

Minutes of a meeting of Council held in the Council Chambers, 101 Bank Street, Te Awamutu on Tuesday 16 December 2008, commencing at 9.04am.

1 PRESENT

His Worship the Mayor AD Livingston

Members

EH Barnes, MEH Cox, LWE Hoverd, GH Jull, PL Lee, EC Newlands, GG Scaramuzza [until 2.50pm], DL Sharpe, GW Simmons [until 2.50pm], BJ Taranaki, BS Thomas, GRP Webber

Public

There were no public present.

Others

Chief Executive, J Inglis; Group Manager – Finance, S Kew for items 10 & 23]; Group Manager – Policy & Strategy, R McNeil; Susan Brennan [for item 26]; HR Consultant, Greg Timms [for item 21]; Consultant from Beca, R Douch [for item 12]; Committee Secretary, S King.

2 DISCLOSURE OF MEMBERS' INTERESTS

There were no disclosures.

3 APOLOGIES

RESOLVED

1/08/140

That the apologies for non attendance from Councillors Barnes & Hoverd; and, early departure from Councillors Sharpe & Taranaki; and, lateness from Councillor Newlands, be received.

Councillor Simmons / Councillor Lee

4 LATE ITEMS

Mayor Livingston accepted as a late item, an update on the Resource Management Act review.

5 CONFIRMATION OF ORDER OF MEETING

File: 01-22-21

RESOLVED

1/08/141

That the order of the meeting be confirmed, subject to the late item being taken following item 7; and, item 21 at 11am; and, item 6 at 12pm.

Councillor Jull / Councillor Lee

Item 7 was taken after item 5.

6 VISITORS

Tom Mayo, Chief Executive of Karapiro 2010 attended the meeting at 12.15pm to provide an update on developments with the World Rowing Championships in 2010. He joined the Councillors for lunch.

The meeting adjourned for the lunch break at 12.53pm and reconvened at 1.39pm. Councillor Taranaki did not rejoin the meeting at that time. Item 21 was continued and staff were not present during the item.

7 MINUTES OF PREVIOUS MEETING

File: 01-22-21

Minutes of meeting held on 24 November 2008 was included in the agenda.

RESOLVED

1/08/142

That the minutes of the meeting of the Waipa District Council held on 24 November 2008, be confirmed as a true and accurate record.

Councillor Thomas / Councillor Taranaki

Item 26 was taken after item 7.

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

File: 75-09-06

Councillor Simmons attended in the Mayor's place the Pekerau School dedication.

Councillor Lee attended the regional transport meeting at the Ports of Tauranga. Councillor Jull attended, on the Mayor's behalf, the prize giving ceremony for the Te Awamutu Cadets.

Councillor Newlands attended the Cambridge Fire Brigade end of year function on behalf of the Mayor. Councillor Webber attended the inaugural Waikato Statutory Board meeting at Hopuhopu.

Councillor Thomas & Mayor Livingston attended the Waipa Biodiversity Council field day at Te Pahu. Councillor Jull attended a presentation by Councillor Hoverd at the Council Chambers on the falcons at Kakepuku.

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 pursuant to an authority delegated to the Environmental Services Manager, Planning Services Manager or Senior Planner – during November/December 2008.

RESOLVED

1/08/143

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

Councillor Thomas / Councillor Simmons

Documents Sealed by Chief Executive

Sale and Purchase Agreements

- a) *Sale Agreement – Te Awamutu Congregation of the Jehovahs Witness Trust*
File Reference – 04611/089.00
Resolution Number – 1/08/45
- b) *Agreement for Sale and Purchase of Real Estate – AJ Pike and RJ Martyn*
File Reference – 04551/091.11 – P13469

Other Documents

- c) *Lease of Land Under Road for Underpass – Mangahana Farm Limited*
File Number – 04611/370.03 – P59909
- d) *Lease to Sports Club / Community Group – New Zealand Red Cross Incorporated*
File Reference – 04492/198/00 – P5824
- e) *Lease Renewal – AV Brown*
File Reference – 04601/064.00
Policy Number – 4.4.2 e i d
- f) *Electronic Transaction Authority, Encumbrance and Deed of Assignment – The Property Group Ltd*
File Reference – 90-02-27/19 – P10803

- g) *Public Corporate Client Authority and Instruction for an Electronic Transaction – AJ Pike & RJ Martyn*
File Reference – 04551/091.11 – P13469
- h) *Variation of Agreement – PA Francis & EL Francis*
File Reference– 04552/855.01– P49285
- i) *Memorandum of Agreement – J Bryant, N Bryant, DS Bryant*
File Reference – 01-84-26
- j) *Compensation Certificate – J Bryant, N Bryant, DS Bryant*
File Reference – 01-84-26

Liquor Licenses

- k) *General Manager's Certificate – SD Darbyshire*
File Reference – 33.26.02
Policy Number – 1.7.19
- l) *General Manager's Certificate – DA Gibson*
File Reference – 33.26.02
Policy Number – 1.7.19
- m) *General Manager's Certificate – LM Curtis*
File Reference – 33.26.02
Policy Number – 1.7.19
- n) *General Manager's Certificate – BI Stowers*
File Reference – 33.26.02
Policy Number – 1.7.19
- o) *General Manager's Certificate – AA Hotene*
File Reference – 33.26.02
Policy Number – 1.7.19
- p) *General Manger's Certificate – AJ McCathie*
File Reference – 33.26.02
Policy Number – 1.7.19

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

- q) *Covenant on Amalgamation – J & G Anderson*
File Reference – 4570/466
- r) *Removal of Covenant – A Smith, G Hogarth, S & L Sewell*
File Reference – 04521/178.00 & 04521/176.00
Policy Number – 4.4.6 (a) i) 7
- s) *Removal of Covenant – A Smith, G Hogarth, S & L Sewell*
File Reference – 04521/178.00 & 04521/176.00
Policy Number – 4.4.6 (a) i) 7
- t) *Surrender of Easement – GR & FM Nobilo*
File Reference – 4570/032.02

10 FINANCIAL REPORTS

File: 01-84-16

Financial Report for Period Ended 30 November 2008 was included in the agenda.

Councillor Newlands left the meeting at 9.57am.

RESOLVED

1/08/144

That the Financial Report for the period ended 30 November 2008 from Group Manager – Finance be received.

Councillor Scaramuzza / Councillor Cox

11 WAIPA DISTRICT MUSEUM'S RESEARCH FEES AND CHARGES

File: 20-06-06

Report of Museums and Heritage Manager dated 14 November 2008 was included in the agenda.

RESOLVED

1/08/145

That

- a) *The report of the Museums and Heritage Manager dated 14 November be received.*
- b) *The fees and charges for the Te Awamutu and Cambridge Museums, as listed below become operative from 1 January 2009.*

Location	Activity	Fee/Charge	Comment:
Te Awamutu and Cambridge Museums	Research Service time including searching, retrieval, reproduction, distribution and replacement of material	\$20 per half hour (first half hour free)	A change from hourly to half hourly charging
Te Awamutu and Cambridge Museums	Research Room ¹ Bookings to read/research requested material	\$20 per half hour	Intended to encourage more effective utilisation of the room
Te Awamutu and Cambridge Museums	Reproduction & Distribution	Per photocopy page A4 -30c A3 -50c \$2 per CD (no additional charge per image) emailed images -no charge	Additional to Research Service time as above.

¹ The Archivist's time will not be charged out while customers are using the research room unless additional material is requested during the visit. Time spent locating and delivering the requested material prior to or during the visit will be chargeable time.

Councillor Jull / Councillor Taranaki

12 PLAN CHANGE 57 (TITANIUM PARK): OPERATIVE STATUS

File: 65-07-57

Report of Planning Services Manager W Allan dated 5 December 2008 was included in the agenda.

Mr Douch said that the two appeals, one from NZTA and the other from Air NZ, were specific and narrowly based which provided an opportunity for some activity to proceed. This would result in the plan change becoming operative in part, excluding those parts under appeal.

Councillor Newlands rejoined the meeting at 10.03am.

Mr Douch said that public notification would commence in late January and that formal changes to the District Plan would only be made after the appeals were resolved.

Councillor Simmons left the meeting at 10.14am and rejoined the meeting at 10.16am.

RESOLVED

1/08/146

That

- a) *The report of the Planning Services Manager, Wayne Allan, dated 5 December 2008 be received; and,*
- b) *Pursuant to Clauses 17(2) and 20 of the First Schedule to the Resource Management Act 1991, Proposed Plan Change No. 57 (Decisions Version), is approved in part, as all submissions relating to that part have been dealt with and there are no appeals in relation to that part. The part of the Proposed Plan Change that is to be approved is:
All of the plan change except for:
I. Rule 7A.4.11; and
II. Rule 7A.4.1.(b)*
- c) *The Plan Change shall become operative in part on 27 January 2009 and that this date shall be publicly notified.*

Councillor Cox / Councillor Lee

Councillors Cox & Lee left the meeting at 10.22am.

13 CYCLING STRATEGY

File: 55-28-32

Cycling Strategy was provided separately to Councillors.

Councillors Cox & Lee rejoined the meeting at 10.23am. Councillor Webber left the meeting at 10.24am and rejoined the meeting at 10.25am.

Councillor Newlands highlighted cycling routes that the Council may wish to include that are currently being used by Cambridge school children as training routes. The Chief Executive said that the document would include the additions highlighted today and would return to Council for adoption next year.

RESOLVED

1/08/147

That

- a) *The draft Waipa District Cycling and Walking Strategy 2008 be received; and,*
- b) *The Waipa District Cycling and Walking Strategy 2008 be brought back to Council for adoption once additions had been included.*

Councillor Newlands / Councillor Sharpe

Councillor Jull left the meeting at 10.32am.

14 REQUEST FOR TEMPORARY CLOSURE OF ROAD FOR THE ANNUAL CHILD CANCER FOUNDATION TOY RUN

File: 55-21-02

RESOLVED

1/08/148

That as provided by S319(h), S342 of the Local Government Act 1974 and S11 and 11(e) of Schedule 10 of the same Act, a portion of Alpha Street between Dick Street and Victoria Street in Cambridge, be closed temporarily on Sunday 1 March 2009 from 9.00am to 11.00am for the purpose of holding the annual Child Cancer Foundation Toy Run event.

Councillor Webber / Councillor Taranaki

15 LEAMINGTON SPORTS CLUB: REQUEST FOR FINANCIAL ASSISTANCE AND GUARANTEE

File: P8083

Report of Chief Executive dated 10 December 2008 was included in the agenda.

Councillor Jull rejoined the meeting at 10.34am. Councillor Newlands left the meeting at 10.43am.

RESOLVED

1/08/149

That

- a) *The report of the Chief Executive dated 10 December 2008 be received.*
- b) *Council provide a guarantee of \$50,000 to the Leamington Rugby Sports Club for work the Club has done upgrading its clubrooms and club building on terms and conditions complying with Council's policy on Guarantees.*
- c) *Council decline the Leamington Rugby Sports Club's request for a financial grant of \$50,000 for work the Club has done upgrading its clubrooms and club building and offer in place of this a further guarantee of \$50,000 on terms and conditions set out in Council's policy acknowledging that if this offer is accepted the total guarantee to the Club will be \$100,000 and 68% of the cost of the work while Council's policy is that a guarantee will not exceed the lesser of 50% or \$100,000.*

Councillor Webber / Councillor Lee

The meeting adjourned for the morning tea break at 10.44am and recommenced at 11.05am. Items 20 & 21 were taken after the break.

16 AMENDMENT TO ROAD NAMING POLICY

File: 55-28-12

RESOLVED

1/08/150

That Council amend the existing Road Naming Policy with the inclusion of the following section:

ROAD TYPE

The road type name should be one that most accurately reflects the type of roadway that is being named. The list below should be used as appropriate.

Road Type	Road Name
<i>Relatively short, dead-end Roads, Cul-de-sacs</i>	<i>Place, Court, Close, Grove, Way, Courtyard, Rise</i>
<i>Long Cul-de-sacs, Through Roads</i>	<i>Road, Street, Drive, Ridge, Terrace</i>
<i>Loop Road to same street</i>	<i>Crescent, Loop, Circle</i>
<i>Rural Road</i>	<i>Road</i>
<i>Wide spacious roads</i>	<i>Avenue, Boulevard, Parade</i>
<i>Narrow Road, Service Lane Access way</i>	<i>Lane, Way</i>
<i>Street in Commercial areas</i>	<i>Arcade, Mall, Plaza, Square, Street, Road</i>
<i>Short Road leading to water</i>	<i>Landing</i>

Councillor Lee / Councillor Newlands

17 PIRONGIA RESERVE MANAGEMENT COMMITTEE: CHANGE IN REPRESENTATION BY PUREKIREKI MARAE

File: 60-12-17

RESOLVED

1/08/151

That in response to a request from the Purekireki Marae committee, the Pirongia Reserves Management Committee member Tom Roa is discharged from the Committee and Haupai Puke is appointed in his place.

Councillor Thomas / Councillor Lee

18 CAMBRIDGE COMMUNITY BOARD: RECOMMENDATIONS TO COUNCIL

File: 01-21-02

At its meeting on 3 December 2008, the Cambridge Community Board passed the following recommendations:

5/08/303

That the Cambridge Community Board recommend to Council that an uncontrolled pedestrian crossing is installed on Victoria Street (State Highway 1B) East and West, between Williams and King Streets, to cater for pupils of Cambridge East Primary School and Cambridge Middle School.

This matter has been referred to staff for consideration and action. It will also require consideration by the New Zealand Transport Agency.

19 TE AWAMUTU COMMUNITY BOARD: RECOMMENDATIONS TO COUNCIL

File: 01-21-13

At its meeting on 9 December 2008, there were no recommendations to Council.

20 RESOLUTION TO EXCLUDE THE PUBLIC

File: 01-37-01

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

RESOLVED

1/08/52

That the public be excluded from the following parts of the proceedings of this meeting, with the exception of HR Consultant, Greg Timms for item 21.

Councillor Lee / Councillor 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
21	Report provided separately	Routine Review of Chief Executive's Performance and Remuneration	Good reason to withhold exists under section 7	Section 48(1)(a)
22	Report provided separately	Karapiro Domain – Sponsorship and Naming Rights	Good reason to withhold exists under section 7	Section 48(1)(a)
23	Report provided Separately	Rowing New Zealand – request for Guarantee	Good reason to withhold exists under section 7	Section 48(1)(a)
24	Report provided separately	Waikato Foundation Trust	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		
21, 22, 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)

21 ROUTINE REVIEW OF THE CHIEF EXECUTIVES' PERFORMANCE AND REMUNERATION

This item was taken with the public excluded.

Staff left the meeting at 11.07am.

The public were readmitted to the meeting at 12.10pm. The meeting was adjourned for a short break at 12.10pm and was reconvened at 12.15pm. Item 6 was taken at that time.

The public were excluded from the meeting at 1.39pm. Staff were not present. The public were readmitted to the meeting at 2.50pm. The meeting adjourned for the afternoon tea break at 2.50pm and reconvened at 3.03pm. Councillors Scaramuzza & Simmons were not present.

22 KARAPIRO DOMAIN: SPONSORSHIP AND NAMING RIGHTS

File: 60-06-33/36

This item was taken with the public excluded.

23 ROWING NEW ZEALAND: REQUEST FOR GUARANTEE

File: 60-06-33/30

This item was taken with the public excluded.

24 WAIKATO FOUNDATION TRUST

File: 65-10-05

This item was taken with the public excluded.

The public were readmitted to the meeting at 3.41pm. Item 16 was taken after item 24.

**25 REQUEST BY PIRONGIA TE AROARO O KAHU RESTORATION SOCIETY
INCORPORATED TO USE LOT 550 FOR THE RELOCATION OF THE EX-
SCHOOL LIBRARY BUILDING - SUPPLEMENTARY ITEM**

File: 60-12-01

The Chief Executive said that the Pirongia Reserves Management Committee had reviewed this and that the Committee had made a recommendation to Council.

He said that the recommendation had been extended to include a requirement that the Society accept responsibility for the cost of going through the required processes.

Mayor Livingston said that although it was unfortunate that the building would take up a portion of green space, it was clear that the Pirongia community felt that the building should be relocated on section 550.

RESOLVED

1/08/153

That

- a) *Further to Council's resolution 1/08/129 that "the request by Pirongia Te Aroaro O Kahu Restoration Society Incorporated to use Lot 550 for the relocation of the ex-school library building, be referred to the Pirongia Reserves Management Committee for urgent consideration"; and in accordance with the subsequent recommendation Pirongia Reserves Management Committee recommendation 13/08/01, approximately 1500m² of the land described as Section 550 Town of Pirongia East situated in Pirongia, (which has an area of 6376m²) be changed from recreation reserve to local purpose reserve (community buildings) subject to the process set out as follows:*
- 1. Present a report to Council to resolve pursuant to S.24(1), Reserves Act 1977 to recommend to the Minister of Conservation that part of Section 550 be changed from recreation reserve to local purpose (community buildings) reserve. 16th December 2008*

2. *Notify DoC of the resolutions including the background information and a draft lease (lease will be under S.61(2A)(b) and (3), of the Reserves Act – consent from Council to the lease will be obtained as part of a report to Council).*
3. *Comments received from DoC. Further action may be required at this stage depending on requirements from DoC.*
4. *Council gives public notice of the proposal in a newspaper circulating in this part of the district. One publication only is required and objections are invited within one month of the date of publication. Submissions are not invited. If advertising falls between 10 December and 10 January the closing date for objections will be 10th February 2009.*
5. *Report to Council to consider objections. April 2009.*
6. *If there are no objections, call for survey to show section on a Survey Office plan.*
7. *Present the outcome of advertising and the plan to DoC with a request that the change of classification be gazetted.*

Note: Ownership of the land will not change and any lease will be from the Crown with Council as a party.

Process to Change the Management Plan

The Urban Reserves Management Plan Volume 2 (Pirongia, Kihikihi & Ohaupo) has contained within it general provisions which relate to community activities being placed upon Local Purpose Reserves.

For Section 550 there is a specific policy which states that site development shall be implemented in accordance with the approved landscape plan. If Council wishes to change the Landscape Plan then a draft plan must be prepared and publicly notified with 2 months allowed for submissions.

This would need to be approved by The Pirongia Reserves Committee prior to the publication. If advertised in December at the same time as the classification change then the process can be contiguous with the Classification Change. Therefore Submissions would be considered by Council in April 2009.

(These dates may be subject to variation)

And dependant on the outcome of this process and subject to the Pirongia Te Aroaro Kahu Restoration Society accepting responsibility for the cost of completing the process, the 1500m², local purpose part of Section 550 be made available for use by the Pirongia Te Aroaro Kahu Restoration Society for the placement of the former Pirongia School library building to operate as an "Envirocentre".

- b) *Subject to the outcome of (a) above a lease of the land comprising approximately 1500m² of Section 550 in Crozier Street Pirongia as described in (a) being local purpose reserve (community buildings) be granted to the Pirongia Te Aroaro Restoration Society.*

Councillor Thomas / Councillor Simmons

26 RESOURCE MANAGEMENT ACT REVIEW – LATE ITEM

Council's Policy Planner said that the submission period closes on 20 December 2008 which is why this was raised as a late item. Mayor Livingston said that the item had been raised at the Regulatory Committee meeting on 15 December, and that members felt that all councillors should have the opportunity to discuss it.

S Brennan highlighted the areas that the Council may wish to make a submission and members provided direction for staff to make a submission.

Councillor Newlands joined the meeting at 9.32am.

Item 8 was taken after item 26.

There being no further business, the meeting closed at 3.55pm.

CONFIRMED

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Mayor