

Time: 9.00am
Date: Tuesday 29 March 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, ML Gower, LWE Hoverd, SDC Milner, GG Scaramuzza, DL Sharpe,
GW Simmons, BJ Taranaki, BS Thomas, GRP Webber, VT Wilson

Others

Deputy Chief Executive – R McNeil, Group Manager Business Support – K Morris,
Manager Community Relationships – J Tyrrell, Manager Strategy G Knighton,
Manager Legal and Corporate Support – J McFarlane, Manager Property – C
Windleborn (Item 8 only), Financial Planner D Frederick, Management Accountant S
Patterson (item 11 only), Parks & Reserves Team Leader – M Ward, Manager Finance
– K Perumal (items 15 and 16 only), Governance Support Senior – C Shaw

Public

1

2 APOLOGIES

There were no apologies.

3 DISCLOSURE OF MEMBERS' INTERESTS

There were no new disclosures of interest.

4 VISITORS

The Deputy Chief Executive and Cr Kneebone from Environment Waikato attended
the meeting at 11.30am to make a presentation on their draft Annual Plan. They
then joined Councillors for lunch.

5 MINUTES OF PREVIOUS MEETING

RESOLVED

1/11/11

That the minutes of the meetings of the Waipa District Council held on Tuesday 23 December 2010 and Tuesday 22 February 2011, having been circulated, be taken as read and confirmed as a correct record.

Cr Finn/Cr Taranaki

6 LATE ITEMS

An update from staff was requested on developments with the Maungatautari Ecological Island Trust.

7 CONFIRMATION OF ORDER OF MEETING

RESOLVED

1/11/12

That the order of the meeting be confirmed.

Cr Sharpe/Cr Simmons

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

File: 75-09-06

Cr Scaramuzza reported on a Local Government Know How seminar on Chairing Meetings and Standing Orders that had been held in Rotorua.

Cr Gower reported on the Waikeria Open Day, the Youth Council meeting and the Kihikihi Residents and Ratepayers meetings.

Cr Barnes reported on the Museum Trust Board and the Kihikihi Residents and Ratepayers meetings.

Cr Simmons reported on the Zone 2 meeting and in particular Tony Roxburgh's presentation.

Cr Webber reported on the Trustpower Awards where the Pirongia Restoration Society were representing Waipa.

Cr Milner reported on a meeting at Hamilton City Council with members of Wintec, Waikato University, Local MPs and arts people about raising the profile of art in the Waikato and attracting grants from the New Zealand Creative Communities Trust.

Cr Finn reported on activities with the Civil Defence Emergency Management Group

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 Services Team Leader, Senior Planner, Project Planner or Manager Property Services in accordance with Council Policy during February 2011.

RESOLVED

1/11/13

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 Scaramuzza

Documents Sealed by Chief Executive

Sale & Purchase Agreements

- a) *Electronic Transaction Authority Te Awamutu Congregation of Jehovahs Witness*

File: 04611/089.01

Res: 1/08/45

(Sale of approx 1ha land off Alexandra Street to the Te Awamutu Congregation of Jehovahs Witness as approved by Council in April 2008)

Other Documents

- b) *Discharge of Certificate of Consent: RJ & SD Warbuton and RS Wiseley, Ngaroto Road, Te Awamutu*

File: 55-03-06 & 04495/236.01

Res: LTCCP Transport Management

(A Certificate of Consent declaring land to be road was placed on the title of the Warbuton's Ngaroto Road property in October 2009 as related to the

replacement of the bridge and realignment of the road. All actions related to this certificate have been completed and therefore it can be discharged)

Liquor Licenses

- c) *Temporary Authority to Carry on Sale of Liquor Under Licence: Fergus Rose Limited, relating to The Boatshed Café, 21 Amber Lane, Cambridge.
File: 016/ON/0005/10
Pol Ref: 1.7.19*

- d) *Decision of Waipa District Licensing Agency: Melissa Dorothy Rutledge
Decision number: 016/1363
Sec 118 of the Act for a General Manager Certificate*

- e) *Decision of Waipa District Licensing Agency: Catherine James
Decision number: 016/1452
Sec 25 of the Act in respect of premises situated at Empire Street, Cambridge known as "The Wonkey Donkey"*

- f) *General Manager's Certificate – M M Denton
File: 33-26-02
Pol Ref: 1.7.19*

- g) *General Manager's Certificate – M R Cass
File: 33-26-02
Pol Ref: 1.7.19*

- h) *General Manager's Certificate – F J Ford
File: 33-26-02
Pol Ref: 1.7.19*

- i) *General Manager's Certificate – C A Brownlee
File: 33-26-02
Pol Ref: 1.7.19*

- j) *General Manager's Certificate – R A Bradley
File: 33-26-02
Pol Ref: 1.7.19*

- k) *General Manager's Certificate – T H Jans
File: 33-26-02
Pol Ref: 1.7.19*

- l) *General Manager's Certificate – S A Marston
File: 33-26-02*

Pol Ref: 1.7.19

- m) General Manager's Certificate – M M Pita
File: 33-26-02
Pol Ref: 1.7.19*
- n) General Manager's Certificate – V L Wright
File: 33-26-02
Pol Ref: 1.7.19*
- o) General Manager's Certificate – M P Wright
File: 33-26-02
Pol Ref: 1.7.19*
- p) General Manager's Certificate – R P Fabish
File: 33-26-02
Pol Ref: 1.7.19*
- q) On Licence – Fergus Rose Limited trading as The Boatshed Café, Cambridge
File: 33-26-02
Pol Ref: 1.7.19*

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

- r) Instruction for Electronic Transaction – S R Barr
File: 4611/220.02
(Esplanade Strip)*
- s) Sewer and Stormwater Easements – Karapiro Holdings, Rangatira Road, Karapiro
File: 04520/101.51
Ref: 4.4.6(a)(i) 7
(Conditions of Consent)*

10 WAIPA DISTRICT COUNCIL GOVERNANCE STATEMENT 2011

File: 01-22-12

The Deputy Chief Executive presented the Governance Statement to Council. In response to questions, he said that the purpose of the document was for the public to understand Council's governance framework and how Council makes decisions, including how and when Council would consult with the public as part of the

decision-making process. He said copies of the Governance Statement would be made available on Council's website and at the counters of both offices and Libraries.

In response to questions around how to get people to read the documents and information that Council prepares, the Deputy Chief Executive said that a Community Engagement Strategy is being developed, which is looking to address these issues. He said that how groups within the community obtain information was fundamentally changing and Council needs to be aware of those changes and ready to respond to them. He said an example of this was a very successful workshop with the Youth Council held recently.

RESOLVED

1/11/14

That

- a) *the report of Senior Planner, Sandra Des Forges be received;*
- b) *Pursuant to the Local Government Act 2002, Council approve and make publicly available the Waipa District Governance Statement 2011 (document number 11001227), attached as Appendix 1 of the staff report.*

Cr Barnes/Cr Gower

11 PROPOSED FEES AND CHARGES FOR 2011/2012 (Schedule A)

File:

The proposed Fees and Charges for 2011/12 (Schedule A) had been presented to the Finance & Corporate Committee and referred to Council for approval.

In response to questions, the Deputy Chief Executive said that Council staff had initiated a wider investigation, as part of the long term plan process, of all fees and charges as suggested at the Finance and Corporate Committee. He said that staff would come back with a range of options and Council could then decide the best course of action based on the information that is provided.

Cr Sharpe requested information on how many stock underpasses Council had along with how many had been inspected over the past year. She had concerns that some ratepayers had more than one underpass and would therefore be charged in excess of \$1,000. The Deputy Chief Executive said these rates were set by Council in October 2010, and that the information sought would be provided to Councillors outside the meeting as part of their weekly round up.

RESOLVED

1/11/15

That

- a) *The Waipa District Council Fees and Charges 2011/2012 Schedule A (document number 11008411), be adopted by Council, with all the fees and charges referred to in the Schedule to become effective on 1 July 2011.*
- b) *Council staff investigate the merits of applying a universal annual price increase for fees and charges and will report back to the Finance and Corporate Committee as part of the forthcoming Long Term Plan process.*

Cr Finn/Cr Webber

12 WAIKATO TAINUI – WAIPA DISTRICT COUNCIL JOINT MANAGEMENT COMMITTEE

File:

Council were reminded that the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 requires that a joint management agreement be established between Waikato Raupatu River Trust and the Waipa District Council. The Act also requires that a Joint Committee be established and meet within 30 business days of the commencement of the Act to begin the process for finalising the joint management agreement, however this has been extended by mutual agreement. A report of progress must be forwarded to the Minister of Treaty Settlements within 14 months of commencement and a completed Joint Management Agreement signed within 18 months.

The Deputy Chief Executive said it was suggested that members of the Executive Committee be appointed to this joint management Committee as it requires high level representation to reflect the representation from the Waikato Tainui. He advised that this was a governance matter on behalf of Waipa District, and on that basis the members of the Executive Committee were appropriate.

Cr Scaramuzza expressed concern about being part of this joint management Committee as he was unsure if he was familiar enough with the topic and protocols to be an effective member of the Committee. In response, the Deputy Chief Executive said that briefings would be provided to the Executive Committee prior to any meetings taking place to ensure that every member was comfortable with the level of information required and ensure the necessary protocols were understood and in place.

RESOLVED

1/11/16

That Mayor Livingston, Deputy Mayor Webber and Councillors Scaramuzza, Sharpe, and Hoverd be appointed as Waipa District Council's representatives to the Waikato Tainui Waipa District Council Joint Management Committee.

Cr Milner/Cr Taranaki

13 CAMBRIDGE COMMUNITY BOARD – RECOMMENDATIONS TO COUNCIL

At its meeting on 2 March 2011, the Cambridge Community Board made no recommendations to Council.

14 TE AWAMUTU COMMUNITY BOARD – RECOMMENDATIONS TO COUNCIL

File:

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

Recommendation:

a) *That the Te Awamutu Community Board recommend to Council that the following three projects as identified in the petition, be implemented:*

- *The development of a painted cycle route from Kihikihi to Te Awamutu via Park and Flat Roads;*
- *Select pedestrian facilities, such as Pioneer Walk linking Albert Park Drive facilities to Memorial Park, are signed and regulated as shared bike/pedestrian use;*
- *Installation of signs to enhance motorist awareness of cyclists at the recently modified Cambridge Road / Ohaupo Road roundabout.*

Staff Comment :

The development of a painted cycle route from Kihikihi to Te Awamutu via Park and Flat Roads; - best practice guidelines indicate that the minimum shoulder required for a dedicated cycle facility is 1.5m for a 50kph environment; this increases to 2.5m required for a 100kph environment. The urban portion of Park Road has sufficient shoulder for a dedicated cycle route, but this is at present used for on-street parking which would have to be removed.

The remaining rural portion of Flat Road has a shoulder width of only 1.0m, Park Road has almost no shoulder at the road side. Therefore road widening would have to be undertaken for a dedicated facility to be marked. At present there is no funding available to undertake road widening as a stand-alone improvement on the road network. Currently widening of roads is only undertaken in conjunction with renewal works; however none of the nominated roads are due for renewal within the next five years.

Select pedestrian facilities, such as Pioneer Walk linking Albert Park Drive facilities to Memorial Park, are signed and regulated as shared bike/pedestrian use; - Parks and Heritage Team Leader, Max Ward, has indicated that the existing pathway is currently only 1.52m wide. Best practice guidelines indicate that a path must be at least 2.5m wide before it can be designated and signed as a shared use facility. There are currently no funds available to increase the width of the path to allow for shared use. The Waipa District Council Cycling and Walking Strategy identified this as a priority project for the District.

Installation of signs to enhance motorist awareness of cyclists at the recently modified Cambridge Road / Ohaupo Road roundabout; - NZTA have been notified on this request and are investigating the situation. They initially commented that signs were installed but that the signs may have been installed too high to have been noticed by drivers. However the area is quite cluttered with signs and further educational signage may not be able to be installed at this location.

Discussion on this topic was held and there was agreement with the staff comments. It was suggested that these items could be considered by the Service Delivery Committee.

Recommendation :

- b) *That Te Awamutu Community Board recommend to Waipa District Council that it formulate a rule under the Waipa District Plan requiring signage and other identifying material to be removed from vacated businesses within one month of vacation or ceasing to operate commercially.*

Staff Comment :

Staff will investigate the Board's request to determine if such a regulatory requirement is viable and, if so, consider whether the District Plan, a Bylaw or some other approach is the most appropriate method.

Cr Barnes produced copies of photos that had been tabled at the Te Awamutu Community Board meeting.

The Deputy Chief Executive said that work is progressing on the review of the District Plan rules but it could be some years before the reviewed Plan is operative there may be other mechanisms that are available, including the possibility of strengthening the current Bylaw.

RESOLVED

1/11/17

That Council support staff to investigate regulatory measures to control the removal of signs once commercial activities have ceased.

Cr Sharpe/Cr Barnes

Recommendation:

- c) *That the Te Awamutu Community Board recommend to Waipa District Council that due to the water pump not working, overgrown weed infestation and rubbish build up, that consideration be given to draining and clearing the pond in Centennial Park, filling it in with soil and grassing it as the current condition does not enhance the park area.*

Staff Comment:

The Pond suffers from a lack of water flow. When it was built in the late 1980s it was intended that a constant supply of water would be feed from a waterfall at the head of the pond, this being sourced from the town water supply. The system never worked properly and of course in later years the use of town supply for such a purpose is inappropriate. A fountain was installed several years ago to enhance the site. It has minimal effect on water clarity. There are two stormwater inlets to the pond and one or two natural springs. The pond is occasionally drained and cleaned out. This usually provides a period of enhancement although it is difficult to manoeuvre large cleaning equipment (Diggers) around the site.

It is possible to drain, fill in and reinstate in grass if that is determined to be the best long term decision, otherwise a more regular programme of draining and cleaning will be required. This will come at a cost additional to existing operations but one expected if existing asset is to be maintained as an Amenity feature.

Parks & Reserves Team Leader said that the main issue with the pond is the lack of water flow. The pond gets very weed infested and it is best if the lake is drained annually cleaned out. However, this has not been carried out for three years until last week. He said the draining and filling is an option but the problem of getting clean fill could be an issue. A possible source of fill could be when the current BMX track is relocated but otherwise this will be left for local contractors to use and the time required for this would be unknown.

RESOLVED

1/11/18

That a report be presented to the Service Delivery Committee, considering options for the ongoing development of Centennial Park, including addressing any short term issues in relation to the pond.

Cr Barnes/Cr Hoverd

Recommendation:

d) That the Te Awamutu Community Board recommend to Waipa District Council that the area of historic reserve, which includes the Walk of Fame and new toilet block, be known and signposted by its correct name of Morgan Park.

Staff Comment

Selwyn Park has three classifications under the Reserves Act. The Historic Reserve section of 0.3024ha includes the walk of fame and section of site facing Arawata street incorporating the public toilets. The Urban Reserves Management Plan adopted in 2006 includes Selwyn Park in its entirety but does not identify the Historic Reserve as Morgan Park. There is evidence that the site has been referred to or known as Morgan Park dating back to the early 1990's soon after the site was gazetted as Historic. I understand this area of Selwyn Park was classified as Historic to protect it from inappropriate development in the event that Selwyn Park was developed in the future for some form of community use. More recently part of the reserve was used for construction of the public toilet which required Department of Conservation approval.

There is no reason why the Historic Reserve can not be named or identified as Morgan Park but given the general openness of the site the Historic Reserve is not easily identified apart from the balance of recreation Reserve. The Mission House outline (linked to the John Morgan era) is situated outside the Historic Reserve.

[Broke for Morning tea at 10.29am – reconvened at 10.52am]

Discussion on the recognition of John Morgan at the site was held. In response to questions, Parks and Reserves Team Leader said that there is already a sign there that says Morgan Park and it has always been known as that. However, there was some difficulty in differentiating that from Selwyn Park.

15 RESOLUTION TO EXCLUDE THE PUBLIC

File: 01-37-01

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

RESOLVED

1/11/19

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

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 Gower/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
ITEM 16	<i>Circulated separately to Councillors</i>	<i>Proposed Programme and Costs for Staged Development and Sale of Surplus Council Properties in Cambridge.</i>	<i>Good reason to withhold exists under section 7</i>	<i>Section 48(1)(a)</i>

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:

ITEM 16	<i>i</i>	<i>Enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities</i>		<i>Section 7(2)(h)</i>
	<i>ii</i>	<i>Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</i>		<i>Section 7(2)(i)</i>
	<i>iii</i>	<i>Prevent the disclosure or use of official information for improper gain or disadvantage</i>		<i>Section 7(2)(j)</i>

16 PROPOSED PROGRAMME AND COSTS FOR STAGED DEVELOPMENT AND SALE OF SURPLUS COUNCIL PROPERTIES IN CAMBRIDGE

This item was taken with the public excluded.

The public were readmitted to the meeting at 11.30am

Meeting adjourned at 11.30am for presentation by Environment Waikato.

Reconvened at 1.06pm

**17 LATE ITEM – MAUNGATAUTARI: UPDATE ON DEVELOPMENTS –
INFORMATION ONLY**

Manager Community Relationships, J Tyrrell, provided an update on developments with the Maungatautari project.

There being no further business the meeting closed at 1.27pm

CONFIRMED

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MAYOR