

Minutes of a meeting of Council held in the Council Chambers, Waipa District Council, 101 Bank Street, Te Awamutu on Tuesday 31 March 2009 commencing at 9.02am.

1 PRESENT

His Worship the Mayor AD Livingston

Members

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

Public

Seven.

Others

Chief Executive, J Inglis; Group Manager – Finance; Revenue Supervisor, M Maher; HR Consultant, G Tims; Promotions & Stakeholders Manager, B Aspin; Committee Secretary, S King.

2 DISCLOSURE OF MEMBERS' INTERESTS

There were no disclosures.

3 APOLOGIES

RESOLVED

1/09/11

That the apology for non attendance from Councillor Newlands be received.

Councillor Sharpe / Councillor Taranaki

4 LATE ITEMS

There were no late items.

5 CONFIRMATION OF ORDER OF MEETING

File: 01-22-21

RESOLVED

1/09/12

That the order of the meeting be confirmed, subject to item 13 to be taken at 9.30am, item 21 at 10.30am, and item 22 at 11.00am.

Councillor Lee / Councillor Thomas

6 VISITORS

There were no visitors.

7 MINUTES OF PREVIOUS MEETING

File: 01-22-21

Minutes of meeting held on 24 February 2009 were included in the agenda.

RESOLVED

1/09/13

That the minutes of the meeting of the Waipa District Council held on 24 February 2009 be confirmed as a true and accurate record.

Councillor Simmons / Councillor Sharpe

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

File: 75-09-06

Councillor Simmons attended the Fonterra business luncheon on 13 March. Councillor Cox represented the Mayor at the Waikato Museum's function to welcome their new Chief Executive. Councillor Thomas attended an Environment Waikato presentation on their draft 10-year Plan. Councillor Barnes represented the Mayor at the Special Olympics event held in the Te Awamutu Events Centre.

The Mayor and Councillors Hoverd, Jull & Sharpe attended a session on the proposed changes to the Resource Management Act. The Mayor also attended the Zone Two meeting where Rodney Hide made a presentation. Councillor Lee commended the Open Days held by Council on behalf of all Councillors who attended the sessions.

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 February 2009.

RESOLVED

1/09/14

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 Taranaki / Councillor Jull

Documents Sealed by Chief Executive

Sale and Purchase Agreements

- a) *Sale and Purchase Agreement & Licence to Occupy – E Allison*
File Reference – 04510/736.00
Policy Number – section 1.7.1
- b) *Sale and Purchase Agreement and Licence to Occupy – RK Earea*
File Reference – 4510/736.00
Policy Number – section 1.7.1

Other Documents

- c) *New Lease – Te Awamutu Association Football Club Inc*
File Reference – 04482/108.00
Resolution Number – 2/09/25
- d) *Lease Renewal – P & S Kewish*
File Reference – 04601/031.00 & 04605/002.00 & 04601/032.00
Policy Number – 4.4.2 e i d
- e) *Memorandum of Agreement – R Barnsdall & Redoubt Trustees Ltd*
File Reference – 04552/872.00
Resolution Number – 1/5/201
- f) *Transmission into WDC's name – Waipa County Council*
File Reference – 04452/713.00
Policy Number – section 1.7.1
- g) *Discharge of Compensation Certificate – J, N & D Bryant*
File Reference – 25-01-07
Resolution Number – 1/08/95
- h) *Compensation Certificate – T & J Grice*
File Reference – 04552/739.00
Resolution Number – 1/5/201
- i) *Compensation Certificate – SM Mathias & RA Chalecki*
File Reference – 04552/711.00
Resolution Number – 1/5/201
- j) *Compensation Certificate – M Hanham, M Patterson & Bailey Ingham Trustees Ltd*
File Reference – 04552/727.00
Resolution Number – 1/5/201

- k) *Compensation Certificate – LC & RA Anderson*
File Reference – 04552/729.00A
Resolution Number – 1/5/201
- l) *Compensation Certificate – D & M Monks*
File Reference – 04552/729.00A
Resolution Number – 1/05/201
- m) *Compensation Certificate – Housing NZ*
File Reference – 04552/722.00
Resolution Number – 1/5/201
- n) *Compensation Certificate – G O’Riley & M Miller*
File Reference – 04552/831.00
Resolution Number – 1/5/201
- o) *Compensation Certificate – I & G Leadley*
File Reference – 04552/883.00
Resolution Number – 1/5/201
- p) *Compensation Certificate – M Gage*
File Reference – 04552/852.00
Resolution Number – 1/5/201
- q) *Compensation Certificate – GR & L Boxell*
File Reference – 04552/558.00 & 04552/556.00
Resolution Number – 1/5/201
- r) *Compensation Certificate – R Terito*
File Reference – 04552/866.00
Resolution Number – 1/5/201
- s) *Compensation Certificate – Ormsby & Cox Ltd*
File Reference – 04552/455.00
Resolution Number – 1/5/201
- t) *Compensation Certificate – Te Kahuhui David Karauti & Margaret Susan Karauti*
File Reference – 04552/760.00
Resolution Number – 1/5/201
- u) *Agreement as to Liability – WG James*
File Reference – 04492/028.00
- v) *Transmission into WDC’s Name – Cambridge Borough Council*
File Reference – 04530/768.00
Policy Number – 1.7.1

Liquor Licenses

- w) *General Manager’s Certificate – SK Saunders*
File Reference – 33-26-02
Policy Number – 1.7.19
- x) *General Manager’s Certificate – MA Hughes*
File Reference – 33-26-02
Policy Number – 1.7.19
- y) *General Manager’s Certificate – GD Keene*
File Reference – 33-26-02
Policy Number – 1.7.19

- z) *General Manager's Certificate – JL Marston*
File Reference – 33-26-02
Policy Number – 1.7.19
- aa) *General Manager's Certificate – DL Kelly*
File Reference – 33-26-02
Policy Number – 1.7.19
- bb) *General Manager's Certificate – JS Joyce*
File Reference – 33-26-02
Policy Number – 1.7.19
- cc) *General Manager's Certificate – MH McDowell*
File Reference – 33-26-02
Policy Number – 1.7.19

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

- dd) *Surrender of Sewage Easement and Sewage Easement in Gross – Ambleside Villas*
File Reference – 4481/494.01
- ee) *Esplanade Strip – Paerahi Farms Limited*
File Reference – 04631/371.00
Policy Number – 4.4.6 a) i) 5

10 FINANCIAL REPORTS

File: 01-84-16

Financial Report for Period Ended 28 February 2009 was included in the agenda.

RESOLVED

1/09/15

That the Financial Report for the period ended 28 February 2009 from Group Manager – Finance, be received.

Councillor Webber / Councillor Thomas

Item 13 was taken after item 10.

11 WAIKATO REGIONAL AIRPORT LTD: STATEMENT OF INTENT FOR 2009/10

File: 40-13-01

The Statement of Intent for Waikato Regional Airport (WRAL) and Titanium Park were included in the agenda.

Group Manager – Finance said that the Shareholder capital injection noted in item 7.0 will happen in July and that the call will reduce the airport's debt levels to within acceptable banking ratios in light of the reduction in revenue due to the cancellation of international flights by Air New Zealand.

In response to a question, she said that there was no certainty that the remaining uncalled capital will not be called but that WRAL were seeking to increase revenue streams. Members indicated that this matter should be progressed through further discussions.

Members discussed the regional tourism proposal in item 2.0 (vii) and the appropriateness of proceeding to develop the airport as a gateway to Waikato without international flights. The Chief Executive said that both Waipa and Matamata-Piako are in further discussions with WRAL as to the expected outcomes of the regional tourism organisation, and the Mayor said that Council could ask the Airport board to revise the original report in light of the recent developments and discussions.

The Chief Executive said that he could provide updated information to Council regarding these two matters but that the meeting would need to become public excluded as the information is commercially sensitive.

Resolution to Exclude the Public

File: 01-37-01

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

RESOLVED

1/09/26

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

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
11	No papers	Waikato Regional Airport Ltd: Statement of Intent for 2009/10	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		
11	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	Section 7(2) (i)-

The public were readmitted to the meeting at 2.28pm.

RESOLVED

1/09/27

That

- a) *The draft Statements of Intent for WRAL and for Titanium Park Limited be received; and,*
- b) *Council's comments on the document be provided to WRAL.*

Councillor Cox / Councillor Scaramuzza

12 LOCAL AUTHORITY SHARED SERVICES – STATEMENT OF INTENT FOR 2009/10

File: 01-22-38

Statement of Intent for 2009/10 was included in the agenda.

The Chief Executive said that the most noticeable aspect in the Local Authority Shared Services (LASS) was the reduction in activity where instead of promoting shared services, now a response to initiatives from individual councils is seen. He said that the shared valuation database is a good example of what has been achieved as is the regional transport model. He also said that some shared services have been undertaken outside LASS such as building inspection.

Group Manager – Finance said that some of the original objectives have been reached and highlighted the rating valuation database which has allowed the Council to take complete control of the valuation process with Quotable Value information being fed directly into Council's system.

RESOLVED

1/09/18

That

- a) *The draft Statement of Intent for LASS be received.*
- b) *Council makes no comment and supports the draft Statement of Intent provided by the LASS.*

Councillor Jull / Councillor Lee

The meeting adjourned for the morning tea break at 10.12am and reconvened at 10.31am. Item 21 was taken at that time. Staff left the room at 10.32am and no minutes were taken. Item 20 was taken during this time. Staff were readmitted to the meeting, which was still in public excluded, at 11.17am. Item 22 was taken at that time.

13 RATES REMISSION POLICY

File: 75-22-11

Report of Group Manager Finance dated 12 March 2009 was included in the agenda.

Group Manager – Finance outlined the background to the review of the rates remission policy and the changes which are effective from 1 July 2009. She said that Tauranga had determined a remission policy that remits the difference between the building code requirements and the physical number of toilets. She also said that the water usage of the Church is 8 cubic meters per month whereas the average residential property is 23 cubic meters. In response to a question, she outlined the difference between remissions and grants.

Councillor Sharpe said that as the Church first raised the issue in the 07/08 year that the grant should include the two years.

An amendment was moved by Councillor Sharpe & seconded by Councillor Taranaki

Council approve a grant of \$7,845 for the 2007/08 rating year and \$8,528 for the 2008/09 rating year to be made to the Church pending the introduction of the new Remission Policy in July.

Councillor Cox spoke against the amendment as he felt that Council is being generous in making one retrospective grant in the current economic climate and that it was inappropriate to grant further funds.

Mayor Livingston spoke for the amendment highlighting that issue was raised during the 07/08 rating year but was advised that Council would be reviewing the Policy and that no action would be taken until this review was complete. Councillor Webber spoke for the amendment noting that water consumption figures were not available when the Church first approached Council and that they had paid the first year's rates while waiting for a response from Council.

Councillor Sharpe declined to comment further in her right of reply. The Mayor put the motion which was carried and became the substantive motion.

RESOLVED

1/09/16

Council approve a grant of \$7,845 for the 2007/08 rating year and \$8,528 for the 2008/09 rating year to be made to the Church pending the introduction of the new Remission Policy in July.

Councillor Sharpe / Councillor Taranaki

Councillor Cox recorded his vote against the motion.

RESOLVED

1/09/17

That the report of Group Manager Finance dated 12 March 2009 be received.

Councillor Cox / Councillor Lee

Item 12 was taken after item 13.

14 REQUEST FOR TEMPORARY CLOSURE OF ROADS FOR EVENTS

File: 55-21-02

RESOLVED

1/09/20

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 the roads and parts of roads described below be closed temporarily on the dates and times shown below for the purposes shown below and the required public notice of Council's decision be given accordingly:

- i) Victoria Street (between Alpha and Queen Streets), Lake Street (between Alpha and Queen Streets) and the whole of Kirkwood Street, Cambridge on Saturday 25 April 2009 from 6.00am to 11.00am. and Alpha Street (between Dick and Anzac Streets) and Empire Street (between Alpha and Kirkwood Streets), Cambridge on Saturday 25 April 2009 from 8.30am to 9.30am for the Cambridge ANZAC Day services and parade.*
- ii) The whole of Mutu Street, Te Awamutu on Saturday 25 April 2009 from 5.30am to 7.30am and Alexandra Street (between Mutu and Market Streets), Bank Street (between Alexandra and Vaile Streets) and Teasdale Street (between Bank and Vaile Streets), Te Awamutu on Saturday 25 April from 10.30am to 12.15pm for the Te Awamutu ANZAC Day services and parade.*
- iii) Victoria Street (between Duke and Alpha Streets), Cambridge on Sunday 26 April 2009, from 10.00am to 3.00pm for the Cambridge Autumn Festival.*
- iv) Kairangi Road (between Rahiri and Robinson Roads) and Robinson Road from number 206 to Kairangi Road) on Sunday 3 May 2009 from 9.00am to 5.00pm for the Kairangi Loop Tarmac Bent Sprint.*

Councillor Webber / Councillor Lee

15 REGULATORY DELEGATIONS TO THE ENVIRONMENTAL SERVICES GROUP MANAGER, PLANNING SERVICES MANAGER, SENIOR PLANNER, PROJECT PLANNER AND PLANNING CONSULTANTS

File: 01-88-07

Report of Senior Planner dated 26 February 2009 was included in the agenda.

RESOLVED

1/09/21

That:

- a) *The report of the Senior Planner dated 26th February 2009 be received;*
- b) *Pursuant to Section 32 of the Seventh Schedule of the Local Government Act 2002 delegation be granted to the Environmental Services Group Manager, Planning Services Manager, Senior Planner and Project Planner to enter into a Deed of Covenant under the Reserves Act 1977;*
- c) *Pursuant to Council Policy 1.10.1. delegations be granted to the Project Planner as per the Senior Planner delegations;*
- d) *Resolution 1/06/142 granting delegations to Planning Consultants be revoked; and*
- e) *Pursuant to Section 34A(2) of the Resource Management Act 1991 delegation be granted to the Planning Consultants listed in the Schedule (Schedule A) below to carry out and undertake the following of the Council's functions, powers and duties under the Act –*
 - *the processing of applications made to the Council for resource consent or for change or cancellation of consent conditions*
 - *the processing of requirements for designation or heritage orders*
 - *the processing of the review of consent conditions*
 - *the issuing of requests for information pursuant to Section 92 of the Act*
 - *the granting of waivers and extensions of time limits pursuant to Section 37 of the Act*
 - *preparing reports and recommendations and presenting and speaking to those reports before Council's Regulatory Committee or Hearings Commissioners.*

Councillor Sharpe / Councillor Taranaki

**16 KARAPIRO LAKE DOMAIN – UPDATE ON NZ ROWING ASSOCIATION INC
LEASE AND REQUEST TO LEASE LAND TO KARAPIRO ROWING INC**

File: P14150

Report of Property Advisor dated 27 February 2009 was included in the agenda.

RESOLVED

1/09/22

That

- a) *The report of the Property Advisor dated 27 February 2009 be received.*
- b) *Council grant a lease under section 54(1)(b) of the Reserves Act 1977 to Karapiro Rowing Inc of recreation reserve land at the Karapiro Lake Domain, containing 5,000 square metres more or less of Section 2 Block XIV Cambridge Survey District, for a term of 15 years with one right of renewal for a further 15 years, with 5 yearly rent reviews and otherwise in compliance with the standard terms and conditions of Council's Community Leasing Policy.*
- c) *The lease to Karapiro Rowing Inc be granted on the basis that Karapiro Rowing Inc's use of both current and proposed buildings on the Karapiro Lake Domain significantly contributes to the 2005 Karapiro Domain Strategic Plan and Reserve Management Plan's stated Primary Objective for the domain, i.e. 'providing a training and competition venue for aquatic sports and outdoor pursuits that meets international standards', and on this basis, under sections 54(1A)(d) and 54(2) of the Reserves Act 1977, the lease does not need to be publicly notified nor approved by the Minister of Conservation.*
- d) *The Chief Executive be delegated authority to execute and the common seal of the Waipa District Council be affixed to all documents relating to the lease to Karapiro Rowing Inc.*

Councillor Barnes / Councillor Lee

**16 PIRONGIA RESERVES MANAGEMENT COMMITTEE: RECOMMENDATIONS
TO COUNCIL**

File: 60-12-02

At its meeting on 11 December 2008, the Pirongia Reserves Management Committee passed the following resolution:

That the Pirongia Reserves Management Committee recommend to Council that Section 167 be named "Te Ngahere" and that Section 550 be named "Rangimarie".

RESOLVED

1/09/23

That Section 167 be named "Te Ngahere" and that Section 550 be named "Rangimarie".

Councillor Barnes / Councillor Sharpe

17 CAMBRIDGE COMMUNITY BOARD: RECOMMENDATIONS TO COUNCIL

File: 01-21-14

At its meeting on 4 March 2009, the Cambridge Community Board passed the following recommendation:

That the Cambridge Community Board recommend to Council that Chairperson Feisst and Board Members Bishop and Webber be registered to attend the Sister Cities Conference 2009.

Members discussed the location of the Sister Cities Conference and the opportunity for further members to attend.

RESOLVED

1/09/24

That Council supports the registration of all the community board members and all councillors to attend the Sister Cities Conference 2009.

Councillor Taranaki / Councillor Lee

18 TE AWAMUTU COMMUNITY BOARD: RECOMMENDATIONS TO COUNCIL

File: 01-21-13

At its meeting on 10 March 2009, the Te Awamutu Community Board passed the following recommendations:

That the Te Awamutu Community Board recommend to Council that the existing brick seating areas in Alexandra Street be removed as they are unsightly, unhygienic and unsafe, and replaced with more appropriate seating.

Members discussed the Heart of Te Awamutu enhancement project design and budget as it relates to street furniture.

RESOLVED

1/09/25

That

- a) *Council acknowledge that the existing brick seating areas in Alexandra Street are to be replaced with different design; and,*
- b) *Council request the removal of the two brick seating areas immediately.*

Councillor Barnes / Councillor Cox

Item 11 was taken after item 18.

19 RESOLUTION TO EXCLUDE THE PUBLIC

File: 01-37-01

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

The Mayor explained that HR consultant Greg Tims would be present during item 21 because he was engaged to provide advice to Council on the subject matter of the item. He explained that representatives of the Ngāti Koroki Kahukura Trust will make a deputation to Council in relation to item 22.

RESOLVED

1/09/19

That the following persons remain after the public have been excluded for the following items:

Item 21 – Chief Executives Contract – Greg Tims who is Councils HR consultant; and,

Item 22 – Karapiro Domain Developments – representatives of the NKK Trust who will make a deputation to Council in relation to this item.

Councillor Simmons / Councillor Webber

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
20	Report provided separately	Guarantees	Good reason to withhold exists under section 7	Section 48(1)(a)
21	No papers	Routine Review of Chief Executives' Contract	Good reason to withhold exists under section 7	Section 48(1)(a)
22	Report provided separately	Karapiro Domain Developments	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, 21, 22	Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 7(2) (i)

20 GUARANTEES

File: 01-34-22 & 01-34-19

This item was taken with the public excluded.

21 ROUTINE REVIEW OF CHIEF EXECUTIVES' CONTRACT

File: P/F

This item was taken with the public excluded

22 KARAPIRO DOMAIN DEVELOPMENTS

File: 60-06-33/28

This item was taken with the public excluded.

The meeting adjourned for the lunch break at 12.29pm and reconvened at 1.16pm. The meeting continued in public excluded Item 22.

Item 14 was taken after item 22.

There being no further business the meeting closed at 2.42pm.

CONFIRMED

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Mayor