive said that approval from the Minister was received on 25 October 2007 and the operative status of the Bylaw has been publicly notified.

RESOLVED

1/07/257

That the information be received.

Cr Barnes/Cr Hoverd

18 STRATEGIC PLANNING & DEVELOPMENT COMMITTEE: PURPOSE AND DELEGATIONS

File: 01-85-30

The Chief Executive explained that the Strategic Planning and Development Committee was established by Council at its meeting on 13 November 2007. The first meeting of this newly established Committee was held on 4 December 2007 and the purpose of the Committee and Delegated Authority were agreed by the Committee.

RESOLVED

1/07/258

The Council confirmation the Purpose and Structure of the Strategic Planning and Development Committee and its inclusion in the Policy Manual:

Strategic Planning and Development Committee

- a) *Purpose:
To consider matters of a strategic planning nature relating to growth and development in the District, including the overseeing of the review of the District Plan and Council-promoted changes to the District Plan prior to a recommendation to Council for approval or adoption.*
- b) *Structure:
Full Council and a Council appointed Iwi representative. Council appoints Chairperson.*
- c) *Generally meets monthly but may meet more/less frequently as required.*

Cr Taranaki/Cr Cox

19 PROPOSED WAIPA DISTRICT COUNCIL ROAD CONTROL POLICY

File: 55-23-02

Proposed Waipa District Council Road Control Policy

At its meeting on 8 October 2007, Council's Policy Committee recommended a Waipa District Council Road Control Policy to Council for adoption.

RESOLVED

1/07/259

That the Proposed Waipa District Council Road Control Policy Waipa District Council document reference number 07845758 dated October 2007, be adopted.

20 COMPOSITION OF COUNCIL'S REGULATORY COMMITTEE

File: 01-89-04

Report of the Deputy Chief Executive dated 4 December 2007.

RESOLVED

1/07/259

That

- a) *The report of the Deputy Chief Executive dated 4 December 2007 be received.*
- b) *That as from 18 December 2007 the Council's Regulatory Committee will have the following elected representatives appointed to it:*
 - Councillor Diane Sharpe – Chairperson*
 - Councillor Errol Newlands – Deputy Chairperson*
 - His Worship the Mayor*
 - Councillor Barbara Taranaki*
- c) *As persons accredited pursuant to Section 39A of the Resource Management Act 1991 for the purposes of conducting hearings, Councillors Grahame Webber and Peter Lee be appointed as hearings commissioners pursuant to Section 39B of the Resource Management Act, either by sitting with the Council's Regulatory Committee, or as part of a panel of independent Commissioners.*
- d) *Nga Iwi Toopu O Waipa representative Gaylene Roberts be appointed as a hearings commissioner pursuant to Section 39B of the Resource Management Act, either by sitting with Council's Regulatory Committee, or as part of a panel of independent commissioners.*
- e) *As a matter of Policy, the Regulatory Committee Chairperson and Deputy Chairperson may select and invite appointed Commissioners to assist the Regulatory Committee for any particular hearing or series of hearings.*

Cr Sharpe/Cr Taranaki

21 NOTICE OF MOTION – KARAPIRO DOMAIN NAME

File: P14150

RESOLVED

1/07/260

“That due to the short time frame consultants Verdict Communications worked within and their limited consultation leading to Council's resolution reference 1/07/196, further action in the process required to complete the change of name for the Karapiro Domain be delayed until more opinion on the proposed name is obtained from key stakeholders and lake users.”

Mayor Livingston/Cr Newlands

22 RESOLUTION TO EXCLUDE THE PUBLIC

File: 01-37-01

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

RESOLVED

1/07/261

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

Cr Webber/Cr Taranaki

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 Nos	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
23	Report provided separately	Routine Review of Chief Executive's Remuneration	Good reason to withhold exists under section 7	Section 48(1)(a)
24	Report provided separately	To confirm the appointment of the Design Consultant for the redevelopment of the Cambridge Pool site	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		
23 & 24	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 7(2) (i)

23 ROUTINE REVIEW OF CHIEF EXECUTIVE'S REMUNERATION

File: P/F

Report provided separately to Councillors.

24 CAMBRIDGE COVERED POOL- APPOINTMENT OF DESIGN CONSULTANTS

Report provided separately to Councillors

The public were readmitted to the meeting at 5.25pm

25 OTHER MINUTES

Due to the deadlines for this agenda, the Monthly Committee minutes and Ratepayers Association Minutes had been sent to Councillors under separate cover.

26 MEETING DATES

Council was informed that the Local Government Act 2002 (Schedule 7, Clause 21 (5)(d) requires that the date and time of the next meeting, or a schedule of dates be fixed.

RESOLVED

1/07/266

That pursuant to Schedule 7, Clause 21 of the Local Government Act 2002, the following schedule of meeting dates be adopted (generally the last Tuesday of each month except for January) by Council:

26 February 2008, 25 March 2008, 29 April 2008, 27 May 2008, 24 June 2008, 29 July 2008, 26 August 2008, 30 September 2008, 28 October 2008, 25 November 2008, 16 December 2008.

Cr Scaramuzza/Cr Newlands

There being no further business the meeting closed at 5.37pm

CONFIRMED

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MAYOR