

Minutes of a meeting of Council held in the Council Chambers, 101 Bank Street, Te Awamutu on Tuesday 28 September 2010 commencing at 8.00am

1 PRESENT

His Worship the Mayor AD Livingston

Members

EH Barnes (9.09am), MEH Cox, LWE Hoverd, GH Jull, PL Lee, EC Newlands, GG Scaramuzza, DL Sharpe, GW Simmons, BJ Taranaki, BS Thomas, GRP Webber.

Others

Chief Executive – G Dyet; Group Manager Business Support – K Morris; Manager Legal and Corporate Services – J McFarlane; Finance Management Accountant – S Patterson; Manager Community Relationships – J Tyrrell; Governance Support Senior – C Shaw

2 DISCLOSURE OF MEMBERS' INTERESTS

Cr Scaramuzza declared an interest in item 9(a).

3 APOLOGIES

RESOLVED

1/10/94

That the apology for lateness from Cr Newlands be received.

Cr Sharpe/Cr Webber

4 LATE ITEMS

There were no late items.

5 CONFIRMATION OF ORDER OF MEETING

File: 01-22-21

RESOLVED

1/10/95

That the order of the meeting be confirmed.

Cr Taranaki/Cr Simmons

6 VISITORS

Bruce Tocker from Rukuhia who received the “Kiwi Battler” Award and Retiring Cambridge Community Board Chairperson Rob Feisst attended the meeting at 9.30am and joined Councillors for morning tea.

7 MINUTES OF PREVIOUS MEETING

File: 01-22-21

Minutes of meeting held on 31 August 2010.

RESOLVED

1/10/96

That the minutes of the meeting of the Waipa District Council held on 31 August 2010 be confirmed as a true and accurate record.

Cr Thomas/Cr Webber

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

File: 75-09-06

Cr Thomas reported on his attendance at the Catchment Liaison Subcommittee meeting and reported that Waipa had been congratulated on the work that is being done on the Mangahoi stream.

Cr Simmons reported that he had attended the Gymsports event which had been held recently at Mystery Creek.

Cr Sharpe reported that she had attended the rededication and blessing at the Cultural Centre at Lake Karapiro and said the stones and sculpture sets off the Don Rowlands Centre nicely.

Cr Taranaki reported on attendance at the opening of the Cambridge High School gymnasium

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 Property Services Team Leader in accordance with Council Policy

during August 2010.

RESOLVED

1/10/97

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 Thomas/Cr Simmons

Documents Sealed by Chief Executive

Documents

- a) *Lease – GG & G Scaramuzza – Lease of Te Awamutu Parks Depot, Daphne Street, Te Awamutu*
File Reference – 04471/016.00
Resolution Number – CEO Delegation 5.1.b
(This relates to a Deed of lease of Daphne St Depot for Council's Te Awamutu Parks Depot from GG & G Scaramuzza Trust for a term of 3 years with 2 rights of renewal expiring in 2019, annual rent \$50,100 + GST.)

Liquor Licenses

- b) *Off-Licence – Pirongia Four Square*
File Reference: 016/OFF/0006/10
Policy Reference – 1.7.19
- c) *General Manager's Certificate – Beverley Enid Keelan*
File Reference: 016/GEN/0053/10
Policy Reference – 1.7.19
- d) *General Manager's Certificate – Jarrod Paul Gedge*
File Reference: 016/GEN/0048/10
Policy Reference – 1.7.19
- e) *General Manager's Certificate – Andrew Craig Park*
File Reference: 016/GEN/0055/10
Policy Reference – 1.7.19
- f) *General Manager's Certificate – Kali Jane Fisher*
File Reference: 016/GEN/0047/10
Policy Reference – 1.7.19

10 FINANCIAL REPORTS

File: 01-84-16

Financial Report for Period Ended 31 August 2010.

Group Manager Business Support presented his report and highlighted areas of interest.

RESOLVED

1/10/98

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

Cr Cox/Cr Hoverd

11 APPROVAL OF TEMPORARY ROAD CLOSURES FOR EVENTS IN WAIPA DISTRICT DURING OCTOBER AND NOVEMBER 2010

File: 55-21-02

Report of Regulatory Engineer, JP Snyman dated 13 September 2010 was included in the agenda.

RESOLVED

1/10/99

That

- a) *The report of the Regulatory Engineer, JP Snyman dated 13 September 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) *Selwyn Lane and Gorst Avenue, Te Awamutu on Tuesday 26 October 2010 from 9.00am to 12 noon for the Targa New Zealand Main Event 2010;*
 - 2) *Maungatautari Road between Luck at Last Road and Redoubt Road, and Ariki Street between Rangatira Road and the southern end of Ariki Street, and the whole of Judd Lane on Saturday 30 October 2010 from 1pm to 5pm, from Sunday 31 October to Thursday 4 November 2010 daily from 7.30am to 2.30pm and from Friday 5 November to Sunday 7 November 2010, daily from 6.30am to 4.00pm for the New Zealand World Rowing Championships 2010;*
 - 3) *Kairangi Road and Robinson Road on Saturday 2 October 2010, 9.00am to 5.00pm and Head Road and Stokes Road on Sunday 3 October 2010, 9.00am to 5.00pm for the Hamilton Car Club's Cambridge Speed Weekend Event;*

- 4) *Victoria Street on Saturday 13 November 2010, from 8.00am to 3.30pm and Alpha Street on Saturday 13 November 2010 from 8.00am to 4.30pm for the Karapiro Half Ironman event;*
- 5) *Laurent Road on Saturday 13 November 2010 and Sunday 14 November 2010 daily from 8.00am to 4.00pm for the Armistice in Cambridge event;*
Alpha Street, Victoria Street, Commerce Street, Duke Street and Empire Street on Sunday 14 November 2010 from 9.30am to 10.00am for the Cambridge Armistice Military Parade;
Lake Street, Victoria Street and Kirkwood Street on Sunday 14 November 2010, 10.00am to 11.30am for the Armistice Ceremony in Cambridge
- 6) *Sandes Street on Saturday 6 November 2010, 4.30pm to 10.00pm for the Ohaupo School PTA Waikato Fireworks Fiesta.*
- c) *Notice of the road closures be publicly notified in accordance with the provisions of the Local Government Act 1974.*

Cr Lee/Cr Jull

12 REVIEW OF PROCEDURAL POLICY MANUAL

File: 02-13/09/3

Procedural Policy Manual was distributed separately to Council.

Manager Legal and Corporate Services presented the manual to Councillors. She reminded Councillors that the Manual had been presented to the Policy Committee and was now recommended for adoption.

RESOLVED

1/10/100

That Council adopt the proposed Waipa District Procedural Policy Manual 2010 [document number 10053231].

Cr Jull/Cr Hoverd

13 REVIEW OF GOVERNANCE STRUCTURE

File: 75-15-03

Manager Legal and Corporate Services presented a high level recommendation for ratification and discussion. She said that a proposed Governance Structure which would suggest delegations to Committees and include a review of the standing and advisory committees, will be presented to the incoming Council following the Local Government Elections.

The requirement for the Deputy Mayor to be the Chair of a Committee was reinforced. However, it was not necessary in this recommendation that the particular Committee be specified.

It was moved Mayor Livingston and seconded Cr Taranaki

That Council recommend to the incoming Council formed after the 2010 Local Government Elections, a proposed Governance Structure as detailed below:

a) *Council to continue to have a Regulatory Committee and the membership of the Regulatory Committee to continue as the Mayor, four Councillors and a Council appointed Nga Iwi Toopu o Waipa representative.*

b) *The Strategic Planning and Development and Policy Committees be replaced with the following committees;*

i) Planning and Community Committee

Purpose: *To oversee the development and review of Council's strategic and resource management plans and strategies; to oversee the development and review of community plans, policies and bylaws; and to engage with and seek feedback from community stakeholders and partners in the process.*

Structure: *Full Council and a Council appointed Iwi representative nominated by Nga Iwi Toopu o Waipa. Council appoints Chairperson.*

ii) Service Delivery Committee

Purpose: *To develop and monitor Council's strategies, plans and projects in relation to the road corridor, four waters, waste management, community facilities and the capital expenditure programme. To consider regional integration of services.*

Structure: *6 to 12 Councillors plus Mayor.*

iii) Finance and Corporate Committee

Purpose: *To undertake Council's corporate and governance functions and duties, specifically in relation to financial and non-financial reporting, financial policies and treasury matters, and property management.*

Structure: *6 to 12 Councillors plus Mayor*

c) *The name, purpose and role of the Karapiro (Mighty River) Domain Committee be reviewed as part of the review of the Governance Structure by the new Council.*

The Chair put this motion which was **lost**.

Cr Sharpe said she noted that the Regulatory Committee was suggested to remain the same but she requested consideration be given to the structure only having three Councillors, plus the Mayor and Council appointed Nga Iwi Toopu o Waipa.

An amendment was **moved** by Cr Sharpe and **seconded** by Cr Hoverd

a) Council continue to have a Regulatory Committee and the membership of the Regulatory Committee to continue as the Mayor, three Councillors and a Council appointed Nga Iwi Toopu o Waipa representative.

This motion was **carried** and becomes the substantive motion.

RESOLVED

1/10/101

That Council recommend to the incoming Council formed after the 2010 Local Government Elections, a proposed Governance Structure as detailed below:

a) Council to continue to have a Regulatory Committee and the membership of the Regulatory Committee be the Mayor, three Councillors and a Council appointed Nga Iwi Toopu o Waipa representative.

b) The Strategic Planning and Development and Policy Committees be replaced with the following committees;

i) Planning and Community Committee

Purpose: To oversee the development and review of Council's strategic and resource management plans and strategies; to oversee the development and review of community plans, policies and bylaws; and to engage with and seek feedback from community stakeholders and partners in the process.

Structure: Full Council and a Council appointed Iwi representative nominated by Nga Iwi Toopu o Waipa. Council appoints Chairperson.

ii) Service Delivery Committee

Purpose: To develop and monitor Council's strategies, plans and projects in relation to the road corridor, four waters, waste management, community facilities and the capital expenditure programme. To consider regional integration of services.

Structure: 6 to 12 Councillors plus Mayor.

iii) Finance and Corporate Committee

Purpose: To undertake Council's corporate and governance functions and duties, specifically in relation to financial and non-financial reporting, financial policies and treasury matters, and property management.

Structure: 6 to 12 Councillors plus Mayor

c) The name, purpose and role of the Karapiro (Mighty River) Domain Committee be reviewed as part of the review of the Governance Structure by the new Council.

Cr Sharpe/Cr Hoverd

14 REVIEW OF ELECTED MEMBERS' REMUNERATION

File: 01-41-03

Report of Group Manager Business Support, Ken Morris dated 22 September 2010.

Group Manager Business Support presented his paper and outlined the consultation that had taken place with each of the Community Boards. He said while the Te Awamutu Community Board had agreed to the proposed model, the Cambridge Community Board did not.

Rob Feisst, Chairperson of the Cambridge Community Board was in attendance with the Deputy Chairperson John Bishop and Board Member Richard Wright. The Mayor granted the deputation speaking rights for this item.

Mr Feisst addressed the Council and outlined the research that he had undertaken which showed that the proposed change would be detrimental to Boards. He said at the last Election one Board member was dropped off and the remuneration of that saving was shared amongst the Councillors not Board.

Discussion relating to the matter being referred to the remuneration authority for determination was held but there was no support for a resolution to this end.

Mr Morris explained what the process would be, bearing in mind that Council is in a transitional phase and no final decision can be made at this meeting. He said the Remuneration Authority would be making a determination on the total pool amount for this Council and asking for recommendations from the newly appointed Council and Boards. It was his opinion that more consultation take place at this time with the Boards with a view to providing a united recommendation to the Authority, or at least outlining where there are some concerns.

RESOLVED

1/10//102

That

- a) *The report of the Group Manager Business Support, Ken Morris dated 22 September 2010 be received.*
- b) *Council recommend a proposed remuneration model to the new Council (to be formed after the 2010 Local Government Elections on 9th October 2010), based on the relativities as set out in the Schedule below:*

Suggested model	Remuneration	#	Salary	Relativity	Pool Allocation
Mayor		1	83,333.00	n/a	83,333.00
Deputy Mayor (also chairs Committee)		1	28,695.00	1.20	28,695.00
Committee Chair		2	27,515.00	1.15	55,030.00
Councillor		5	23,910.00	1.00	119,550.00
Committee Chair/Community Board		1	28,695.00	1.20	28,695.00
Councillor/Community Board		3	26,675.00	1.12	80,025.00
Community Board Chair		2	12,000.00	0.50	12,000.00
Community Board Member		8	6,480.00	0.27	25,950.00
Total Pool Allocation					433,248.00

- c) *Council notes the concerns made by the Cambridge Community Board in its verbal submissions to Council.*

Mayor Livingston/Cr Scaramuzza

Mayor Livingston thanked the delegation from the Cambridge Community Board for their consideration of this matter.

15 TEMPORARY DELEGATIONS TO CHIEF EXECUTIVE AND APPOINTMENT OF HEARING COMMISSIONERS

File: 01-22-18/7

Report of Manager Legal and Corporate Support, Jennie McFarlane dated 13 September 2010 was included in the agenda

Manager Legal and Corporate Services presented her report and outlined that in the time before the new Council was sworn in, decisions to ensure the continuity of business would be required. She said a report will be provided to the first ordinary meeting of Council outlining any such decisions that had been made.

In addition, hearings under the Resource Management Act 1991 may require to be held in the post election period. It is appropriate to appoint the existing Regulatory Committee members (who are accredited commissioners under the Act) as hearings commissioners for this period.

RESOLVED

1/10/103

That

- a) *The report of the Manager Legal and Corporate Support, Jennie McFarlane dated 13 September 2010 be received;*
- b) *In the interim period from the end of term of the current Council on 9th October 2010 until the first ordinary meeting of Council after this date, delegated authority be given to the Chief Executive to approve on behalf of Council and to execute and apply the Council seal to documents related to:*
 - i) *Any tenders and contracts for road renewal works where the value of the contracts may be greater than Five Hundred Thousand dollars (\$500,000);*
 - ii) *An ASB Bank lending facility negotiated by the Group Manager Business Support; and*
- c) *Pursuant to Section 34A(1) of the Resource Management Act 1991, Alan Livingston, Diane Sharpe, Grahame Webber, Barbara Taranaki and Errol Newlands be appointed as Hearing Commissioners and be delegated all functions, powers and duties under the Act (other than the approval under clause 17 of the First Schedule to the Act of a Plan or any change to a Plan or the authorisation involving the public notification of a Council-initiated Plan Change or the power to delegate the powers, duties and functions hereunder delegated). This delegated authority extends for the period 9th October 2010 until Council has held its first ordinary meeting after the 2010 Local Government elections and appointed hearings commissioners for the new Council term. Diane Sharpe is appointed as the Chair of any resource management hearings for this period.*

Cr Webber/Cr Thomas

16 CAMBRIDGE COMMUNITY BOARD: RECOMMENDATIONS TO COUNCIL

File: 01-21-14

At its meeting on 2 September 2010, the Cambridge Community Board made no recommendations to Council.

17 TE AWAMUTU COMMUNITY BOARD: RECOMMENDATIONS TO COUNCIL

File: 01-21-13

At its meeting on 14 September 2010, the Te Awamutu Community Board passed the following recommendations:

That the Te Awamutu Community Board recommend to Council that the Park Road Sports Complex be named Castleton Park.

It was reported that Council staff have no issues with this suggestion and the site is not included in any existing Reserve Management Plan as was privately owned before Council purchase after the Urban Reserves Management Plan was approved. Staff are not aware of any need for the land to be known as Marist Park and the name Castleton Park can be confirmed through the Reserve Management plan process at a future date.

RESOLVED

1/10/104

That Council approve, in principle, the naming of the Reserve [formerly known as Marist Park, Park Road, Te Awamutu] to Castleton Park, subject to the confirmation through the Reserve Management Plan process.

Cr Hoverd/Cr Jull

Cr Barnes arrived at 9.09am.

18 RESOLUTION TO EXCLUDE THE PUBLIC

File: 01-37-01

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

RESOLVED

1/10/105

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

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
19	Report provided separately	Chief Executives Performance Review	Good reason to withhold exists under section 7	Section 48(1)(a)
20	Report provided separately	Leaky Homes Financial Assistance Package	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:

Webber/Thomas

Item No		
19	Protect the privacy of natural persons, including that of deceased natural persons	Section 7(2) (a)
20	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.	Section 7(2) (c) (i)

19 CHIEF EXECUTIVES ROUTINE PERFORMANCE REVIEW

This item was taken with the public excluded.

20 LEAKY HOMES FINANCIAL ASSISTANCE PACKAGE

File:

Report of Group Manager Business Support provided separately.

This item was taken with the public excluded

21 REPORTING OF RESOLUTIONS MADE IN THE PUBLIC EXCLUDED FORUM

21.1 Leaky Homes Financial Assistance Package

RESOLVED

IC1/10/15

That the report of Group Manager Business Support dated 23 September 2010 be received.

Cr Lee/Cr Thomas

Adjourned at 10.08am and reconvened at 10.48am with the public excluded items.

The public were readmitted to the meeting at 12.04pm.

There being no further business the meeting closed at 12.07pm

CONFIRMED

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Mayor