

Minutes of a meeting of Council held in the Council Chambers, 101 Bank Street, Te Awamutu on Tuesday 31 August 2010 commencing at 9.00am

1 PRESENT

His Worship the Mayor AD Livingston

Members

EH Barnes, MEH Cox, LWE Hoverd, GH Jull, PL Lee, EC Newlands, GG Scaramuzza (from 9.42am), DL Sharpe, GW Simmons, BJ Taranaki, BS Thomas, GRP Webber.

Others

Chief Executive – G Dyet; Group Manager Business Support – K Morris; Group Manager Planning and Community Relationships – R McNeil; Group Manager Services – B Bergin; Manager Finance – K Purmeal (Item 11 only); Finance Management Accountant – S Patterson (item 11 only); Manager Strategy – G Knighton (Item 11 only); Team Leader – K Tutty (item 14); Manager Legal and Corporate Support – J McFarlane (item 14); Manager Community Relationships – J Tyrrell; Manager Community Facilities – T Roxburgh; Governance Support Senior – C Shaw

2 DISCLOSURE OF MEMBERS' INTERESTS

Cr Simmons declared an interest in relation to item 9c on the agenda.

3 APOLOGIES

RESOLVED

1/10/84

That the apology for lateness by Cr Scaramuzza and for leaving early by Cr Cox, be received.

Cr Lee/Cr Webber

4 LATE ITEMS

There were no late items

5 CONFIRMATION OF ORDER OF MEETING

File: 01-22-21

RESOLVED

1/10/85

That the order of the meeting be confirmed subject to Item 11 being taken after item 7 (Minutes of Previous Meeting) and an adjournment at 11.00am for a workshop with Greg Tims.

Cr Webber/Cr Thomas

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6 VISITORS

World Rowing Championships Chief Executive Tom Mayo and Directors Grant Calder and Karina Weaver joined the meeting at 12.15pm to update Council on progress towards the World Rowing Championships in October 2010. Guests then accompanied Councillors for lunch.

7 MINUTES OF PREVIOUS MEETING

File: 01-22-21

Minutes of meeting held on 20 July 2010.

RESOLVED

1/10/86

That the minutes of the meeting of the Waipa District Council held on 20 July 2010 be confirmed as a true and accurate record.

Cr Barnes/Cr Sharpe

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

File: 75-09-06

Councillors who have attended a Conference, Seminar or Meeting on behalf of Council were invited to present a report to Council.

Cr Lee reported on his attendance at the Local Government New Zealand Conference in Auckland and thanked Council for the opportunity to attend.

Cr Cox reported on visits to six Service Clubs in the past month to discuss the proposed Te Awamutu Museum and Theatre Complex.

[Cr Scaramuzza joined the meeting at 9.42am]

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.

Documents to which the Council seal has been applied under authority delegated to the Chief Executive, Group Manager Planning & Community Relations, Manager Planning & Regulatory, Manager Legal and Corporate Support; Environmental Services Team Leader, Senior Planner, Project Planner or Manager Property Services in accordance with Council Policy

during July 2010.

RESOLVED

1/10/87

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

Cr Taranaki/Cr Thomas

Documents Sealed by Chief Executive

Sale and Purchase Agreements

Other Documents

- a) *Declaration of land As Reserve – Froude Street Park, Leamington*
File Reference – 04530/768.00
Resolution Number – 1/10/81
(This Park was identified as fee simple land with sale potential in 2007. A Plan Change process was undertaken to ensure the public knew of the proposal to sell. The matter was notified, submissions received and a hearing held in June. Further information was brought to light at the hearing and Council subsequently made a decision to retain the property and declare it as reserve).
- b) *Lease to Sports Club – Cambridge BMX Club Inc*
File Reference – P63033/1
Resolution Number – 1/10/46
(Lease of property on corner of Milton and Lamb Streets, Cambridge)
- c) *Withdrawal of Caveat for Dependant Relative Dwelling – Simmons Machinery Limited*
File Reference – 04611/315
Resolution Number 17/8/10
(Dwelling was removed approximately five years ago)
- d) *Surrender of Easement – DNA Trust, Twin Willows Close, Cambridge*
File Reference – 04361/875.00
Policy Number – 4.4.6(a)i) 1
(On 1 June 2010 an easement instrument was signed to create sewer easement on site. This superseded sewer easement on DP401198 therefore 15 July 2010 easement instrument to surrender sewer easement signed.)

Liquor Licenses

- e) *General Manager's Certificate – Harminder Singh*
File Reference – 016/GEN/0045/10

Policy Reference – 1.7.19

- f) *General Manager's Certificate – Ashleigh Gawne*
File Reference – 016/GEN/0031/10
Policy Reference – 1.7.19
- g) *General Manager's Certificate – Freda Faye*
File Reference – 016/GEN/0039/10
Policy Reference – 1.7.19
- h) *General Manager's Certificate – Melanie Matthews*
File Reference – 016/GEN/00437/10
Policy Reference – 1.7.19
- i) *Club Manager's Certificate – Joshua Loomb*
File Reference – 016/CM/0007/10
Policy Reference – 1.7.19
- j) *On-Licence – Alpha Hotel, 15 Lyon Street, Kihikihi*
File Reference – 016/ON/0006/10
Policy Reference – 1.7.19
- k) *Off-Licence – Star Tavern Holdings – 58 Lyon Street, Kihikihi*
File Reference – 016/OFF/0007/10

10 FINANCIAL REPORT

File: 01-84-16

Financial Report for Period Ended 31 July 2010.

Group Manager Business Support presented the report to Council. He outlined an arrangement for Waipa staff to provide assistance to Waitomo District Council with rate collection, which was reported to be working well. He also confirmed that where possible, staff assisted ratepayers into direct debit payments which has seen a large growth in recent years.

With regard to a question from Cr Lee, the Chief Executive said that all Chief Executives are actively investigating areas where shared services would assist in process and efficiency gains.

RESOLVED

1/10/88

That the Financial Report for the period ended 31 July 2010 be received.

Cr Webber/Cr Cox

11 ANNUAL REPORT FOR THE PERIOD ENDED 30 JUNE 2010

File:

The final audited Annual Report was circulated separately.

Group Manager Business Support presented the Audited Annual Report to Councillors and provided an overview of the financial statements.

Group Manager Planning and Community Services outlined the non-financial aspects of the report and said while the levels of service were high, there is still room for improvement.

Clarence Susan, of Audit New Zealand is the Audit Director responsible for the audit of Waipa District Council. He expressed his thanks to the staff for the professional and efficient manner in which they supported his staff over the two weeks of the audit. He said it was a learning curve for all involved with the new audit requirements for the non-financial performance measures and at all times co-operation, honesty and timeliness was maintained. He said it gave him pleasure to confirm an unqualified audit of both the financial and non-financial aspects of the Annual Report.

With respect to a question from Cr Webber, Group Manager Business Support said the early payment of rates attracting a lower GST rate prior to 1 October 2010 is entirely legal and is not seen as a form of tax avoidance. Council had not made any deliberate change to invoicing procedures or invoice timing to enable tax advantage for ratepayers. There were ratepayers that paid early to secure either the early payment discount or a GST advantage, or both, but any GST advantage came from the GST time of supply rules which recognise the earlier of invoice or payment as the 'trigger' for GST.

Group Manager Business Support said he wished to express his thanks to the Finance Team and the Strategy Team for the way they had worked to produce the information required to complete the audit. He said that Waipa was the second Council, after Wellington City, to have a completed and audited Annual Report for the 2009/10 year under the new auditing standards which deal with non-financial performance measures.

RESOLVED

1/10/89

That

- a) *The 2009/10 Annual Report be adopted with the inclusion of the unqualified opinion to be received from Audit New Zealand.*
- b) *The Summary Annual Report for 2009/10 be approved for distribution.*

Mayor Livingston/Cr Cox

12 PROPOSED FEES AND CHARGES – OCTOBER 2010

File:

Schedule of Proposed Fees and Charges

Council's Policy Committee, at its August 2010 meeting, recommended that Council confirm proposed changes to fees and charges effective 1st October 2010.

RESOLVED

1/10/90

That

- a) *the 2010/11 Fees and Charges Schedule dated 1 October 2010 be received;*
- b) *the 2010/11 Fees and Charges Schedule be confirmed, effective from 1 October 2010.*

Cr Sharpe/Cr Simmons

13 REQUEST FOR TEMPORARY ROAD CLOSURES

File: 55-21-02

Report of Regulatory Engineer dated 28 July 2010

RESOLVED

1/10/91

That

- a) *the report of the Regulatory Engineer, JP Snyman dated 28 July 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:*
 - i) *Kairangi Road between the southern end of Robinson Road and Griggs Road on Sunday 12 September 2010, from 9.30am to 3.30pm for the Vintage Car Club of New Zealand Incorporated's Hill Climb event;*
 - ii) *Sainsbury Road between O'Shea Road and a point on Sainsbury Road 2km from O'Shea Road on Sunday 17 October 2010, from 9.00am to 5.00pm for the Fiat Club Waikato Incorporated Bent Sprint event; and*
- c) *Notice of the road closures be publicly notified in accordance with the provisions of the Local Government Act 1974.*

Cr Webber/Cr Thomas

14 WAIPA DISTRICT COUNCIL DOG CONTROL POLICY AND PRACTICES FOR 2009/10

File: 33-15-01

Report of Environmental Services Team Leader dated 4 August 2010

Team Leader Environmental Services Karl Tutty presented his report and highlighted areas of interest.

Group Manager Planning and Community Services said that one of the key points is a high level of activity in the dog control area over the last year. He said the staff approach of education first, but when enforcement is required it will be taken, has seen very high levels of customer satisfaction with the dog control service which is a testament to the staff. He said this activity rated consistently significantly higher than other Councils and was a great result for the team.

Mayor Livingston expressed concern about the increased demand on the staff as 118 complaints relating to attacks and rushing/aggressive dogs is too many and asked how we can address this. Mr Tutty said that with the increase in the number of residents brings an increase in the number of dogs to the District and therefore complaints. More publicity will be undertaken with regard to menacing and dogs classified as dangerous in the near future.

[Broke for morning tea at 10.21am and reconvened at 10.42]

RESOLVED

1/10/92

That

- a) *the report on 'Waipa District Council Dog Control Policy and Practices 2009/10' of the Environmental Services Team Leader, Karl Tutty dated 23 July 2010 be received;*
- b) *Pursuant to section 10A of the Dog Control Act 1996, the Waipa District Council Report on Dog Control Policy and Practices for 2009/10 as set out in section 7 of the report, be adopted and a copy forwarded to the Secretary for Local Government.*

Cr Barnes/Cr Hoverd

15 WAIPA WETLANDS TRUST – MEMORANDUM OF UNDERSTANDING

File: 60-16-06

Draft Memorandum of Understanding

Manager Community Facilities and Chair of the National Wetlands Trust Tony Roxburgh said that the National Wetland Trust (the Trust) is seeking a partnership with Council, based on collaboration and support for wetland conservation and management within the Waipa District. A draft Memorandum of Understanding was included in the agenda for Council's consideration and Mr Roxburgh recommended that clause 4 be amended by removing the word "perpetuity" as it did not change or enhance the intent of the clause.

RESOLVED

1/10/92

That Council agree to enter in to partnership with the National Wetland Trust in relation to the development of the National Wetland Centre at Lake Serpentine and authorise the Chief Executive to approve and His Worship the Mayor sign a Memorandum of Understanding with the National Wetland Trust on Council's behalf to reflect the partnership agreement.

Cr Barnes/Cr Sharpe

16 MAUNGATAUTARI RESERVE COMMITTEE: RECOMMENDATIONS TO COUNCIL

File: 01-85-26

At its meeting on 18 August 2010, the Maungatautari Reserve Committee passed the following recommendation:

- 16.1 **That the Maungatautari Reserve Committee recommend to Council that directional signs be erected at the entrances to the tracks and remarking of the walking tracks over the Mountain, with some urgency, to avoid people becoming disoriented and lost.**

There are two tracks over Maungatautari. The first is the original "over the mountain" walking track linking Hicks Road end with the Tari Road end and the second is a much wider track constructed by MEIT (referred to as the Quad track) to provide quad bike access to and the servicing of, the pest monitoring lines on the mountain. The Quad track links Tari Road end with Maungatautari peak, but it was never completed to the Hicks Road end and this is causing confusion amongst trampers.

Responsibility for maintaining the walking track rests with Council's Parks and Reserves team and this matter has been discussed with MEIT. Both parties agree that once the Quad track is extended to the Hick Road end it will cater for most recreation trampers traversing the mountain. Upgrading the lateral links from the Quad track to the peaks of Pukeatua, Maungatautari and Akatarere will also be required.

The Council were advised that until the Quad track is completed, Parks and Reserves staff will take responsibility for erecting direction signage at the road ends and to ensure the route over the mountain is appropriately marked.

- 16.2 **The Maungatautari Reserve Committee recommend that Council review the speed limit and put some road markings on Tari Road.**

The Council were advised that a reduced speed limit on Tari Road is unlikely unless there is a significant amount of roadside development - this is the basis of the Speed Limits Rule under which Council has to operate. The current speed limit of 80kph was designated in 2009, and it is understood that there has not been any additional roadside development since this time.

Road markings are possible if the existing road width is over 6m (ie so that 3m traffic lanes can be achieved) otherwise Council staff will only mark centrelines over vertical crest curves or on blind corners. Staff will investigate Tari Road during September to establish if centreline markings are appropriate.

17 KARAPIRO (MIGHTY RIVER) DOMAIN COMMITTEE: RECOMMENDATIONS TO COUNCIL

File: 65-11-02

At its meeting on 16 August 2010, the Karapiro (Mighty River) Domain Committee passed the following recommendations:

- 17.1 **The Karapiro (Mighty River) Domain Committee recommend to Council that a review of the functions and roles of the Committee be made so they can include the lake and issues relating to the lake.**

Staff advised that this recommendation had been noted, however a Memorandum of Understanding signed by the Council Chief Executive with Ngati Koroki Kahukura defines the role of the Committee. The Committee includes representation from Council, Environment Waikato, Mighty River Power, Iwi, and lake users which allows for liaison with those parties who have responsibilities with or interests in the Lake.

This matter will be considered with the review of Council's Governance Structure being undertaken by the Manager Legal and Corporate Services.

- 17.2 **The Karapiro (Mighty River) Domain Committee recommend to Council that they instigate a separation of the Strategic Plan and the Reserve Management Plan and review them as separate documents.**

Staff confirmed that in considering the review of the Strategic Plan and the Reserve Management Plan it is staff opinion that the two should be separated and the review focus on the Reserve Management Plan. Staff support the preparation of a strategic plan for Lake Karapiro and its immediate environs. This plan would have no statutory purpose but it would be a useful tool in identifying the issues surrounding the management and public use of the Lake. The issues that the strategic plan could address would include management of the aquatic weed, water quality, the purchase of land adjoining the lake and potentially governance and management issues. By identifying these issues and the resources required to address them it would assist in the preparation of the next Council long term plan.

- 17.3 **That the Karapiro (Mighty River) Domain Committee recommend to Council that this Committee would support a funding co-ordinator being employed to maximize the Councils big project items.**

This item was for information only.

[Adjourned at 11.06am reconvened at 12.15] for visitors from World Rowing Championships..

[Broke for lunch at 12.53 and reconvened at 1.46pm]

18 WAIPA HERITAGE COUNCIL: RECOMMENDATIONS TO COUNCIL

File: 65-11-02

At its meeting on 19 August 2010, the Waipa Heritage Council passed the following recommendations:

- 18.1 **The Waipa Heritage Council recommend Council consider ways of restricting/removing signage above veranda level in the town centres of Waipa.**

Council was advised that District Plan Review team is addressing this as part of the review of the District Plan.

- 18.2 **The Waipa Heritage Council advise Council of their endorsement of the recommendation proposed by the Waipa Biodiversity Council to include rural trees for protection in the proposed District Plan if these trees are a good example of a particular tree type and or have value in recording/identifying an historic site.**

This is for Council's consideration in the development of the Proposed District Plan.

Cr Taranaki said the intent of this recommendation was to ensure that when a building is taken from an historical site, that any significant trees should be protected at the site.

- 18.3 **That the Waipa Heritage Council recommend to Council that the Waipa Heritage Council continue to be an advisory committee to Council.**

Staff confirmed that this recommendation will be factored into the review of Council's Governance Structure being undertaken by the Manager Legal and Corporate Support.

19 CAMBRIDGE COMMUNITY BOARD: RECOMMENDATIONS TO COUNCIL

File: 01-21-14

At its meeting on 4 August 2010 the Cambridge Community Board made no recommendations to Council.

20 TE AWAMUTU COMMUNITY BOARD: RECOMMENDATIONS TO COUNCIL

File: 01-21-13

At its meeting on 10 August 2010, the Te Awamutu Community Board passed the following recommendation:

- 17.3 **That the Te Awamutu Community Board, with the support of Te Awamutu Reserves and Landscape Committee, recommend to Council that –**
- a) **the band rotunda in Victoria Park be moved to ANZAC Green where its historical significance can be celebrated and be used in the public domain, as it is grossly under utilised in its present location;**
 - b) **staff investigate and advise costs as the Board would contribute funds towards this project.**

Staff commented that the band rotunda in Victoria Park is likely to be included in the schedule of significant historical sites in the draft District Plan. It is currently registered as a category 2 site by the Historic Places Trust. While the structure itself has historical significance, its location and its immediate surrounds also add significant weight to its historical value. Before removing the band rotunda to ANZAC Green as has been suggested by the Te Awamutu Community Board, due consideration would need to be given to the relationship between the structure and its site. This would likely involve the approval of the Historic Places Trust and also require advice as to whether the structure can be physically uplifted. The Parks and Reserve staff will be seeking advice on these two matters and will report back to the Te Awamutu Community Board.

21 RESOLUTION TO EXCLUDE THE PUBLIC

File: 01-37-01

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

RESOLVED

1/10/93

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

Cr Newlands/Cr Sharpe

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
22	Report provided separately		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

22	<p>Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied.</p> <p>Enable any local authority holding the information to carry on, without prejudice or disadvantage negotiations (including commercial and industrial negotiations)</p>	<p>Section 7(2) (c) i)</p> <p>Section 7(2)(i)</p>
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22 APPROVAL OF ROADING MAINTENANCE CONTRACTS

This item was taken with the public excluded.

The public were re-admitted to the meeting at 2.19pm

23 REPORTING OF RESOLUTIONS MADE IN THE PUBLIC EXCLUDED SESSION

RESOLVED

IC1/10/10

That

a) *The report of the Manager Road Corridor, Dawn Inglis dated 22 July 2010 be received;*

b) *That the tenders received as detailed below be accepted:*
Pavement and Drainage Maintenance – Contract 27-10-07
Strada Corporation Ltd \$11,091,759.77

Traffic Services and Vegetation Control – Contract No. 27-10-06
DirectioNZ \$2,622,584.50

Pavement Marking – Contract No. 27-10-05
Roadmarkers \$635,155.00

c) *That the Approved Contract Sums be set at the tender sum for each contract.*

Cr Newlands/Cr Webber

There being no further business the meeting closed at 2.21pm

CONFIRMED AS A TRUE AND CORRECT RECORD

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Mayor