

Time: 9.00am
Date: Tuesday 31 May 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, VT Wilson

Others

Chief Executive – G Dyet; Group Manager Planning and Community Relations – R
McNeil (item 10); Group Manager Business Support (from item 10); Financial Planner
– D Frederick; Management Accountant – S Paterson; Governance Support Senior – C
Shaw

Public and Press - 4

2 APOLOGIES

RESOLVED

1/11/28

That the apology from Cr Webber for non-attendance be received.

Cr Sharpe/Cr Simmons

3 DISCLOSURE OF MEMBERS' INTERESTS

There were no new disclosures of members' interests.

4 VISITORS

Local Government New Zealand President Lawrence Yule attended the meeting at 10.40am to meet with Councillors.

Senior Sergeant Dave Simes, the Waipa Sub-Area Supervisor and John Ward of the Te Awamutu, Cambridge and Kawhia townships for the NZ Police attended the meeting at 11.45am and provided a presentation on crime statistics around the District. Mayor Livingston then invited Mr Simes and Mr Ward to join the Council for lunch.

5 MINUTES OF PREVIOUS MEETING

RESOLVED

1/11/29

That the minutes of the meeting of the Waipa District Council held on Tuesday 26 April 2011, having been circulated, be taken as read and confirmed as a correct record subject to the word "councillor" being changed to "Mayor and Councillor" on page 2.

Cr Gower/Cr Thomas

6 LATE ITEMS

An update on Maungatautari Ecological Island Trust was requested to inform Councillors as to the current situation. This update would be provided by the Chief Executive at the conclusion of the meeting.

7 CONFIRMATION OF ORDER OF MEETING

RESOLVED

1/11/30

That the order of the meeting be confirmed.

Cr Sharpe/Cr Thomas

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

File: 75-09-06

Councillors reported on attendance at functions around the District as follows:

- Cr Milner reported on the meeting of the Cambridge Community Board.

- Cr Sharpe reported on the local government zone 2 meeting with various speakers. She also attended the reconvened hearing for the Hamilton Airport Runway extension and designation.
- Cr Gower reported on a course he attended in Rotorua called “Financial Governance 101”, he commended the course for others to attend.
- Cr Barnes reported on attendance at the Nations Cup held at the Kihikihi Domain which was the 50th anniversary of the event, as well as the Orakau Battle commemoration followed by a meeting concerning the future of the Te Awamutu Museum.
- Cr Taranaki attended the opening of the Cambridge Lions Club new BBQ at Lake Te Koutu and said that the bricks, which were supplied free for the community to use, came from Christchurch.
- Mayor Livingston reported on the Annual Industry Training Organisation Awards held recently with 70 graduates from throughout the District. He, along with Cr Webber and Chief Executive Dyet, met with Transpower and visited the monopoles which had been erected where the new 400Kv power transmission line crosses Lake Karapiro. The visual effect of the monopoles was reported to have significantly less effect on this sensitive landscape than the latticework pylons.

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 April 2011.

RESOLVED

1/11/31

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 Finn

Documents Sealed by Chief Executive

Other Documents

- a) *Licence to Occupy, Carne Technologies Ltd, Matos Segedin Drive, Cambridge*

File: P49549

Res: Delegation Manual 6.1b

(Licence to Occupy approximately 450m2 on Matos Segedin Drive for storage and parking purposes. This is the same piece of land that was previously utilised by Milestone Paving when it was situated on the adjacent property. The owner of Milestone Paving sold to Carne Technologies and it is now being used as a research and development laboratory for the meat industry).

Liquor Licences

b) *General Manager's Certificate – A E Paget*

File: 33-26-02

Pol Ref: 1.7.19

c) *General Manager's Certificate – A M Peckham*

File: 33-26-02

Pol Ref: 1.7.19

d) *General Manager's Certificate – G B Aitchison*

File: 33-26-02

Pol Ref: 1.7.19

e) *On Licence – J & K Bhai Limited trading as the Clubhouse Café & Sports Bar*

File: 33-26-02

Pol Ref: 1.7.19

f) *On Licence – Hospo Holdings Limited trading as The Stables Bar and Grill*

File: 33-26-02

Pol Ref: 1.7.19

g) *On Licence – Spotless Facility Services (NZ) Ltd trading as Velluto Café and Bar*

File: 33-26-02

Pol Ref: 1.7.19

h) *Off Licence – J & K Bhai Limited trading as the Clubhouse Café & Sports Bar*

File: 33-26-02

Pol Ref: 1.7.19

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

i) *Fencing Covenant: PJ & V V Poland*

File: 4570/415.01

(Condition of Subdivision)

- j) *Cancellation of Consent Notice*
File: SP/0024/11
File: 04520/101.51
Ref: 4.4.6(a)(i) 3
(Consent was to be cancelled as per condition 6 of SP/0024/11)

10 WAIKATO VALLEY EMERGENCY OPERATING AREA (WVEOA) – TERMS OF REFERENCE FOR JOINT COMMITTEE

File: 01-16-105

Group Manager Planning and Community Relations outlined the background of the shared services for Civil Defence activities.

Cr Finn questioned the need for the quorum being all five members and the ability for non-compliance seemed high due to unforeseen circumstances. In response, Group Manager Planning and Community Relations said that Waipa District Council was the only one not to adopt the document as presented. He said the partner Councils had not requested any change to the documents and it would be up to the Joint Committee to redress this if required.

RESOLVED

1/11/32

That

- a) *The information be received; and*
b) *The Terms of Reference [document 100519.docx] for the establishment and operation of the Waikato Valley Emergency Operating Area Joint Committee, being a joint committee established pursuant to the Local Government Act 2002, be adopted.*

Cr Finn/Cr Barnes

11 APPROVAL OF PROPOSED PLAN CHANGE 71 – TOKANUI AGRICULTURAL RESEARCH FARM

File: 65-07-71

The Chief Executive reported that AgResearch Limited (AgResearch) had lodged a private plan change application with the Waipa District Council to schedule the AgResearch property in Tokanui for agricultural research purposes.

He said the proposed private plan change was publicly notified as Proposed Plan Change 71 on 30 September 2010. Eleven submissions, and one further submission were received in response. The proposed private plan change and submissions were considered by Council's Regulatory Committee on 21 February 2011, with the Committee's decision issued on 1 March 2011.

As no appeals were subsequently lodged with the Environment Court for the proposed plan change, Council is now in a position to approve and make operative Proposed Plan Change 71.

RESOLVED

1/11/33

That

- a) *The report of Terrena Kelly, Senior Planner be received.*
- b) *Council resolves that pursuant to Clauses 17 and 20 of the First Schedule to the Resource Management Act 1991, to approve and make operative Proposed Plan Change 71 to the Waipa District Plan, attached as Appendix 1, to schedule the land owned by AgResearch Limited such that agricultural research activities are 'Permitted' within the 'research campus' and are 'Restricted Discretionary' elsewhere within the AgResearch Limited farm; and*
- c) *Once approved, to become operative on 13 June 2011 which date shall be publicly notified.*

Cr Sharpe/Cr Taranaki

[Mr Lawrence Yule – President of Local Government New Zealand addressed Council at this time. He outlined the issues facing local government at the present time and took any questions from Councillors.]

[Broke for morning tea at 10.21 and reconvened at 10.40am]

12 APPROVAL OF FEES AND CHARGES (SCHEDULE B)

File:

The Chief Executive outlined the fact that the Fees and Charges (Schedule B) had been notified along with the 2011/12 year's draft Annual Plan. No submissions had been received and Council could now adopt this Schedule which would become operative on 1 July 2011.

In response to a question regarding the new charge of \$400.00 to process resource consents for heritage and landscape areas, the Chief Executive said that there was no

discretion to remit those fees for any application. Cr Sharpe said this could be a deterrent for people with heritage homes and some compensation should be given as the benefits are for the district as a whole rather than the person owning the building.

The Chief Executive said that the \$400.00 charge was a heavily discounted price as staff recognised there was a level of public good but it is not assessed at 100%. He said an advisory note would be included in the fees accompanying any resource consent outlining the full cost and therefore showing the level of discount provided in these cases.

RESOLVED

1/11/34

That the Waipa District Schedule of Fees and Charges 2011/2012 Schedule B (document number 11012357), be adopted by Council, with all the fees and charges referred to in the Schedule to become effective on 1 July 2011.

Cr Finn/Mayor Livingston

13 LOCAL GOVERNMENT NEW ZEALAND – ANNUAL CONFERENCE

File: 01-41-02

RESOLVED

1/11/35

That Councillors Cr Milner and Cr Gower attend the 2011 Local Government Conference with the Mayor and Deputy Mayor.

Mayor Livingston/Cr Scaramuzza

14 FINANCE & CORPORATE COMMITTEE: RECOMMENDATIONS TO COUNCIL: REVIEW OF PENSIONER HOUSING RENTS

At its meeting on 3 May 2011, the Finance and Corporate Committee considered a report and advisory note recommending an increase to the Pensioner Housing rentals. During the discussions, it was noted that the advisory note is to be given to Council not less than 20 days before any communication with the tenants. This requirement for an advisory note and at least 20 days notice is contained in the March 2010 Policy Committee resolution 2/10/13d set out below:

- a) *Council approve and adopt the Pensioner Housing Policy dated 3 Feb 2010;*

- b) *Council continue to manage pensioner housing in house and within Policy;*
- c) *A review of the Palmer Street pensioner housing is to be commissioned to look at progressive replacement of these units and how this should be funded;*
- d) *Staff are authorised to initiate rent reviews in accordance with recommendation (c) above, subject to an advisory note to Council not less than 20 days before any communication with tenants; and,*
- e) *Council authorise the Chief Executive to negotiate sale and purchase agreements on the six "Own Your Own" units as and when they are placed on the market and that these be purchased using loan funds with the cost of borrowing and debt repayment met from the Pensioner Housing activity.*

The Finance and Corporate Committee agreed that this 20 day delay was not ideal and that the tenants should be informed as soon as Council had made its decisions. The Committee recommended a change to the Waipa District Pensioner Housing Policy 2010 on this basis. However, as stated, the 20 day notice requirement arises from a resolution from the former Policy Committee, rather than forming part of the Policy. It was therefore recommended that a further resolution be made by Council, amending the original resolution.

RESOLVED

1/11/36

That Council amend clause 7.8 of the Pensioner Housing Policy to:

"Rent reviews need to be initiated as part of the annual financial planning process and provided they fall within policy will take effect from 1 July with an advisory note to Council as soon as practicable before any communication with tenants."

Cr Scaramuzza/Cr Finn

15 CAMBRIDGE COMMUNITY BOARD – RECOMMENDATIONS TO COUNCIL

File:

At its meeting on 4 May 2011, the Cambridge Community Board made the following recommendation to Council :

That the Cambridge Community Board, having considered all the options for the Cambridge Pool, recommend option six to Waipa District Council.

Staff Comment :

A key requirement, at the time the Cambridge Pool project was included in the current 10-Year Plan, was that seventy-five per cent of the external community funding requirement be achieved before the project could proceed. This remains the case. The new 2012-22 Long Term Plan is currently being formulated with the intention that a draft document will be available for elected member consideration in December 2011. If achievement of the community fundraising component is not able to be demonstrated by that time Council will be required to reconsider which pool option it wants to pursue in the new 10-Year Plan.

16 TE AWAMUTU COMMUNITY BOARD – RECOMMENDATIONS TO COUNCIL

File:

At its meeting on 10 May 2011 the Te Awamutu Community Board made the following recommendations to Council :

That the Te Awamutu Community Board recommend to Waipa District Council that the new playground in Selwyn Lane/Gorst Avenue, together with all playgrounds in the district, be smoke free areas and that Waipa District Council consider and adopt a smoke free policy with appropriate signs installed in parks and reserves.

Staff Comment :

Parks and Recreation staff will work with Policy staff to review the options available and to recommend the most appropriate option for the District Parks and Reserves. Staff understand a number of Councils throughout NZ have adopted smokefree policies and provide signage but there is no enforcement. The Smokefree legislation is administered by District Health Boards.

That the Te Awamutu Community Board recommend to Waipa District Council that the storm damaged Kihikihi Children's Playground be rebuilt at the Board's preferred site of John Rochfort Park.

Staff Comment:

Staff are currently collating quotes for an insurance consideration and claim to repair the damage caused to the slide and swing. Once insurance funding is available the equipment will be repaired or replaced. Meanwhile the playground has been made safe for public use.

Staff have yet to complete their assessment around moving the playground equipment to John Rochfort Park. Once this has been completed staff will respond to the Community Board.

That the Te Awamutu Community Board recommend Waipa District Council re-evaluate the street tree list, following the storm on 26 April 2011, to establish which trees are suitable for urban roadside beautification planting before any replanting programme is undertaken.

Staff Comment: Staff have developed and are using, with the assistance of Councils arborist and advice from landowners and developers, a list of preferred tree species for urban environments. This list will be reviewed in light of the recent storm event and recommendations will be adopted concerning tree suitability.

The Chief Executive said that, as these items were being investigated and actioned by staff, no further action by Council was required at this time.

17 LATE ITEM: UPDATE ON MAUNGATAUTARI ECOLOGICAL ISLAND TRUST

File:

The Chief Executive said that there were a number of issues being worked on at the moment with a number of different parties. He said the Minister for Treaty Settlements has deferred making a decision on the Treaty settlement with Ngati Koroki Kahuhura until issues around governance of the Trust, fence security and property rights have been addressed.

He said that some landowners were not satisfied with the governance of the project and it has been suggested that a facilitator be appointed to bring the parties together to discuss and potentially resolve those issues. As yet, there is no agreement between the parties on who the facilitator or mediator should be.

Some discussion also took place on access agreements and access to the southern cell which is on private land. The owners of a block of land at the end of Tari Road have locked the gates to the southern cell and access to the mountain for the public while discussions on compensation are held. There is also some work being done around establishing protocols on this land as it has become known there is a Urupa close to the existing southern cell entranceway.

The meeting adjourned at 11.27am and reconvened at 11.45am.

There being no further business the meeting closed at 12.32pm

Confirmed

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Mayor