

*Minutes of a meeting of Council held in the Council Chambers, Waipa District Council, 101 Bank Street, Te Awamutu on Tuesday 25 May 2010 commencing at 9:00 am.*

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**1 PRESENT**

His Worship the Mayor AD Livingston

**Members**

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

**Public**

There were two members of the press in attendance. There were two members of the public in attendance.

**Others**

Chief Executive, G Dyet; Deputy Chief Executive and Group Manager Planning & Community Relations, R McNeil; Group Manager Service Delivery, B Bergin; Group Manager Corporate Support, K Morris; Manager Finance, K Perumal; Manager Legal & Corporate Services, J McFarlane; Manager Human Resources, G Riley; Manager Community Relationships, J Tyrell; Financial Planner, D Frederick; Management Accountant, S Paterson; Governance Support Senior, C Shaw; Committee Secretary, S King.

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**2 DISCLOSURE OF MEMBERS' INTERESTS**

There were no disclosures.

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**3 APOLOGIES**

**RESOLVED**

1/10/48

*That the apology for non attendance from Councillor EH Barnes be received.*

Councillor Sharpe / Councillor Simmons

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**4 LATE ITEMS**

There were no late items.

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**5 CONFIRMATION OF ORDER OF MEETING**

File: 01-22-21

**RESOLVED**

1/10/49

*That the order of the meeting be confirmed.*

Councillor Webber / Councillor Thomas

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**6 VISITORS**

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Robyn Klos who is retiring from Gracelands as chief executive and her husband Peter joined Councillors for lunch at 12.30pm.

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**7 MINUTES OF PREVIOUS MEETING**

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File: 01-22-21

**Minutes of meeting held on 27 April 2010.**

**RESOLVED**

1/10/50

*That the minutes of the meeting of the Waipa District Council held on 27 April 2010 be confirmed as a true and accurate record.*

Councillor Sharpe / Councillor Scaramuzza

Members raised the change of name for the Heritage & Cultural Centre as proposed by the working group. A discussion was had on the level of consultation with the Community and Maoridom in particular. It was noted that Shane Te Ruki is the King's representative on both the working group and the Te Awamutu Museum Trust Board and was in support of the name change.

**RESOLVED**

1/10/51

*That the "Heritage & Cultural Centre" be known as the "Te Awamutu Museum & Theatre Complex".*

Councillor Cox / Councillor Jull

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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 attended a fundraising seminar with Council staff and, the Te Awamutu Museum Trust Board meeting with Councillor Jull. Councillor Hoverd attended the Te Wananga certificate presentations and Mayor Livingston reminded Councillors of the Waipa Industry Training Organisation awards to be held on Wednesday 26 May in the Cambridge Town Hall. Mayor Livingston and Councillors Hoverd & Webber attended the Local Government Zone Two meeting in Paeroa. Councillors Sharpe & Thomas attended the Kaipaki Hall meeting. Mayor Livingston and Councillor Simmons attended the pensioner housing meetings held in Cambridge and Te Awamutu. Mayor Livingston also attended the launch of Cambridge Connections, a health and social services directory for Cambridge.

Mayor Livingston thanked Councillors for their attendances at the meetings on behalf of the community.

## **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 Planning & Community Relations, Manager Planning & Regulatory, Environmental Services Team Leader, Senior Planner, Project Planner, Building Control Team Leader or Property Services Team Leader in accordance with Council Policy during April 2010.

### **RESOLVED**

1/10/52

*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 Simmons / Councillor Taranaki

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

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

There were no sale and purchase agreements signed by the Chief Executive.

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

There were no other documents signed by the Chief Executive.

##### ***Liquor Licenses***

- a) *Club Licence – Kihikihi Rugby Sports Club Incorporated (Kihikihi Rugby Sports Club), Herbert Street, Kihikihi, Te Awamutu*  
*File Reference – 016/CL/0001/10*  
*Policy Number – 1.7.19*
- b) *Off-Licence - Pirongia Hotel Limited (Alexandra Hotel), 815 Franklin Street, Pirongia*  
*File Reference – 016/OFF/0003/10*  
*Policy Number – 1.7.19*
- c) *On-Licence – Pirongia Hotel Limited (Alexandra Hotel), 815 Franklin Street, Pirongia*  
*File Reference – 016/ON/0004/10*  
*Policy Number – 1.7.19*
- d) *General Manager's Certificate – Guy W Temoni-Syme*  
*File Reference – 016/GEN/0016/10*  
*Policy Number – 1.7.19*
- e) *General Manager's Certificate – Bridie F Osborne*  
*File Reference – 016/GEN/0009/10*  
*Policy Number – 1.7.19*

- f) *General Manager's Certificate – James EG Williams*  
*File Reference – 016/GEN/0015/10*  
*Policy Number – 1.7.19*

***Documents sealed by Group Manager Planning & Community Relations, Manager Planning & Regulatory, Environmental Services Team Leader, Senior Planner, Project Planner or Building Control Team Leader..***

- g) *Fencing Covenant – SE & RH Brown*  
*File Reference – 04652/104.02*  
(The fencing covenant was required as the Browns did a subdivision resulting in land to be vested in Council as Scenic Reserve.)
- h) *Removal of Caveat – R & W Wright*  
*File Reference – 04552/155.00*  
*Policy Number – 4.4.6 (a) i) 6*  
(Gallie Miles advised that the Caveat for a temporary building could not be legally enforced and recommended it be withdrawn.)
- i) *Withdrawal of Caveat – R & J Collins*  
*File Reference – 04581/145.02*  
(A Caveat was put on for a second hand dwelling for a dependent relative. The dwelling is no longer required for a dependent relative however a Landuse has been approved to allow for the second dwelling to remain therefore the Caveat can be removed.)
- j) *Withdrawal Sec77 Building Act – C Leuthard*  
*File Reference – 04581/002*  
(A subdivision has been approved which upon completion and titles issuing the building will no longer straddle a boundary hence the requirement to withdraw the Sec 77 certificate from dropping down automatically on new titles.)

***Documents sealed by Property Services Team Leader.***

- k) *Assignment of Lease – Cotswold Holdings Ltd / Murray & Deborah Buckley Partnership*  
*File Reference – 04521/445.00c*  
*Policy Number – Delegations Manual v1.1, Operational Delegation 11*  
(George & Dorothy Parsons (t/a Cotswold Holdings Ltd) have held a lease on the Cambridge Motor Park since 1999. The lease is now in its 2<sup>nd</sup> 9yr term. The Parsons' daughter – Deborah Buckley – and her husband have been doing a lot of the day to day management of the Motor Park over the last few years. The Parsons have now applied to assign the lease to the Buckleys so that they can retire. The Buckleys have provided details of their experience and financial position, thus reassuring Council of their suitability for taking over the lease.)
- l) *Discharge of Compensation Certificate – EC Pollard & RJ Morriss*  
*File Reference – P3715*  
*Resolution Number – 1/10/09*  
(Council purchased the land for an access way to Pekerau Reserve

and Pekerau School.)

- m) *Memorandum of Agreement for Land Purchase – TP & BF Whitehead*  
*File Reference – 55/28/31*  
*Policy Number – Delegations Manual Property Services Team Leader*  
*S4(17) Operational Delegations*  
(Memorandum of Agreement for the purchase of land for the Western Arterial.)

## **10 FINANCIAL REPORTS**

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File: 01-84-16

### **Financial Report for Period Ended 30 April 2010.**

Group Manager Corporate Support, K Morris outlined the rates status report and members discussed the rates collection of 95% compared to 97% the prior year which is noted as being a high level of collection. Mr Morris spoke on the April reforecast for year end and Mayor Livingston noted the adjustments and significant concessions made to ensure a positive year end result.

#### **RESOLVED**

1/10/53

*That the Financial Report for the period ended 30 April 2010 from Group Manager Business Support be received.*

Councillor Scaramuzza / Councillor Cox

## **11 PROPOSED FEES AND CHARGES 2010/11**

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File: 75-15-03

### **Schedule of Fees and Charges.**

Chief Executive, G Dyet said staff not yet completed an analysis of the impact of the Emissions Trading Scheme. He said the tabled Fees and Charges schedule include figures showing GST calculations at both 12.5% and 15% following the recent announcement by Central Government increasing GST to 15% on 1 October 2010. Members queried how the rates would be impacted by the change in GST part way through the financial year.

Group Manager Corporate Support, K Morris outlined the legal advice obtained from Simpson Grierson by the Society of Local Government Managers which indicated that rates should be set on a GST exclusive basis for the 2010/11 financial year. Mr Morris said people may choose to pay their rates in full prior to the increase in GST to take advantage of the lower rate as well as the early payment discount.

**RESOLVED**

1/10/54

*That*

- a) *The information be received;*
- b) *The proposed fees for Fire Permits are subject to a review of the Waipa District Fire Control Bylaw 2007, and, if appropriate, will be confirmed as part of the review process;*
- c) *Subject to b) the schedule of Fees and Charges as tabled, with fees chargeable based on both 12.5% and 15% GST rates, be confirmed.*

Councillor Cox / Councillor Jull

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**12 PROPOSED CAMBRIDGE - KARAPIRO CYCLEWAY**

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File: 55-28-34

Chief Executive, G Dyet said during the Annual Plan submission process, the Perry Foundation offered funding to enable the construction prior to the World Rowing Championships. Mr Dyet said the project was included in the 2010/11 budget but due to time constraint and the offer by the Perry Foundation, Council may consider moving with this project now. He further said the normal tender process timeframe would add two months to the project timeline, and to take advantage of the funding offer and complete the project prior to the Championships, Council's procurement policy allowed a selected tender process, subject to the Council's agreement.

Deputy Chief Executive and Group Manager Planning & Community Relations, R McNeil said the project was considered by the Policy Committee which recommended Council proceed with the project. Mr McNeil said the timing of the project meant it was not appropriate to wait for confirmation as part of the Annual Plan at the end of June 2010. He said BECA consultants had undertaken the initial design work at not cost to Council as they support the community value of the project. Mr McNeil had anticipated updated costings would be available for the meeting but these had been delayed. He said the estimated cost of \$1.3m as indicated by the Perry Group's submission showed Council's share as \$450,000. This amount is to be loan funded and would have no impact on the roading programme for 2010/11 and 2011/12, after which the programme would be reviewed. Mr McNeil noted that the project would proceed in general accordance with the procurement policy and procedures manual.

He commented that the initial design work had looked at options to complete the project within the road reserve (determined to be too costly) or alternatively, to work with adjoining landowners to secure the best route. He said the owner of the land adjacent to the Crow's Nest stretch of road was very supportive of the project and happy to proceed with discussions regarding access. Members then discussed the recommendation in light of the absence of final costings and subsequent financial implications.

**RESOLVED**

1/10/55

*That*

- a) *The information be received;*
- b) *Council confirm the Cambridge-Karapiro Cycleway as a project to be completed in 2010, and that Council's contribution to the project, being one-third of the total cost, be up to \$495,000 (loan funded); and*
- c) *Due to the need to complete the project prior to the World Rowing Championships, Council confirm that the awarding of any contracts associated with the project will be in general accordance with the Procurement Policy and Procedures Manual, with the exception that an open tender process need not be followed.*

Councillor Scaramuzza / Councillor Lee

The meeting adjourned for the morning tea break at 10.03am and reconvened at 10.25am. Councillor Newlands was not in attendance.

**13 APPROVAL OF PROPOSED PLAN CHANGE 64 (ROTO O RANGI ROAD)**

File: 65-07-64

**Report of Senior Planner, T Kelly dated 22 April 2010.**

Chief Executive, G Dyet said this proposed plan change was considered by the Regulatory Committee. He said the Committee did not have the authority to approve the plan change and Council needed to resolve Plan Change 64 become operative.

**RESOLVED**

1/10/56

*That*

- a) *The report of Terrena Kelly, Senior Planner dated 22 April 2010 be received;*
- b) *Council resolves that pursuant to Clauses 17 and 20 of the First Schedule to the Resource Management Act 1991, Proposed Plan Change 64 – "Uplift Reserve Notation RV39 on Lots 1 and 2 DP 33439 BLK X111 Cambridge SD and Revert to Underlying Rural Zone Status" (operative version) to the Waipa District Plan attached as Appendix 1 shall be approved and become operative on 14 June 2010 and that this date shall be publicly notified.*

Councillor Webber / Councillor Taranaki

**14 APPROVAL OF TEMPORARY ROAD CLOSURES FOR FIELDAYS 2010, A TE AWAMUTU STREET PARTY, ST JOHN WEEK AND THE 125<sup>TH</sup> ANNIVERSARY OF ST JOHN**

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File: 55-21-02

**Report of Regulatory Engineer, JP Snyman dated 21 April 2010.**

Chief Executive, G Dyet outlined the requests.

**RESOLVED**

1/10/57

*That:*

- a) *The report of the Regulatory Engineer, JP Snyman dated 12 May 2010 be received; and*
- b) *In accordance with sections 319(h) and 342, and section 11 of Schedule 10 of the Local Government Act 1974, Council approve temporary road closures as follows:*
  - 1) *Mystery Creek Road from Gate 3 of the Mystery Creek Event Centre to Mellow Road on Wednesday 16 June 2010 to Saturday 19 June 2010, daily from 8.00 am to 11.00 am and from 4.30 pm to 6.00 pm for the New Zealand National Agricultural Fieldays 2010; and*
  - 2) *Market Street between Alexandra Street and a point on Market Street, 45 metres from the centre line of Alexandra Street on Thursday 3 June 2010 from 7.00 am to 4.00 pm for the Te Awamutu Street Party event; and*
  - 3) *Selwyn Lane from a point on Selwyn Lane 80 metres from the centreline of Gorst Avenue to Gorst Avenue. Gorst Avenue from a point on Gorst Avenue 100 metres from the centreline of Selwyn Lane to Selwyn Lane, Te Awamutu on Saturday 26 June 2010 from 11.00 am to 2.00 pm for the St John Week and an event to celebrate the 125th anniversary of St John.*
- c) *Notice of the road closures be publicly notified in accordance with the provisions of the Local Government Act 1974.*

Councillor Sharpe / Councillor Thomas

**15 TREE REMOVAL: MIGHTY RIVER DOMAIN AT LAKE KARAPIRO**

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File: 01-68-01

Mayor Livingston noted this matter was discussed by the Policy Committee which had subsequently made a recommendation to Council for removal.

**RESOLVED**

1/10/58

*That Council approve that the Douglas Fir tree located at the southern end of the public embankment on Mighty River Domain be removed as soon as is practicable to accommodate the World Rowing Championships 2010.*

Councillor Taranaki / Councillor Jull

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

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File: 01-21-14

At its meeting on 5 May 2010, the Cambridge Community Board passed the following recommendation:

**16.1 That the Cambridge Community Board recommend Council consider a change to the street naming policy in the Cambridge area west of the Waikato River, in particular the country area outside of the town belt, to take into account early settlers and heritage of this area. (Resolution 5/10/94)**

Chief Executive, G Dyet said this matter would be included as part of the Policy Manual review due to be completed by August 2010.

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

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File: 01-21-13

At its meeting on 11 May 2010, the Te Awamutu Community Board passed no recommendations to Council.

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**18 THE POSITION OF DEPUTY MAYOR**

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File: 75-09-01

The mover of the Notice of Motion was absent when this matter was called and was held over until the next meeting.

There being no further business the meeting closed at 10.36am.

**CONFIRMED AS A TRUE AND ACCURATE RECORD**

**CHAIRPERSON:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

Completed and dispatched: 26 May 2010