

*Minutes of a meeting of Council held in the Council Chambers, Waipa District Council offices, 101 Bank Street, Te Awamutu on Tuesday 26 August 2008 commencing at 9.00am*

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**PRESENT**

His Worship the Mayor AD Livingston

**Members**

EH Barnes, MEH Cox, LWE Hoverd, PL Lee, EC Newlands [from 9.21am], GG Scaramuzza [from 9.07am], DL Sharpe, GW Simmons, BJ Taranaki, GRP Webber

**Public**

One

**Others**

Chief Executive, J Inglis; Deputy Chief Executive, G Dyet; Group Manager – Policy & Strategy, R McNeil; Group Manager – Assets, Community & Business Service, J Mills; Group Manager – Finance, S Kew; Animal Control Officer, V Byford; Committee Secretary, S King.

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**2 APOLOGIES**

**RESOLVED**

1/08/86

*That the apologies for non attendance from Councillors Jull & Thomas; and, for lateness from Councillor Newlands, be received.*

Cr Taranaki / Cr Simmons

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**3 LATE ITEMS**

There were no late items.

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**4 CONFIRMATION OF ORDER OF MEETING**

File: 01-22-21

**RESOLVED**

1/08/87

*That the order of the meeting be confirmed, with the inclusion of Lesley French at 12.15pm as a visitor.*

Cr Barnes / Cr Lee

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**5 VISITORS**

Staff member Lesley French, who was leaving the library after 29 years, joined the meeting at 12.15pm and then joined the councillors for lunch.

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**6 MINUTES OF PREVIOUS MEETING**

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File: 01-22-21

**Minutes of meeting held on 31 July 2008 were included in the agenda.**

Cr Scaramuzza joined the meeting at 9.07am.

**RESOLVED**

1/08/88

*That the minutes of the meeting of the Waipa District Council held on 31 July 2008 be confirmed as a true and accurate record, subject to the following amendments and additions.*

- *Page 13, 'Willy Te Aho' changed to 'Willy Te Aho & Wally T Papa'*
- *Page 15, 'Well Energy' changed to 'WEL Energy'*
- *Page 21, remove 'The resulting sale of the current site would be offset against the money provided, and the balance would be allocated to the Cambridge Covered Pool. The money provided would be a bridging loan until the sale of the land has been completed.'*
- *Page 22, Councillor Lee wished to record his vote against the motion.*
- *Page 24 & 25, remove 'resolved' from the Community Board recommendations.*

Cr Webber / Cr Sharpe

Cr Newlands joined the meeting at 9.21am.

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

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File: 75-09-06

Councillor Simmons attended the Waipa District Youth Awards.

Mayor Livingston said he had attended the Trust Power Community Awards, Council's Natural Heritage Awards Inaugural Event and visited Lake Serpentine with the Minister of Conversation.

Councillors Hoverd, Lee, Scaramuzza and Sharpe said they had attended a Future Proof Seminar.

Councillor Barnes said she attended the Te Awamutu Information Centre Annual General Meeting.

## **8 USE OF COUNCIL SEAL**

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File: 01-22-30

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

- 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 July / August 2008.

### **RESOLVED**

1/08/89

*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 Lee / Cr Newlands

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

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

- a) *Purchase Agreement – M Lawry*  
*File Reference – 55-28-31 & 04470/0122.00*  
*Resolution Number – 1/08/69*
- b) *Sale Agreement – PF Monahan*  
*File Reference – UR 6/212*  
*Resolution Number – 8/96/114*

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

- c) *Memorandum of Understanding – Sub Regional Growth Strategy*  
*File Reference – 01-69-23*  
*Policy Number – 1.7.2*
- d) *Lease Renewal – Te Awamutu Netball*  
*File Reference – 4471/147.00*
- e) *Transmission of Ownership – Te Awamutu Borough Council*  
*File Reference – 04482/174.00*  
*Policy Number – 1.71*
- f) *Lease of Land – DJL Trust*  
*File Reference - 55-32-91*  
*Resolution Number – 5.1.B*

- g) *Lease of Land – Agricola Enterprises Ltd*  
*File Reference – 55-32-90*  
*Resolution Number – 5.1.B*
- h) *Lease of Land – GRL & DM Johnstone*  
*File Reference – 55-32-88*  
*Resolution Number – 5.1.B*
- i) *Lease of Land – Henderson Family Trust*  
*File Reference – 55-32-86*  
*Resolution Number – 5.1.B*
- j) *Lease of Land – DA & GD Fraser*  
*File Reference – 55-32-81*  
*Resolution Number – 5.1.B*
- k) *Lease of Land – Cranleigh Downs Trust Ltd*  
*File Reference – 55-32-63*  
*Resolution Number – 5.1.B*
- l) *Deed of Lease – Grant & Judith Clayton Family Trust and Peak Performance Trust*  
*File Reference – 04370/298.00*  
*Resolution Number – s.5(1)(b)*
- m) *NZ Gazette Notice – Karapiro Lake Domain*  
*File Reference – 90-02-44*  
*Resolution Number – 1/08/82*
- n) *NZ Gazette Notices for execution – Waipa District Council*  
*File Reference – various*  
*Resolution Number – 1/08/83*

#### **Liquor Licenses**

- o) *General Manager's Certificate – E Jones-Parry*  
*File Reference – 33-26-02*  
*Policy Number – 1.7.19*
- p) *General Manager's Certificate – N A L Thomas*  
*File Reference – 33-26-02*  
*Policy Number – 1.7.19*
- q) *General Manager's Certificate – L H Wynward*  
*File Reference – 33-26-02*  
*Policy Number – 1.7.19*
- r) *General Manager's Certificate – A E Smyth*  
*File Reference – 33-26-02*  
*Policy Number – 1.7.19*
- s) *General Manager's Certificate – T L Fischer*  
*File Reference – 33-26-02*  
*Policy Number – 1.7.19*

- t) *On-Licence – Gostiona Restaurant, 302 Ohaupo Road, Rukuhia  
Policy Number – 1.7.19*
- u) *On-Licence – The Persimmon Tree Café, 1050 Franklin Street,  
Pirongia  
Policy Number – 1.7.19*
- v) *On-Licence – The Powerhouse, 401 Ariki Street, Karapiro,  
Cambridge  
Policy Number – 1.7.19*
- w) *Off-Licence – The Powerhouse, 401 Ariki Street, Karapiro,  
Cambridge  
Policy Number – 1.7.19*
- x) *Club Licence – Waikato Aero Club  
Policy Number – 1.7.19*

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

- y) *S/W Easement – MA Penny & IS Wilks  
File Number – 4481/494.04*
- z) *S/W & Sewage Easement – Tristar Group Ltd  
File Number – 4481/494.04*
- aa) *Easement Surrender Instrument – Tristar Group Ltd  
File Number – 4481/494.04*
- ab) *Surrender Easement Consent Form – Tristar Group Ltd  
File Number – 4481/494.04*
- ac) *Fencing Covenant – Tristar Group Ltd  
File Number – 4481/494.04*
- ad) *Deed of Covenant – Tristar Group Ltd  
File Number – 4481/494.04*
- ae) *Easement Instrument in Gross – Tristar Group Ltd  
File Number – 4481/494.04*
- af) *Release of TDR Bond – Jess, Speed & Hicks  
File Number – 4570/508*
- ag) *Fencing Covenant – C Vincent  
File Number 4482/483*
- ah) *Partial Release of Bond – Waikato Regional Airport Ltd  
File Number – 4581/220*

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**9 FINANCIAL REPORT**

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File: 01-84-16

**The Financial Report for Period Ended 31 July 2008 was included in the agenda.**

**RESOLVED**

1/08/90

*That the Financial Report for the period ended 31 July 2008 from Group Manger – Finance, be received.*

Cr Sharpe / Cr Hoverd

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**10 REQUEST FOR TEMPORARY ROAD CLOSURE ON KAIRANGI ROAD FOR VINTAGE CAR CLUB HILL CLIMB**

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File: 55-21-02

**RESOLVED**

1/08/91

*That pursuant to Section 11(e) of the tenth schedule to the closure of a section of Kairangi Road between the southern end of Robinson Road and Griggs Road on Sunday 7 September 2008 between the hours of 9.30am and 3.30pm.*

Cr Newlands / Cr Taranaki

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**11 LOCAL TRIENNIAL ELECTIONS – OPTION TO REVIEW ELECTORAL SYSTEM**

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File: 02-04-03

**RESOLVED**

1/08/92

*That*

- a) the information be received; and,*
- b) Council retain First Past the Post as its preferred electoral system and that public notice, pursuant to Section 28 of the Local Electoral Act 2001, be given of the electors right to demand a poll on the electoral system to be used for the 2010 triennial general election.*

Cr Cox / Cr Barnes

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**12 ENVIRONMENTAL SERVICES – ENFORCEMENT REPORT FOR THE PERIOD 1 APRIL TO 30 JUNE 2008**

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File: 01-69-17

**RESOLVED**

1/08/93

*That the information be received.*

Cr Barnes / Cr Lee

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**13 REPORT ON WAIPA DISTRICT COUNCIL DOG CONTROL POLICY AND PRACTICES 2007/08**

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File: 33-15-01

The report of the Environmental Safety Manager dated 4 August 2008 was included in the agenda.

**RESOLVED**

1/08/94

*That*

- a) *the report entitled Report on Dog Control Policy and Practices 2007/08 prepared by the Environmental Safety Manager dated 4 August 2008 be received; and,*
- b) *pursuant to section 10A of the Dog Control Act 1996, the Waipa District Council Report on Dog Control Policy and Practices for 2007/2008 as set out in section 7 of this report be adopted and a copy forwarded to the Secretary for Local Government.*

Cr Scaramuzza / Cr Barnes

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**14 CAMBRIDGE COMMUNITY BOARD: RECOMMENDATIONS TO COUNCIL**

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File: 01-21-14

At its meeting on 6 August 2008, the Cambridge Community Board passed no recommendations for Council to consider.

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**15 TE AWAMUTU COMMUNITY BOARD: RECOMMENDATIONS TO COUNCIL**

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File: 01-21-13

At its meeting on 12 August 2008, the Te Awamutu Community Board passed the following recommendations:

*6/08/160*

*That the Te Awamutu Community Board recommend to Council that the Wharepapa South village and school speed restriction be included in the speed limit review.*

The Chief Executive said this had been referred to staff and that it would be included in the review.

The meeting adjourned for the morning tea break at 10.29am and recommenced at 10.51am.

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**16 RESOLUTION TO EXCLUDE THE PUBLIC**

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File: 01-37-01

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

**RESOLVED**

1/08/95

*That the public be excluded from the following parts of the proceedings of this meeting, including the commissioner item.*

Cr Newlands / Cr Scaramuzza

*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
17	Report provided separately.	Proposal for Corporate Naming Rights to the Karapiro Domain	Good reason to withhold exists under section 7	Section 48(1)(a)
18	Report provided separately.	Annual Report	Good reason to withhold exists under section 7	Section 48(1)(a)
19	No papers.	Appointment of Commissioner: Cambridge BMX Resource Consent	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		
17, 18	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 7(2) (i)
19	Protection of privacy of natural persons	Section 7(2) (a)

**17 PROPOSAL FOR CORPORATE NAMING RIGHTS TO THE KARAPIRO DOMAIN**

This item was taken with the public excluded.

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**18 ANNUAL REPORT**

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This item was taken with the public excluded.

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**19 APPOINTMENT OF COMMISSIONER: CAMBRIDGE BMX RESOURCE CONSENT**

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This item was taken with the public excluded.

The public were readmitted to the meeting at 12.12pm.

**RESOLVED**

1/08/96

*That pursuant to Section 34A(1) of the Resource Management Act 1991 Independent Commissioner, Alan Watson, be appointed as a Hearing Commissioner for the purpose of considering and determining the resource consent applications for the Cambridge BMX Club, subject to his availability. In the event of Alan Watson not being available, Alan Withy be appointed if he is available.*

Cr Sharpe / Cr Taranaki

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**20 REQUEST FROM HAMILTON CITY COUNCIL FOR FUNDING ASSISTANCE FOR THE 2011 RUGBY WORLD CUP**

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The Chief Executive, J Inglis explained that a verbal request for financial assistance had been received from Hamilton City Council. He also advised that any contribution to this event would not be required until after the 2008/09 financial year.

The item was adjourned due to the arrival of Lesley French at 12.15pm. The meeting adjourned for the lunch break at 12.29pm and recommenced at 1.20pm.

**RESOLVED**

1/08/97

*That -*

- a) In response to the Hamilton City Council's request for financial assistance to host some prominent Rugby World Cup games at the Waikato Stadium, Council will provide \$45,000 (approximately \$1 per head of population) on the condition the games include an All Blacks game, a third place game and two pool games; and that this offer may be amended or withdrawn if the games hosted do not include the above games.; and,*
- b) Further that the amount of \$45,000 be funded over 3 years from Council's regional tourism budget of \$15,000 p.a.*

Cr Lee / Cr Webber

There being no further business the meeting closed at 1.33pm.

**CONFIRMED**

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**Mayor**