

*Minutes of a meeting of Council held in the Council Chambers, Waipa District Council, 101 Bank Street, Te Awamutu on Tuesday 27 October 2009 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.

### **Public**

There was one member of the press present.

### **Staff**

Chief Executive, G Dyet; Group Manager Strategic Policy & Planning, R McNeil [for items 17 & 18]; Group Manager Infrastructure Management & Planning, J Mills; Group Manager Engineering Service Delivery, J Kerr; Group Manager Finance & Corporate Services, S Kew; Financial Planning Manager, Y Simpson; Governance Support Manager, C Shaw; Committee Secretary, S King.

## **2 DISCLOSURE OF MEMBERS' INTERESTS**

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There were no disclosures.

## **3 APOLOGIES**

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### **RESOLVED**

1/09/109

*That the apology for non attendance from Councillor DL Sharpe be received.*

Councillor Taranaki / Councillor Simmons

## **4 LATE ITEMS**

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Councillor Cox requested permission to table a paper on a proposed 'Economic Indicators Committee' and, a paper on a three phase programme to progress the proposed Te Awamutu Heritage & Cultural Centre. Mayor Livingston accepted the requests as late items for information only.

The Chief Executive said notification of the Waikato Regional Airport Annual General Meeting was received subsequent to the agenda preparation but due to the date set for the AGM, Council's representatives would need to be confirmed at this meeting. He also advised of a temporary road closure required for the 2010 World Rowing Championships, Karapiro - One Year Out launch and, a nomination received from Ngati Haua for appointment to the Karapiro Domain (Mighty River Domain) Committee.

**RESOLVED**

1/09/110

*That the following items be accepted as late items:*

- a) *the Waikato Regional Airport Annual General Meeting representation;*
- b) *the 2010 World Rowing Championships, Karapiro One - Year Out launch, temporary road closure; and,*
- c) *the nomination received from Ngati Haua for appointment to the Karapiro Domain (Mighty River Domain) Committee.*

Councillor Cox / Councillor Jull

Mayor Livingston noted the recent passing of both Mr John Ryan <sup>QSM</sup> and Professor James Ritchie. Mr Ryan visited Council's February meeting in honour of his Queen's Service Medal received for services to Māori and the community. Former Waikato University academic, Professor Ritchie provided a vital connection between Maori and Pakeha, as highlighted by his reports to Council on significant iwi values during the District Plan preparations in the 1990's.

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**5 CONFIRMATION OF ORDER OF MEETING**

File: 01-22-21

**RESOLVED**

1/09/111

*That the order of the meeting be confirmed.*

Councillor Lee / Councillor Newlands

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**6 VISITORS**

There were no visitors.

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**7 MINUTES OF PREVIOUS MEETING**

File: 01-22-21

**Minutes of extra ordinary meeting held on 4 August 2009 & the ordinary meeting held on 25 August 2009 were included in the agenda.**

**RESOLVED**

1/09/112

*That the minutes of the extra ordinary meeting of the Waipa District Council held on 4 August 2009 & the ordinary meeting held on 25 August 2009 be confirmed as a true and accurate records subject to the following change:*

- *Item 20 of the 25 August 2009 minutes. Removal of wording 'Mayor Livingston said the membership'.*

Councillor Webber / Councillor Thomas

The Chief Executive advised the nomination received from Ngati Haua to the Karapiro Domain (Mighty River Domain) Committee was for Mokoro Gillett. A resolution from Council was required to confirm the appointment.

**RESOLVED**

1/09/113

*That Mokoro Gillett be appointed to Karapiro Domain (Mighty River Domain) Committee as Ngati Haua's representative.*

Mayor Livingston / Councillor Webber

The Chief Executive advised the October meeting of the Maungatautari Reserve Committee had been cancelled. The reaffirmation of the roles and responsibilities of the Committee at the previous meeting required all members to be reappointed by Council resolution but the full list of names was not available. Names will be provided to a future Council meeting for appointment.

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

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File: 75-09-06

Councillor Cox met with the Te Awamutu Chamber of Commerce's executives to provide an update on the Heart of Te Awamutu project. Councillor Lee attended a Zone Two meeting at Te Kaha, Opotiki District. Councillor Simmons attended the opening night at the Museum, Te Awamutu which was well represented by the community and displayed "Family Treasures". Mayor Livingston commented on the Te Awamutu Competition Society event held in the Council Chambers over the previous weekend. Competitors were most complementary of the room's acoustics.

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**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 August 2009.

**RESOLVED**

1/09/114

*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 Jull / Councillor Barnes

***Documents Sealed by Chief Executive***

***Sale and Purchase Agreements***

- a) *Sale & Purchase Agreement – Serpentine Farms Limited*  
*File Reference – 04581/380.00*  
*Resolution Number – 1/09/80*

**Other Documents**

- b) *Easement – TH & DA Jans*  
*File Reference – 04521/048.00*  
*Policy Number – 4.4.6(a) i) 7*
- c) *Electronic Transaction Authority and Transfer of Land – B & D Turner*  
*File Reference – 90-02-25 UR13/214*  
*Resolution Number – 8/97/042*  
(This is for the transfer of land which was paid for on time payment. Monies were paid some time ago but transfer never happened.)
- d) *Discharge of Compensation Certificate – Various*  
*File Reference – Various*  
(Kihikihi Sewerage Reticulation Project)
- e) *Lease – Cambridge Motorcycle Club*  
*File Reference – 04530/178.00*  
*Resolution Number – 01/07/250*
- f) *Lease – Rowing New Zealand*  
*File Reference – P14150*  
*Resolution Number – 2/08/21*
- g) *Management Agreement / Heads of Agreement – Ngaati Koroki Kahukura Trust and Te Whataminenga o Ngaati Hauaa (“Tangata Whenua”)*  
(agreement around the use of cultural room at Lake Karapiro)
- h) *Renewal of Lease – TA Squash Racquets Club Inc*  
*File Reference – 04492/016.00*  
*Policy Number – 1.7.2 4.4.2 e i d*
- i) *Surrender of Water Supply Easement in Gross – Various*  
*File Reference – Various*
- j) *Variation of Lease – Te Awamutu Scout Group*  
*File Reference – 04492/039.00*

**Liquor Licenses**

- k) *General Manager’s Certificate – Rachel E Dyer*  
*File Reference - 04492/177.00*  
*Policy Number – 1.7.19*
- l) *General Manager’s Certificate – Amy M Woods*  
*File Reference - 04492/177.00*  
*Policy Number – 1.7.19*
- m) *Off-Licence – The Cambridge Fine Wine Co Limited, 72B Victoria Street, Cambridge*  
*File Reference - 04492/177.00*  
*Policy Number – 1.7.19*

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

- n) *Declaration – Plan Change Number 56 became operative on 10 August 2009.*  
*File Reference – 60-07-56*
- o) *Declaration – Plan Change Number 53 became operative on 10 August 2009*  
*File Reference – 60-07-53*
- p) *Release of Bond – Whittaker*  
*File Reference – 04530/555.14*  
*Policy Number – 4.4.6 (a) i) 3*  
*(resource consent)*
- q) *Release of Bond – Valley Sands Limited*  
*File Reference – 04525/097.16*  
*Policy Number – 4.4.6 (a) i) 3*  
*(resource consent)*

***Documents sealed by Property Manager.***

- r) *There were no documents sealed by the Property Manager.*

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**10 FINANCIAL REPORTS**

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File: 01-84-16

**Financial Report for Period Ended 31 August 2009 was included in the agenda.**

**RESOLVED**

1/09/115

*That the Financial Report for the period ended 31 August 2009 from the Financial Accounting Manager, be received.*

Councillor Taranaki / Councillor Hoverd

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**11 REGULATORY DELEGATIONS TO PLANNING CONSULTANT**

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File: 01-88-07

**Report of Senior Planner dated 20 August 2009 was included in the agenda.**

**RESOLVED**

1/09/116

*That:*

- a) *The report of Terrena Kelly- Senior Planner dated 20<sup>th</sup> August 2009 be received; and,*

- b) Pursuant to Section 34A(2) of the Resource Management Act 1991 delegation be granted to Kathryn Drew- Consultant Planner to carry out and undertake the following of the Council's functions, powers and duties under the Act –
- Authority to sign certificates pursuant to Sections 222, 223, 224c, 224f, 226(1)(e), 234(7), 237B, 240(1)(b), 240(5), 241(4)(b), 243f(ii) of the Resource Management Act 1991 and Section 5(1)(g) and the Fourth Schedule of the Unit Titles Act 1972.
  - Authority to sign Covenants or consent notices, or cancellation/variations of Covenants or consent notices pursuant to Sections 240(3), 240(4), and 221 of the Resource Management Act 1991.
  - Authority to sign on behalf of Council and to impress the common seal of the Council to the following documents –
    - Easements required in connection with subdivision consents pursuant to Section 243 of the Resource Management Act 1991.
  - Authority to sign Land Information Memorandum (LIM's) pursuant to Section 44A of the Local Government Official Information and Meetings Act 1987.

Councillor Webber / Councillor Taranaki

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**12 APPOINTMENT OF COMMISSIONERS: JOINT HEARING WITH ENVIRONMENT WAIKATO**

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File: 01-89-04

**RESOLVED**

1/09/117

*Councillors Sharpe, Webber & Hoverd who are approved Commissioners be appointed to the Joint Hearing between Environment Waikato and Waipa District Council to hear and determine the application and submissions received for LA & DA Coombes resource consent application to extend the operation of an existing sand extraction operation on a Rural Zoned property at 100 and 182 Reid Road and 195 Old School Road, Ngahinapouri.*

Councillor Thomas / Councillor Jull

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**13 REQUESTS FOR TEMPORARY CLOSURE OF ROADS FOR EVENTS**

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File: 55-21-01

The Chief Executive reminded Councillors of the additional temporary road closure for the 2010 World Rowing Championships, Karapiro - One Year Out launch accepted as a late item. Councillor Newlands queried if the notification to landowners should be extended to include tenants, particularly with events held in the central business district.

**RESOLVED**

1/09/118

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

- a) *Selwyn Lane between Mahoe Street and Gorst Avenue. Gorst Avenue from Selwyn Lane to Arawata Street. Monday 26 October 2009, 11.30 am to 1.30 pm for the Dunlop Targa Rally.*

*Pokuru Road from Te Mawhai Road to Kakepuku Road. Pokuru Factory Road from Pokuru Road to Alexander Road. Alexander Road from Pokuru Factory Road to Candy Road. Candy Road from Alexander Road to Pokuru Road. Kakepuku Road from Pokuru Road to Te Mawhai Road. Te Mawhai Road from Kakepuku Road to the main railway crossing. Monday 26 October 2009, 11.45 am to 4.15 pm for the Dunlop Targa Rally.*

*Aotearoa Road from a point on Aotearoa Road 140 metres south of Waipapa Road to the southern boundary of Waipa District. Monday 26 October 2009, 12.45 am to 5.15 pm for the Targa Rally.*

*Mangare Road from Rotongata Road to the southern boundary of Waipa District. Monday 26 October 2009 from 1:00 pm to 5:30 pm for the Dunlop Targa Rally.*

*Any side road, intersecting with the proposed roads to be closed, will be closed for a distance of 100 metres from its intersection with the roads proposed to be closed except Selwyn Lane and Gorst Avenue.*

- b) *Lake Street between Queen Street (SH1) and Alpha Street. Victoria Street between Queen Street (SH1), Alpha Street and Kirkwood Street Sunday 8 November 2009, 10.00am to 11.30am for the Armistice Ceremony in Cambridge.*
- c) *Laurent Road between Taylor Street and a point on Laurent Road 1 km north of Taylor Street. Saturday 7 November 2009 and Sunday 8 November 2009, daily from 8 am to 4 pm for the Armistice Ceremony in Cambridge.*
- d) *The western side of Victoria Street (northbound lane) from Duke Street to Alpha Street. Saturday 14 November 2009, from 8:30 am to 2:30 pm ORCA Karapiro Half Ironman.*
- e) *Victoria Street from Queen Street (SH1) to Duke Street, Friday 30 October 2009, from 12.00pm (noon) to 3.30pm for the 2010 World Rowing Championships – One Year Out launch event, subject to there being no objections following the public notice period for submissions.*

- f) *Council require event co-ordinators to notify affected landowners and/or tenants of the proposed roads to be closed.*

Councillor Webber / Councillor Barnes

Councillor Newlands abstained from voting due to his involvement with the Orca Karapiro Half Ironman.

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**14 WAIPA BIODIVERSITY COUNCIL: RECOMMENDATIONS TO COUNCIL**

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File: 65-11-02

At its meeting on 17 September 2009, the Waipa Biodiversity Council passed no recommendations to Council.

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

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File: 01-21-14

At its meeting on 1 September 2009, the Cambridge Community Board passed the following recommendation:

*5/09/165*

*That the Cambridge Community Board recommend to Council that two board members attend the Sister Cities New Zealand Conference to be held in Dunedin on 15 and 16 April 2010.*

The Mayor advised that this recommendation will be taken into consideration when Council considers all representation requirements for the Conference.

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

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File: 01-21-13

At its meeting on 8 September 2009, the Te Awamutu Community Board passed no recommendations to Council.

Councillor Barnes raised a matter on behalf of the Board, stating recommendations to staff were not included in the Council agenda. Mayor Livingston said in response only those recommendations requiring Council resolution were appropriate to record in the agenda.

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**17 WAIKATO REGIONAL AIRPORT LIMITED ANNUAL GENERAL MEETING**

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File: 40-13-01

The Chief Executive reminded members the notification received confirming the date of the Annual General Meeting was received after the agenda was confirmed. The notified date was before Council's next meeting, therefore a Council resolution was required to confirm appointees.

**RESOLVED**

1/09/119

*That Council confirms His Worship the Mayor (Alan Livingston), and in his absence the Deputy Mayor (Peter Lee), be appointed as Council's proxy for the Waikato Regional Airport Limited to vote on behalf of Council at the Airport Company's Annual General Meeting to be held on 23 October 2009 and any adjournment of that meeting and any other meetings of the Airport Company's shareholders that may be held prior to the next Annual General Meeting in October 2010.*

Councillor Thomas / Councillor Webber

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**18 COUNCILLOR'S ECONOMIC INDICATORS**

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File: 01-22-03

Councillor Cox tabled a paper which outlined the criteria and suggestions for the financial indicators which could apply to the Council. He suggested that a sub-committee consisting of two councillors (one appointed as Chair), meet with the Chief Executive and Group Manager Finance & Corporate Services.

Councillor Lee questioned the relevancy of submitting the paper without staff having time to prepare a response. He felt the item was not appropriate as a late item. Mayor Livingston advised the Chief Executive would review the current committee structure and could give consideration to this proposal during his deliberations. The Chief Executive indicated once the organisation staff structure was finalised he would work with the Council to review the committee structure, noting that the current 24 committees may be able to be rationalised.

The Chief Executive proposed a meeting with Councillors Cox and Scaramuzza to consider Councillor Cox's proposal and bring the matter back to a Council workshop.

Changes at a national level to achieve consistency between councils to enable comparisons are being investigated by Central Government and Local Government New Zealand. Councillors will be kept informed of any developments.

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**19 TE AWAMUTU HERITAGE & CULTURAL CENTRE**

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File: 01-23-01

Councillor Cox tabled a paper to establish a steering group and produce a concept design for the proposed Heritage and Cultural Centre as phase one of the project. He indicated phase two would be the private sector fundraising with construction in phase three. The timeline provided for phase one sought to identify a Chair and appoint a Project Manager from within current staffing as soon as practicable with the selection and appointment of the Steering Group members before the end of the calendar year.

The Te Awamutu Museum Trust Board are keen to progress the project and the Chief Executive advised Museum & Heritage Manager, Jan White would be the Project Manager. During Council's 10-year Plan process a budget of \$40,000 was provided for an initial scoping project prior to the next review scheduled for 2012. The Museum and Heritage Manager will be responsible for preparing a project plan.

The meeting adjourned for the morning tea break at 10.20am and reconvened at 10.41am.

## **20 RESOLUTION TO EXCLUDE THE PUBLIC**

File: 01-37-01

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

### **RESOLVED**

1/09/120

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

Councillor Webber / Councillor Newlands

*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:*

<b>Item Nos</b>	<b>Minutes / Report of:</b>	<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48(1) for the passing of this resolution</b>
21	Report to be provided at meeting	Te Awamutu Walk of Fame & Cambridge Sports Walk of Fame	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:*

<b>Item No</b>		
21	Protect the privacy of natural persons, including that of deceased natural persons.	Section 7(2) (a)

## **21 TE AWAMUTU WALK OF FAME & CAMBRIDGE SPORTS WALK OF FAME**

File: 01-23-01 & 27-01-15

This item was taken with the public excluded.

The public were readmitted to the meeting at 11.02am. There being no further business the meeting closed at 11.03am.

**CONFIRMED**

**Mayor** .....

**Date** .....

Completed and dispatched: 30 September 2009