

Minutes of an ordinary meeting of Council held in the Council Chambers, 101 Bank Street, Te Awamutu on 27 May 2008, commencing at 9.00am.

## **1 PRESENT**

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His Worship the Mayor AD Livingston

### **Members**

EH Barnes, MEH Cox, LWE Hoverd, GH Jull, PL Lee, EC Newlands, GG Scaramuzza, DL Sharpe, GW Simmons, BJ Taranaki, BS Thomas, GRP Webber

### **Other**

Chief Executive – J Inglis; Dep. Chief Executive & Group Manager Environmental – G Dyet; Group Manager, Assets, Community & Business Service – J Mills; Group Manager, Finance – S Kew; Group Manager, Engineering – J Kerr; Council Secretary – C Shaw; Committee Secretary – S King.

## **2 APOLOGIES**

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### **RESOLVED**

1/08/052

*That the apology for lateness from Councillor Simmons is received.*

Cr Taranaki / Cr Thomas

## **3 LATE ITEMS**

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Nil

## **4 CONFIRMATION OF ORDER OF MEETING**

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File: 01-22-21

### **RESOLVED**

1/08/053

*That the order of the meeting be confirmed, with Item 5 to be held at 10am due to the arrival of J Parlane.*

Cr Sharpe / Cr Scaramuzza

## **5 DEPUTATION**

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This item was taken after Item 9 due to the arrival of J Parlane.

J Parlane outlined the history of the site, including that the site has recently had a change of tenant.

Mr Parlane commented that the problems with the site were noticeable four years ago when the site development began. The sides of the drain have visible caving and he advised that one of the neighbours was permitted to fill in part of the drain which crosses their property. Mr Parlane commented that Council has a new culvert planned to go under the road.

The water at the bottom of the drain was described as a putrid gray and Environment Waikato have found excessive levels of bacteria including faecal matter. Mr Parlane's complaint to Environment Waikato has not progressed and recently the Council has relined the drain with metal which brought the level of the water in the drain up.

Downstream from this site needs to be tidied up to help ease the current problem and Mr Parlane would like to see the whole storm water system to be reviewed throughout Te Awamutu. The ground drainage surrounding this site is now limited due to development including the tar sealed roads.

The main issue outlined by Mr Parlane is that Council have a responsibility to deal with storm water and it is currently a biological hazard.

In response to a question by Councillor Barnes, Mr Parlane advised of the location of the SPCA in relation to the site.

### **RESOLVED**

1/08/054

*That the report (Councillor briefing prepared by J Kerr, Council's Group Manager Engineering) providing information for councillors on the matter raised by J Parlane be received and acknowledged Council will monitor the drain on an annual basis in late summer.*

Cr Barnes / Cr Jull

The Chief Executive, J Inglis commented that the drain is an open drain and the source of the smell has been addressed. Group Manager Engineering, J Kerr reported that the open drain serves two purposes, with the obvious one being to collect storm water. The other purpose is to allow the water to back up into this area during peak storm periods.

The issue regarding the odour has been investigated and Council is confident that the source has been located and Allied Grain have advised that full interceptors will be constructed before the next season to help combat this issue.

Other minor works are planned for next summer and storm water modelling started three months ago which will give a good long term picture of the storm water needs.

Councillor Simmons entered the meeting at 10.16am.

Group Manager Engineering, J Kerr reported that Environment Waikato assisted Council to find the source of the odour, however this will need to be monitored.

The meeting adjourned for the morning tea break at 10.21am and recommenced at 10.44am with Item 10 being taken.

## **6 MINUTES OF PREVIOUS MEETING**

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File: 01-22-21

### **Minutes of meeting held on 29 April 2008.**

#### **RESOLVED**

1/08/055

*That the minutes of the meeting of the Waipa District Council held on 29 April 2008 be confirmed as a true and accurate record, with the addition of the condition of the Cambridge Road which was raised as a late item.*

Cr Barnes / Cr Lee

### **Minutes of meeting held on 6 May 2008.**

#### **RESOLVED**

1/08/056

*That the minutes of the meeting of the Waipa District Council held on 6 May 2008 be confirmed as a true and accurate record.*

Cr Scaramuzza / Cr Webber

## **7 COUNCILLORS REPORTS FROM CONFERENCES, SEMINARS AND MEETINGS ATTENDED ON BEHALF OF COUNCIL**

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File: 75-09-06

Councillor Hoverd reported on the Zone Two meeting that he attended. Councillor Barnes reported on the Waikeria meeting, including a roading issue which has been referred to staff. Mayor Livingston reported on Pensioner Housing meetings and thanked Councillor Scaramuzza for his handling of the complaints at the Cambridge meeting where the standard of accommodation between the various sites was raised as a topic of concern to pensioners.

Mayor Livingston commented on the Sub-Regional Growth Strategy workshops and appreciation of councillors attending the launch last night which was positively received. Councillor Hoverd reported on the Biodiversity field day and expressed thanks to Project Manager-Heritage Development & Reserve Planning, Tony Roxburgh for his hard work.

## **8 USE OF COUNCIL SEAL**

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File: 01-22-30

- 8.1 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 April / May 2008.

### **RESOLVED**

1/08/057

*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 Newlands / Cr Lee

Group Manager - Assets, Community & Business Service, J Mills reported on the Te Awamutu Marist Inc Agreement for Sale and Purchase, which is progressing well and is nearing completion.

### ***Documents Sealed by Chief Executive***

#### ***Sale and Purchase Agreements***

- a) *Agreement for Sale and Purchase: Te Awamutu Marist Inc*  
*File Number: 04551/060.00*  
*Resolution Number: IC1/07/12*
- b) *Agreement for Sale and Purchase: MB & MI Oliver*  
*File Number: 55-27-05*  
*Resolution Number: 01-22-12*
- c) *Agreement for Sale & Purchase: HM Taylor*  
*File Number: 55-27-04*  
*Resolution Number: 01-22-12*

#### ***Other Documents***

- d) *Head of Agreement: Fonterra Limited*  
*File Number: 04470/125.00*  
*Resolution Number: 5.2.A*

- e) *Head of Agreement: Fonterra Limited*  
*File Number: 04470/125.00*  
*Resolution Number: 5.2.A*
- f) *Right to Convey Water Easement: IHC NZ Ltd*  
*File Number: 04581/580.02*  
*Resolution Number:*
- g) *Fencing Covenant: Transland Investment Company Limited*  
*File Number: 04445/363.00*  
*Resolution Number: SP 0273/07*

**Liquor Licenses**

- h) *General Manager's Certificate: MT Austin*  
*File Number: 33-26-02*  
*Resolution Number: 1.7.19*
- i) *General Manager's Certificate: ARM Potroz*  
*File Number: 33-26-02*  
*Resolution Number: 1.7.19*
- j) *General Manager's Certificate: DA Gibson*  
*File Number: 33-26-02*  
*Resolution Number: 1.7.19*
- k) *General Manager's Certificate: DL Smith*  
*File Number: 33-26-02*  
*Resolution Number: 1.7.19*
- l) *General Manager's Certificate: JL Pivac*  
*File Number: 33-26-02*  
*Resolution Number: 1.7.19*
- m) *General Manager's Certificate: SG Letford*  
*File Number: 33-26-02*  
*Resolution Number: 1.7.19*
- n) *General Manager's Certificate: SM Bull*  
*File Number: 33-26-02*  
*Resolution Number: 1.7.19*
- o) *General Manager's Certificate: KE Hamilton*  
*File Number: 33-26-02*  
*Resolution Number: 1.7.19*
- p) *General Manager's Certificate: ET White*  
*File Number: 33-26-02*  
*Resolution Number: 1.7.19*
- q) *General Manager's Certificate: SF Gosling*  
*File Number: 33-26-02*  
*Resolution Number: 1.7.19*

- r) *General Manager's Certificate: DS Hogan*  
*File Number: 33-26-02*  
*Resolution Number: 1.7.19*
- s) *General Manager's Certificate: AK Nisbet-Smith*  
*File Number: 33-26-02*  
*Resolution Number: 1.7.19*
- t) *General Manager's Certificate: PJ Merrick*  
*File Number: 33-26-02*  
*Resolution Number: 1.7.19*
- u) *General Manager's Certificate: GA Baldock*  
*File Number: 33-26-02*  
*Resolution Number: 1.7.19*
- v) *Club Manager's Certificate: MR Ryall*  
*File Number: 33-26-02*  
*Resolution Number: 1.7.19*
- w) *Club Licence: Ohaupo Rugby and Sports Club, 13 Forkert Road, Ohaupo*  
*File Number: 04992/106.00*  
*Resolution Number: 1.7.19*
- x) *On-Licence: Indian Aroma, 23 Arawata Street, Te Awamutu*  
*File Number: 04492/106.00*  
*Resolution Number: 1.7.19*
- y) *On-Licence: The Woodbox, 25 Angus Road, Ohaupo*  
*File Number: 04492/106.00*  
*Resolution Number: 1.7.19*
- z) *On-Licence: Rata Café, 64 Victoria Street, Cambridge*  
*File Number: 04492/106.00*  
*Resolution Number: 1.7.19*
- aa) *On-Licence: Riverside of Cambridge, 5-7 Williamson Street, Cambridge*  
*File Number: 04492/106.00*  
*Resolution Number: 1.7.19*
- bb) *Off-Licence: Fresh Choice Supermarket, 39 Rewi Street, Te Awamutu*  
*File Number: 04492/106.00*  
*Resolution Number: 1.7.19*
- cc) *Off-Licence: Alpha Hotel Bar and Restaurant, 13 Havelock Street, Kihikihi*  
*File Number: 04492/106.00*  
*Resolution Number: 1.7.19*

- dd) *Renewal of On-Licence: Rosso Restaurant, 72 Alpha Street, Cambridge*  
*File Number: 016/ON/15/03*  
*Resolution Number: 1.7.19*
- ee) *Renewal of On-Licence: Red Cherry Café, 7 Forrest Road, Cambridge*  
*File Number: 016/ON/17/05*  
*Resolution Number: 1.7.19*
- ff) *Renewal of On-Licence: Absolute Coffee House, 1907 State Highway 1, Cambridge*  
*File Number: 016/ON/06/06*  
*Resolution Number: 1.7.19*
- gg) *Renewal of Off-Licence: Shakespeare Liquor, 117c Shakespeare Street, Cambridge*  
*File Number: 016/OFF/02/06*  
*Resolution Number: 1.7.19*

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

- hh) *Release of Bond: Grass Patch Developments Ltd*  
*File Number: :4482/518*
- ii) *Easement in Gross: Central Group Limited*  
*File Number: 04482/451.00*  
*Pol Ref: Sp/5135*
- jj) *Water Easement in Gross: John Hammonds & Company Limited*  
*File Number: 4650/001*
- kk) *Release of Bond: B & J McGowan, 2 Thompson Street, Cambridge*  
*File Number: 04525/111.00*
- ll) *Sewer & S/Water Easement Surrender: DM Sargent-McCullough & T Sargent*  
*File Number: 4482/072*
- mm) *Grant Sewer & S/Water Easement: DM Sargent-McCullough & T Sargent*  
*File Number: 4482/072*
- nn) *Certificate of Registration: Robert Harris Coffee Shop, 35 Arawata Street, Te Awamutu*  
*File Number: 04492/109.00*  
*Pol Ref: P5903*
- oo) *Easement Removal: M & D Robinson, 106 Benn Road, Cambridge*  
*File Number: 04641/290.01*  
*Pol Ref: 4.4.6(a)i)7*

- pp) *Easement: Northland Properties, Hydro Road, Cambridge*  
*File Number: 04460/081.00*  
*Pol Ref: 4.4.6(a)i)7*
- qq) *Easement: N Hitchcock, Shakespeare Street, Cambridge*  
*File Number: 04521/217.00*  
*Pol Ref: 4.4.6(a)i)7*
- rr) *Fencing Covenant – Lot 2: Clomapano Limited and Jade Investments 2007*  
*File Number: 04521/380.00*  
*Pol Ref: SP 0344/07*
- ss) *Fencing Covenant – Lot 3: Clomapano Limited and Jade Investments 2007*  
*File Number: 04521/380.00*  
*Pol Ref: SP 0344.07*
- tt) *Fencing Convenant: DNA Trust (DP & AJ Hoyle)*  
*File Number: 04380/385.00*  
*Pol Ref: SP 5175*
- uu) *Deed of Covenant: CW & GR Macmillan*  
*File Number: 04650/027.02 – Luck at Last Rd*
- vv) *Staff Warrant: Roydon Muir*
- ww) *Staff Warrant: John Kerr*

## **9 FINANCIAL REPORTS**

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File: 01-84-16

**Financial Report to Council for the Period Ended 30 April 2008 was provided in the agenda.**

### **RESOLVED**

1/08/058

*That the Financial Report for the period ended 30 April 2008 from Group Manger – Finance, be received.*

Cr Jull / Cr Lee

Item 5 was taken at this time due to the arrival of J Parlane. The meeting adjourned for the morning tea break at 10.21am, and recommenced at 10.44am with Item 10 being taken.

## **10 TO AUTHORISE THE PURCHASE OF TWO PARCELS OF LAND ADJACENT TO THE PIRONGIA CEMETERY**

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File: P11512

**Report of the Property Manager dated 25 March 2008 was provided in the agenda.**

The Chief Executive advised that the cost of this purchase needs to be weighed by the fact that there is currently enough land at the cemetery to provide for approximately thirty years.

The main reason for this purchase relates to access, with the additional land the cemetery boundaries could be changed to keep the same overall land area but with better access. The remaining land could be sold and therefore this purchase would be cost neutral.

Councillor Cox requested information as to the profitability of selling the sections and Group Manager, Assets, Community & Business Service, J Mills advised that an investigation has not been made although it is expected that the selling price would approximately match the purchase price.

**RESOLVED**

1/08/059

- a) *The report of the Property Manager dated 25 March 2008 be received; and,*
- b) *Council approve purchase of the land described as Section 531 Town of Pirongia East SA700/116 comprising 3035 square metres and Section 335 Town of Pirongia East SA658/148 comprising 2023 square metres, for a value supported by Council Policy; and,*
- c) *Staff to investigate the opportunity to alter the boundaries within the larger site so that the will remain the same area of land but to provide better access, with the balance being sold to offset the purchase; and,*
- d) *The purchase of the property be funded by endowment funds or loan and any return by grazing be applied to reduce the outstanding balance; and,*
- e) *Council authorise Staff to lease the two sites in accordance with Council Policy; and,*
- f) *The Common Seal of the Waipa District Council be affixed to all the sale, transfer and subsequent lease documents.*

Cr Sharpe / Cr Lee

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**11 MAUNGATAUTARI RESERVE COMMITTEE: RECOMMENDATIONS TO COUNCIL**

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File: 01-85-26

At its meeting on 7 May 2008, the Maungatautari Reserve Committee passed the following recommendation:

10/08/11

*That the Maungatautari Reserve Committee recommend to Council to investigate the safety of Tari Road due to increased vehicular and pedestrian use.*

## **12 CAMBRIDGE COMMUNITY BOARD: RECOMMENDATIONS TO COUNCIL**

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File: 01-21-02

At its meeting on 7 May 2008, the Cambridge Community Board passed the following recommendations:

*5/08/108*

*That the Cambridge Community Board recommend Council staff investigate the feasibility of adding more play equipment to the MacLean Street Playground as it was always the intent of the Cambridge Reserve Landscape Committee to progress this in stages.*

*5/08/119*

*That the Cambridge Community Board acknowledge Council's road signs policy, however recommend to Council that a prompt review of this policy is undertaken to enable all spelling errors to be corrected without following due process.*

## **13 TE AWAMUTU COMMUNITY BOARD: RECOMMENDATIONS TO COUNCIL**

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File: 01-21-02

At its meeting on 13 May 2008, the Te Awamutu Community Board passed the following recommendations:

*6/08/064*

*That the Te Awamutu Community Board recommend to Council -*

*(a) that the Te Awamutu Alive Banner Committee is recognised as the administering committee of the banner schedule as follows –*

<i>January</i>	<i>Te Awamutu Rosetown</i>
<i>April</i>	<i>ANZAC</i>
<i>June</i>	<i>Fieldays</i>
<i>August</i>	<i>Pride of Te Awamutu (LJ Hooker)</i>
<i>November</i>	<i>SCREAM Rosetown, Te Awamutu Rosetown, Waipa Networks</i>
<i>21 November</i>	<i>Christmas</i>

*(b) that Council staff communicate with Te Awamutu Alive Banners Committee to co-ordinate the flying of any banners;*

- (c) *to advise if Council funds were used towards the costs of flying the banners for the Ministry of Economic Development.*

6/08/078

*That the Te Awamutu Community Board recommend to Council that the name of the northern end of Gorst Avenue be changed to Churchill Street.*

6/08/079

*That the Te Awamutu Community Board recommend to Council that in view of the forthcoming centennial of the main trunk line in August 2008, the park on the corner of Bryce and Hall Streets in Kihikihi be named John Rochfort Park.*

The Chief Executive, J Inglis advised that the process of naming the reserve would be quite straight forward. Councillor Barnes advised that a family member of John Rochfort would be attending the centennial celebration and could be included in a naming ceremony.

This item will be included in the Agenda for the June Council meeting providing all reports and information are available.

#### **14 REINSTATEMENT OF THE SECTION AT 74 MAHOE STREET, TE AWAMUTU FOLLOWING RECENT REMOVAL OF BUILDINGS FROM THE SITE**

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The Chief Executive, J Inglis advised that this land was purchased in 2004 due to the opportunity to buy land as part of the development of the adjoining Selwyn Park. The issue of contamination of the site was raised and consents were applied for to Environment Waikato to decontaminate the site which was approved with agreed monitoring.

Access has become an issue for Stuart Law who has a narrow driveway across the section, although the Council's objective is to return the site to grass to compliment Selwyn Park.

Councillor Hoverd advised that Stuart Law's legal access is a narrow entrance that cannot be used by large vehicles and could be considered dangerous. Mayor Livingston commented about the temporary access being granted and the risks associated with that access. Councillor Sharpe advised that there may be a public perception problem changing the area back to buildings once a green area has been established.

**RESOLVED**

1/08/060

*That*

- a) *access is provided to Stuart Law across Lot 74 Mahoe Street to Selwyn Lane on a temporary basis, year by year with a 90 day right of termination; and,*
- b) *the access way be fenced and delineated by bollards with all costs of installation and maintenance of the access way to be met by Stuart Law.*

Cr Hoverd / Cr Cox

Mayor Livingston, Councillor Hoverd and Councillor Sharpe were recorded against the motion.

There being no further business the meeting closed at 11.45am.

**CONFIRMED**

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**MAYOR**