

*Minutes of a meeting of Council held in the Council Chambers, Waipa District Council, 101 Bank Street, Te Awamutu on Tuesday 26 May 2009 commencing at 9.01am.*

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**1 PRESENT**

His Worship the Mayor AD Livingston

**Members**

EH Barnes, MEH Cox, LWE Hoverd, GH Jull, PL Lee, EC Newlands [from 9.11am], GG Scaramuzza, DL Sharpe, GW Simmons, BJ Taranaki, BS Thomas, GRP Webber.

**Public**

There were no members of the public in attendance.

**Others**

Chief Executive, J Inglis; Deputy Chief Executive & Group Manager – Environmental Services, G Dyet; Group Manager – Infrastructure Management & Planning, J Mills; Group Manager – Engineering Service Delivery, J Kerr; Group Manager – Finance & Corporate Services, S Kew; Property Manager, C Windleborn; Committee Secretary, S King.

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**2 DISCLOSURE OF MEMBERS' INTERESTS**

There were no disclosures of members' interests.

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**3 APOLOGIES**

There were no apologies.

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**4 LATE ITEMS**

The Chief Executive said that an update would be provided to members on the tendering process for the construction of the main building at Karapiro Domain but that it was required to be done as a public excluded item as the process was not complete.

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**5 CONFIRMATION OF ORDER OF MEETING**

File: 01-22-21

**RESOLVED**

1/09/43

*That the order of the meeting be confirmed.*

Councillor Sharpe / Councillor Scaramuzza

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**6 VISITORS**

There were no visitors.

## **7 MINUTES OF PREVIOUS MEETING**

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File: 01-22-21

**Minutes of meeting held on 28 April 2009 were included in the agenda.**

Members discussed item 11 on page 14 of the agenda which reads “In response to a question regarding seal extensions, Group Manager – Engineering Service Delivery said that the definition of sealable roads was technically difficult to predict.”

### **RESOLVED**

1/09/44

*That the minutes of the meeting of the Waipa District Council held on 28 April 2009 be confirmed as a true and accurate record, subject to the alteration of item 11, page 14 to “In response to a question regarding seal extensions, Group Manager – Engineering Service Delivery said that un-sealable roads were to be identified in a list that is available to the public.”*

Councillor Taranaki / Councillor Thomas

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

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File: 75-09-06

Councillor Lee attended a Zone Two meeting where the local government changes for the Auckland region were discussed. Councillors Barnes & Hoverd represented Council at the regular Waikeria meeting.

## **9 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.

**Documents to which the Council seal has been applied** under authority delegated to the Chief Executive, Group Manager Environmental Services , Planning Services Manager, Environmental Safety Manager, Senior Planner, or Project Planner in accordance with Council Policy during April 2009.

### **RESOLVED**

1/09/45

*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 Lee / Councillor Jull

**Documents Sealed by Chief Executive**

**Sale and Purchase Agreements**

- a) *Sale & Purchase Agreement and Licence to Occupy – VI Armstrong*  
*File Reference – 04552/713.00*  
*Policy Number – 1.7.1*

**Other Documents**

- b) *Compensation Certificate – Various*  
*File Reference – Various*  
*Resolution Number – 1/5/201*
- c) *Compensation Certificate – TMG Mercantile Ltd*  
*File Reference – 04552/791.00*  
*Resolution Number – 1/5/201*
- d) *Licence to Occupy – de Villiers Family Trust*  
*File Reference – 04525/107.39*  
*Policy Number – 5.1b*
- e) *Memorandum of Agreement – L, C & D Marshall*  
*File Reference – 04552/271.00*  
*Resolution Number – 1/5/201*
- f) *Memorandum of Agreement – TMG Mercantile Ltd*  
*File Reference – 04552/209.00*  
*Resolution Number – 1/5/201*
- g) *Memorandum of Agreement – I McDonald*  
*File Reference – 04552/373.01*  
*Resolution Number – 1/5/201*
- h) *Memorandum of Agreement – Izard Industries Ltd*  
*File Reference – 04552/096.02*  
*Resolution Number – 1/5/201*
- i) *Memorandum of Agreement – Deeavee Ltd & Ceekaybee Ltd*  
*File Reference – 04530/748.00*  
*Resolution Number – 1/5/201*
- j) *Memorandum of Agreement – T & B George*  
*File Reference – 04552/204.00*  
*Resolution Number – 1/5/201*

**Liquor Licenses**

- k) *On-Licence – PD Prospects Limited known as The Lilypad Café, 1242 Kaipaki Road, RD 3, Cambridge*  
*File: 04492/177.00*  
*Pol Ref: 1.7.19*
- l) *On-Licence – MSG Holdings Limited known as The Flying Nunn, 33 Empire Street, Cambridge*  
*File: 04492/177.00*  
*Pol Ref: 1.7.19*

- m) *General Manager's Certificate – NS Pitcon*  
File: 33-26-02  
Pol Ref: 1.7.19
- n) *General Manager's Certificate – HF McGrevy*  
File: 33-26-02  
Pol Ref: 1.7.19
- o) *General Manager's Certificate – JD Carey*  
File: 33-26-02  
Pol Ref: 1.7.19
- p) *General Manager's Certificate – RJ Matara*  
File: 33-26-02  
Pol Ref: 1.7.19
- q) *General Manager's Certificate – LM Anderson*  
File: 33-26-02  
Pol Ref: 1.7.19
- r) *General Manager's Certificate – JM Cocks*  
File: 33-26-02  
Pol Ref: 1.7.19
- s) *General Manager's Certificate – KF Meyer*  
File: 33-26-02  
Pol Ref: 1.7.19
- t) *General Manager's Certificate – PM Oldfield*  
File: 33-26-02  
Pol Ref: 1.7.19
- u) *General Manager's Certificate – RR Millich (replacement due to name change)*  
File: 33-26-02  
Pol Ref: 1.7.19
- v) *General Manager's Certificate – MH Harker*  
File: 33-26-02  
Pol Ref: 1.7.19
- w) *General Manager's Certificate – CL Wood*  
File: 33-26-02  
Pol Ref: 1.7.19
- x) *General Manager's Certificate – LG Bromwich*  
File: 33-26-02  
Pol Ref: 1.7.19
- y) *General Manager's Certificate – GL Hannon*  
File: 33-26-02  
Pol Ref: 1.7.19
- z) *General Manager's Certificate – KK Reddy*  
File: 33-26-02  
Pol Ref: 1.7.19

**Documents sealed by Group Manager - Environmental Services , Planning Services Manager, Environmental Safety Manager, Senior Planner, or Project Planner.**

*There were no documents sealed.*

**10 FINANCIAL REPORTS**

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File: 01-84-16

**Financial Report for Period Ended 30 April 2009 was included in the agenda.**

**RESOLVED**

1/09/46

*That the Financial Report for the period ended 30 April 2009 from Group Manager – Finance be received.*

Councillor Simmons / Councillor Cox

**11 FEES & CHARGES – DOG REGISTRATION FEES 2009/10**

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**RESOLVED**

1/09/47

*That Council confirm the following Dog Registration Fees for the period 1 July 2009 to 30 June 2010, as follows:*

STANDARD FEE 2009/10	DISCOUNTS 2009/10		MINIMUM FEE 2009/10
Urban – \$95.00	\$20.00	Payment by 1 August	\$75.00
	\$15.00	Fencing	\$80.00
	\$10.00	Neutering	\$50.00
Rural – \$65.00	\$20.00	Payment by 1 August	\$45.00

Councillor Sharpe / Councillor Barnes

**12 PROPOSED TEMPORARY ROAD CLOSURES ON A SECTION OF MYSTERY CREEK ROAD FOR THE 2009 FIELDDAYS EVENT**

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File: 55-21-02

**RESOLVED**

1/09/48

*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, Mystery Creek Road, from Gate 3 of the Mystery Creek Events Centre to Mellow Road, be closed temporarily for the purpose of the 2009 Fielddays event, from Wednesday 10 June 2009 to Saturday 13 June 2009, daily from 8.00am to 11.00am and from 4.30pm to 6.00pm and the required public notice of Council's decision be given accordingly.*

Councillor Taranaki / Councillor Lee

**13 CAMBRIDGE SCOUT ASSOCIATION – LEASE, THORNTON ROAD, CAMBRIDGE**

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File: 4361/999.08

**Report of Property Advisor Cathy McNally dated 27 March 2009 was included in the agenda.**

The Chief Executive said that this lease was to formalise an arrangement that had existed for many years.

**RESOLVED**

1/09/49

*That*

- a) *the report of the Property Advisor dated 27 March 2009 be received;*
- b) *Council grant a lease to the Cambridge Scout Association of the Local Purpose Reserve (Community Purpose) land at Thornton Road, Cambridge, containing 0.463 hectares more or less being part Allotment 38 Cambridge Town Belt, for a term of five (5) years, with two (2) rights of renewal for five (5) years each, on the terms and conditions consistent with Council's Community Lease Policy; and,*
- c) *the common seal of the Waipa District Council be affixed to all documents relating to the lease.*

Councillor Scaramuzza / Councillor Thomas

**14 TO CONSIDER OPTIONS FOR OWNERSHIP AND MANAGEMENT OF PENSIONER HOUSING**

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File: 20-03-15 & 20-03-15

**Report of Property Manager dated 12 May 2009 was included in the agenda.**

The Chief Executive said this report was the result of Council's direction to review the policy regarding units and rentals in February 2008. Property Manager said Council currently holds 125 pensioner units within the Waipa District, including the land underneath 6 'own-your-own' units.

Members indicated discomfort with the recommended \$10 increase in rents, and concern over the refurbishment programme. They indicated that a total review of the pensioner housing policy would be appropriate, including a review of the eligibility criteria, a programme to move towards a self-balancing arrangement, the quality and standard of the units, an exit review, disparity in rentals and consideration of rent freezes or increases in line with the Consumer Price Index during the term of tenancy. Members also requested consideration of other pensioners within the District.

**RESOLVED**

1/09/50

*That*

- a) *the report of the Property Manager titled "To Consider Options for Ownership and Management of Pensioner Housing" dated 12 May 2009 is not received as a complete review of Council's Pensioner Housing Policy and that a more comprehensive review be undertaken and that this more comprehensive review include consideration of the matters raised in discussion at this meeting and past meetings, in particular meetings with pensioners who are tenants of Council's units; and,*
- b) *this review be given urgency and reported back to Council.*

Councillor Barnes / Councillor Cox

The meeting adjourned for the morning tea break at 10.29am and reconvened at 10.57am.

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**15 NOTICE OF MOTION: PURCHASE OF PROPERTY AT 21 LESLIE STREET, KIHIKIHI**

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**Motion**

*That Council purchase the property at 21 Leslie Street, Kihikihi for community purposes.*

Councillor Barnes / Mayor Livingston

The Property Manager outlined the surrounding land use and designations and Councillor Barnes spoke on behalf of Kihikihi residents. In response to a question, Group Manager – Infrastructure Management & Planning said that all previous endowment funds were used for the development of the Kihikihi Domain. The Chief Executive said that it would be more appropriate that staff investigate the purchase before Council resolves to purchase the property.

**RESOLVED**

1/09/51

*That Council investigate the purchase of the property at 21 Leslie Street, Kihikihi for community purposes.*

Councillor Barnes / Mayor Livingston

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**16 TO CONSIDER THE PURCHASE OF THE METHODIST CHURCH, PIRONGIA FROM ENDOWMENT FUNDS**

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File: P11435

**Report of the Property Manager dated 14 May 2009 was included in the agenda.**

Mayor Livingston advised that he had a conflict of interest with this item as he was a Board member of the Trust that owns the property adjoining the Church. He said that he will not contribute to the discussions but would remain as Chair.

Property Manager said the endowment fund set aside for Pirongia was currently \$238,000. He said the halls owned by Council in Pirongia would not meet the needs of all the 230 groups that use the hall adjoining the Church. He further said that should endowment funds be used for the purchase, that public notification and a hearing of submissions would be completed prior to the release of funds as required by the Local Government Act. A Sale and Purchase agreement subject to Council confirmation had been discussed with the owners who indicated their consent for such an arrangement.

In response to a question, the Property Manager said that the Church had been de-consecrated. He also said that the Pirongia Residents & Ratepayers Association had indicated interest in management of the facility which would then be promoted as a venue for weddings and other events. Members discussed the required improvements and the possibility of the Association using volunteer labour.

**RESOLVED**

1/09/52

*That*

- a) the report of the Property Manager dated 14 May 2009 be received;*
- b) Council approve the purchase of the Methodist Church property containing 1291m2 being Lot 1 on DPS 63869 and being all the land comprised in Computer Freehold Register SA51D/692, South Auckland Registry for a value supported by Council policy subject to special consultative procedure and other legislative requirements;*
- c) the purchase of the property be funded from endowment funds;*
- d) that the cost up to \$287,000 (available endowment funds) for purchase and maintenance be authorised; and,*
- e) the Common Seal of the Waipa District Council be affixed to all sale and transfer documents.*

Councillor Thomas / Councillor Sharpe

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

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File: 01-21-14

At its meeting on 6 May 2009, the Cambridge Community Board made no recommendations to Council.

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

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File: 01-21-13

At its meeting on 12 May 2009, the Te Awamutu Community Board made no recommendations to Council.

**19 RESOLUTION TO EXCLUDE THE PUBLIC**

File: 01-37-01

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

**RESOLVED**

1/09/53

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

Councillor Scaramuzza / Councillor Lee

*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	Appointment of LASS Director	Good reason to withhold exists under section 7	Section 48(1)(a)
21	Report provided separately	Guarantees Update	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	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 APPOINTMENT OF LASS DIRECTOR**

This item was taken with the public excluded.

**21 GUARANTEES UPDATE**

File: 01-34-22; 01-34-19; 01-34-23

**Report of Group Manager Finance was provided separately to Councillors with the agenda.**

This item was taken with the public excluded.

The public were readmitted to the meeting at 12.21pm.

**22 REPORTING OF RESOLUTIONS MADE IN THE PUBLIC EXCLUDED SESSION**

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**22.1 Appointment of LASS Director**

**RESOLVED**

IC 1/09/11

*That Council accept the Waipa District Council chief executive's (John Inglis) resignation from the board of the Council controlled organisation, Local Authority Shared Services as a consequence of him resigning from his position as chief executive for Waipa; and in accordance with the provisions and requirements of LASS's constitution that directors be chief executives of the shareholder Councils, the chief executive for Waitomo (Chris Ryan) be appointed in his place.*

Mayor Livingston / Councillor Taranaki

There being no further business the meeting closed at 12.23pm.

**CONFIRMED**

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**Mayor**