

Time: 9.00am
Date: Tuesday 22 February 2011
Venue: Council Chambers, Waipa District Council, 101 Bank Street,
Te Awamutu

1 PRESENT

Chairperson

His Worship the Mayor AD Livingston

Members

EH Barnes, DG Finn, LWE Hoverd, ML Gower, SDC Milner, GG Scaramuzza, DL Sharpe,
GW Simmons, BJ Taranaki, BS Thomas, GRP Webber, VT Wilson

In attendance

Chief Executive G Dyet; Group Manager Planning & Community Relations R McNeil;
Group Manager Business Support; Manager Community Relationships J Tyrrell; Group
Manager Service Delivery B Bergin; Manager Strategy G Knighton; Manager Finance K
Perumal; Governance Support Senior C Shaw

2 APOLOGIES

There were no apologies.

3 DISCLOSURE OF MEMBERS' INTERESTS

There were no new disclosures.

4 VISITORS

Simon Peterson, Chief Executive of Rowing New Zealand joined the meeting at 12
Noon. Ross Morgan who recently received a Queen's Service Medal and his wife
joined the meeting at 12.15pm. All guests joined Councillors for lunch.

5 MINUTES OF PREVIOUS MEETING

RESOLVED

1/11/01

That the minutes of the meeting of the Waipa District Council held on Tuesday 14 December 2010, having been circulated, be taken as read and confirmed as a correct record subject to the extra "n" being removed from Cr Finn's name on page 30.

Cr Sharpe/Cr Gower

6 LATE ITEMS

There were no late items.

7 CONFIRMATION OF ORDER OF MEETING

RESOLVED

1/11/02

That the order of the meeting be confirmed with Items 15 and 20 to be taken at 9.20am prior to item 8 to allow Consultant Greg Tims to be present.

Mayor Livingston/Cr Webber

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

File: 75-09-06

Cr Webber reported on the Land Transport Committee that he had attended.

Cr Barnes reported on the Te Awamutu Museum Trust Board meeting, the Kihikihi Domain Users Group Meeting and the Kihikihi Residents and Ratepayers Group meeting that she had attended.

Cr Taranaki reported on the Senior Council meeting she had attended and thanked staff for their attendance and the quality of their presentations.

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 on 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 & Corporate Support, Environmental Health Services Team Leader, Senior Planner, Project Planner or Manager Property Services in accordance with Council Policy during December 2010 and January 2011.

RESOLVED

1/11/03

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 Gower/Cr Thomas

Documents Sealed by Chief Executive

Sale & Purchase Agreements

- a) *Sale and Purchase Agreement L S Morrow, purchase of unformed road Collinson and McClure Streets, Pirongia*
File: Title number 285484
Res: 1/09/149
(Council has received a request from a landowner on McClure Street to purchase the portion of unformed road that borders their property)

- b) *Memorandum of Agreement for Land Purchase and Authority for Electronic Transaction: Railway Developments Ltd, Colgan Street, Te Awamutu*
File: 55/28/31
Res: 1/09/97
(Agreement for Sale and purchase of 2.5730ha of land as part of land required for the Te Awamutu Western Arterial).

Other Documents

- c) *Development Agreement between Waipa District Council and Transland Developments (2009) Limited*
File: LU/0248/09
Res: LU/0248/09
(Council has entered into a Development Agreement with Transland Developments with regard to development contribution levies on a subdivision within Cambridge North)

- d) *Easement in Gross - Jehovah Witness Property, Alexandra Street, Te Awamutu*
File: 04611/089.00
Res: 1/08/045
(Client authority and instruction to create an easement in gross. This is a condition of the subdivision Council is creating to enable the sale of land to the Jehovah Witness and allows for the right to drain sewage and stormwater)

- e) *Licence to Carry on Business on Reserve: Waikato Action Tours Ltd, Horahora Domain, Cambridge*
File: 04650/195.00
Res:
(The Directors run their Karapiro Cruiser business on Lake Karapiro. This licence allows them to be based at the Horahora Domain for scheduled cruises from 1 February 2011)
- f) *Withdrawal of Caveat, Transfer and Easement Instrument and Order for New Computer Register, P & G Castleton Ltd, Park Road, Te Awamutu*
File: 04551/060.00 & 04551/065.00
Res: 1/07/94
(This relates to the settlement on purchase of property on Park Road, Te Awamutu for inclusion in the Park Road Sports Inc lease for the BMX track).

Liquor Licenses

- g) *General Manager's Certificate – M M Denton*
File: 33-26-02
Pol Ref: 1.7.19
- h) *General Manager's Certificate – K A Fabish*
File: 33-26-02
Pol Ref: 1.7.19
- i) *General Manager's Certificate – M Flintoff*
File: 33-26-02
Pol Ref: 1.7.19
- j) *General Manager's Certificate – D Shearer*
File: 33-26-02
Pol Ref: 1.7.19
- k) *General Manager's Certificate – N A Roberts*
File: 33-26-02
Pol Ref: 1.7.19
- l) *General Manager's Certificate – R Snyman*
File: 33-26-02
Pol Ref: 1.7.19
- m) *General Manager's Certificate – R R McFarlane*
File: 33-26-02
Pol Ref: 1.7.19

- n) *General Manager's Certificate – T K K Gill*
File: 33-26-02
Pol Ref: 1.7.19

- o) *General Manager's Certificate – T M Waters*
File: 33-26-02
Pol Ref: 1.7.19

- p) *General Manager's Certificate – L A Phillips*
File: 33-26-02
Pol Ref: 1.7.19

- q) *General Manager's Certificate – H A Lewin*
File: 33-26-02
Pol Ref: 1.7.19

- r) *General Manager's Certificate – S E Walls*
File: 33-26-02
Pol Ref: 1.7.19

- s) *General Manager's Certificate – D J McArthur*
File: 33-26-02
Pol Ref: 1.7.19

- t) *General Manager's Certificate – N J McArthur*
File: 33-26-02
Pol Ref: 1.7.19

- u) *Club Manager's Certificate – P D Bruce*
File: 33-26-02
Pol Ref: 1.7.19

- v) *Club Manager's Certificate – S M Oates*
File: 33-26-02
Pol Ref: 1.7.19

- w) *On Licence – South Star Ltd for The Star Tavern*
File: 33-52-01
Pol Ref: 1.7.19

- x) *Off Licence – South Star Ltd for The Star Tavern*
File: 33-52-01
Pol Ref: 1.7.19

Planning Documents sealed by Manager Planning & Regulatory, Senior Planner or Project Planner

- y) *Covenant on amalgamation – Bennett & O'Brien*
File: SP/0120/10
(Condition of Subdivision)

10 BANK DOCUMENTS SIGNED UNDER DELEGATED AUTHORITY IN CHRISTMAS RECESS

File:

The Chief Executive reported that on 21 December 2010 various documents providing for a novated and extended \$13.5million loan funding facility with the Commonwealth Bank of Australia, New Zealand Branch (the CBA), and an ISDA (International Swap Dealers Association) Agreement with the ASB Bank, were signed on behalf of Council. In the case of some of those documents the signing was required to be under Council's common seal.

He said that ideally the signing of these documents would be pre-authorised by Council resolution. Originally these documents were expected to be available for signing some months earlier and hence a Council resolution was obtained on 28 September 2010 authorising him to execute this documentation in the period between Council terms. Ultimately it took much longer for the appropriate documents to come through from the CBA and be checked by Council's legal representatives. The documents were received by email on 20 December 2011 and the CBA sought them to be signed prior to Christmas given the expiry of an existing ASB facility on 31 December 2010. The documents were signed and sealed under delegated authority, allowing urgent matters such as this to be addressed in the Christmas recess.

RESOLVED

1/11/04

That this information be received.

Cr Finn/Cr Gower

11 REQUEST FOR FUNDING : BEACH VOLLEYBALL TOURNAMENT AT MIGHTY RIVER DOMAIN

File:

The Chief Executive outlined the background to the request for \$5,000 (\$2,500 of came from a previously approved event which had been cancelled) and that, due to time constraints and the unavailability of committee members prior to Christmas there had been no time to convene a meeting of the District Promotions Committee. Verbal consensus was sought and obtained from the members prior to the grant having been agreed.

RESOLVED

1/11/05

That the information be received and the request from Alison Storey on behalf of the Waikato Charitable Trust be approved with \$2,500 additional funding being paid from the District Promotion Fund.

Mayor Livingston/Cr Hoverd

12 RECOMMENDATION FROM SERVICE DELIVERY COMMITTEE - MOXHAM ROAD

File: 55-26-06

The Service Delivery Committee, at its meeting on 1 February 2011, considered a request for funding to assist with the cost of sealing from developers to form part of Moxham Road. The Developer had agreed as part of the development contributions to form the road to a non-sealed standard. Council staff considered the use of \$100,000 from Council's seal extension programme which would ensure a sealed road extension for this part of the road to be a prudent and sensible option. The seal extension funds had been approved as part of Council's Long Term Council Community Plan 2009-19.

RESOLVED

1/11/06

That,

- a) *Council approve a request from TA Properties 2004 Limited to partially fund the construction of Moxham Road on the existing paper road and approve \$100,000 plus GST of funding in 2010/11 for this project.*
- b) *Council enter into a development agreement with TA Properties 2004 (the Developer), where the Developer meets all costs to construct the 300m on*

Moxham Road to Council standards and Council pays the Developer \$100,000 plus GST on completion of the work.

- C) *Staff investigate traffic calming to minimise the impact of heavy traffic.*

Cr Sharpe/Cr Simmons

[Council broke for morning tea at 10.28 and reconvened at 10.46am]

13 WAIKATO CIVIL DEFENCE EMERGENCY MANAGEMENT GROUP: MINUTES OF MEETING HELD ON 29 NOVEMBER 2010

File:

The minutes of the Waikato Civil Defence Emergency Management Group's last meeting was included for Councillors information. Cr Finn, Council's representative advised that he is happy to answer any questions or concerns Councillors may have.

RESOLVED

1/11/07

That the information be received.

Cr Finn/Cr Webber

14 COUNCIL'S SUBMISSION ON THE PROPOSED REGIONAL POLICY STATEMENT

File:

The Chief Executive said that Council's submission to the proposed Waikato Regional Policy Statement will be submitted to the Waikato Regional Council on Monday 28th February 2011. The draft submission had been discussed at the February 2011 meeting of the Strategic Planning and Policy Committee and comments from Councillors have since been incorporated in to the submission.

Cr Sharpe said a lot of work had been done by staff and congratulated them on a good submission.

RESOLVED

1/11/08

That Council's submission to the proposed Waikato Regional Policy Statement be approved and forwarded to the Waikato Regional Council on Monday 28 February 2011.

Cr Gower/Cr Taranaki

15 CHIEF EXECUTIVE PERFORMANCE MANAGEMENT COMMITTEE – RECOMMENDATION TO COUNCIL

File: Personal File

At its meeting on 8 February 2011, the Chief Executive Performance Management Committee met and agreed on a Remuneration Policy and have referred this to Council for adoption.

RESOLVED

1/11/09

That the Waipa District Council Chief Executive (CEO) Remuneration Policy (December 2010 – document number 11007734) be adopted.

Mayor Livingston/Cr Webber

16 CAMBRIDGE COMMUNITY BOARD – RECOMMENDATIONS TO COUNCIL

File:

At its meeting on 2 February 2011, the Cambridge Community Board made the following recommendations to Council :

That the Cambridge Community Board expresses its concern that heavy trucks and truck and trailer units are using Albert Street, Thornton Road, Robinson Street and other Cambridge East streets, to travel from the intersection of Queen and Albert Streets on State Highway 1, to Victoria Street/Road on State Highway 1B, and request Council investigate such traffic movement on this route.

Manager Road Corridor Dawn Inglis advised that Opus International Consultants Ltd are undertaking monitoring of Queen Street, and the wider environs, at present as a result of the installation of the central median island. The New Zealand Land Transport Agency has agreed to extend this monitoring to investigate the number of trucks which are turning from SH1 into Albert Street. Once this information is available, it will be analysed to determine what further investigations are needed to fully assess the issue.

17 TE AWAMUTU COMMUNITY BOARD – RECOMMENDATIONS TO COUNCIL

File:

At its meeting on 8 February 2011 the Te Awamutu Community Board made the following recommendations to Council :

- a) *That the Te Awamutu Community Board recommend to Council that a concrete pad and bike stand be installed behind the bus shelter in Gorst Avenue.*

Manager Road Corridor advised that prices are being sought for this work. Once available the prices will be provided to the Te Awamutu Community Board, along with a proposal on how this may be funded.

- b) *That the Te Awamutu Community Board recommend to Council that, due to safety reasons, a new light be installed to light the bike rack and bus stop at Gorst Avenue.*

Manager Road Corridor said Waipa Networks Ltd are investigating this issue to determine what the best option may be for improving lighting in this area. Whilst the adjacent lights provide adequate lighting around the shelter, for passengers inside the shelter it is quite dark due to the solid roof. In response to a question from Councillor Simmons, the Chief Executive advised that the proposed work would be checked with Council staff trained in the Crime Prevention Through Environmental Design guidelines.

18 RESOLUTION TO EXCLUDE THE PUBLIC

File: 01-37-01

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

RESOLVED

1/11/10

That

- a) *the public be excluded from the following part of the proceedings of this meeting.*

- b) *the general subject of the 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:*

Cr Sharpe/Cr Thomas

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
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<i>Circulated separately to Councillors</i>	<i>Waikato Regional Airport Ltd – Strategic Review of Hamilton International Airport and Appointment of Interim Director</i>	<i>Good reason to withhold exists under section 7</i>	<i>Section 48(1)(a)</i>
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<i>Circulated separately to Councillors</i>	<i>Chief Executive Performance Management Committee – Recommendation to Council</i>	<i>Good reason to withhold exists under section 7</i>	<i>Section 48(1)(a)</i>
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- c) *that 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:*

- i *Protect the privacy of natural persons, including that of deceased natural persons* Section 7(2)(a)

19 APPOINTMENT OF DIRECTOR TO WAIKATO REGIONAL AIRPORT LIMITED

This item is to be taken with the public excluded.

[This item was taken at 9.20am prior to item 8]
[The public were readmitted to the meeting at 9.45am]

20 CHIEF EXECUTIVE PERFORMANCE MANAGEMENT COMMITTEE – RECOMMENDATION TO COUNCIL

This item is to be taken with the public excluded.

*[The public were readmitted to the meeting at 11.20am]
[The meeting adjourned at 11.21am and reconvened at 12.14pm when the guests arrived]*

21 REPORTING OF RESOLUTIONS MADE IN THE PUBLIC EXCLUDED FORUM

21.1 Appointment of Director to Waikato Regional Airport Limited

RESOLVED

IC1/11/02

That Council supports the appointment of Greg Thompson as an interim Director of Waikato Regional Airport Limited through to the 2011 Annual General Meeting.

Cr Finn/Cr Taranaki

There being no further business the meeting closed at 12.45pm

CONFIRMED

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MAYOR