

Minutes of the meeting of the Council held in the Council Chambers, Waipa District Council Offices, 101 Bank Street, Te Awamutu on 29 March 2005 commencing at 9.00am.

Opening Prayer

1 ATTENDANCE

His Worship the Mayor AD Livingston

Members

EH Barnes, RJ Cooper, AJH Empson, GC Flay, PL Lee, EC Newlands – from item 7.2, GG Scaramuzza, DL Sharpe, BJ Taranaki, BS Thomas, GRP Webber

Staff

Chief Executive (JC Inglis), Deputy Chief Executive (GD Dyet) – from item 12.1, Group Manager Finance (S Kew) – items 8.2-13, Committee Secretary (C Plowright)

Public - 1

Mayor Livingston mentioned a number of events that have either taken place or are due to take place in Waipa District during March/April 2005. These include the Women's Special K Triathlon, New Zealand Secondary Schools Triathlon and the Maadi Cup at Lake Karapiro; the Waipa Weekend at Te Awamutu Events Centre; and the Mitavite Horse Trials at the Kihikihi Domain. He said this gives an indication of the type of events that are taking place in Waipa and that full use is being made of the facilities offered.

2 APOLOGIES

RESOLVED

1/05/24

That an apology for absence be received from Councillor Jull.

Cr Thomas/Cr Webber

3 LATE ITEMS

Nil.

4 CONFIRMATION OF ORDER OF MEETING

File: 01-22-21

RESOLVED

1/05/25

That the order of the meeting be confirmed.

Cr Sharpe/Cr Flay

5 VISITORS

Nil.

6 MINUTES OF PREVIOUS MEETINGS

File: 01-22-21

Minutes of meeting held on 22 February 2005 were included in the agenda.

RESOLVED

1/05/26

That the minutes of the meeting of the Waipa District Council held on 22 February 2005, having been circulated, be taken as read and confirmed as a correct record.

Cr Cooper/Cr Barnes

Matters Arising

6.1 Rukuhia Hall

File: 15-11-24

Res: 1/04/302 & 303

Councillors were advised that the sum of \$750 is being paid to the Incorporated Society, with the balance in the operating account being transferred to the Rukuhia Hall reserve account. Councillor Sharpe said the \$750 has not been received yet.

6.2 Public Access and Toilets – Maungatautari Scenic Reserve

File: 60-12-18

Res: 1/05/09

Councillor Sharpe asked if some portaloos could be sited at the Reserve for public use until a permanent toilet block has been constructed.

Mayor Livingston said the most appropriate site for a toilet block was still to be determined by the Maungatautari Ecological Island Trust (MEIT).

In answer to a question from Councillor Cooper, the Chief Executive said staff are investigating the issue concerning the existing legal access agreement but there is nothing further to report at this stage.

6.3 2004/05 Shape Correction Treatment – Park, Golf and Frontier Roads

File: 27-04-31

Res: 1/05/14

The Chief Executive explained that the shape correction treatment planned for Park Road has been put on hold pending sewage pipe work required for the Kihikihi Sewerage Upgrade but the work planned for Golf and Frontier Roads will proceed.

6.4 Licence to Occupy – Stuart Law Ltd

File: 04492/026.00

Res: 1/05/13

In answer to a question from Councillor Flay, the Chief Executive explained that an arrangement has been made with Stuart Law allowing him to park on the land previously owned by Wilson, which is now owned by Council. He said there was the ability to terminate that arrangement when Council decides what to do with the property.

6.5 Pirongia Playcentre – Resource Consent Hearing

File: 4605/003.00

The Chief Executive said the Resource Consent hearing would be held on 17 May to fit in with the availability of the Hearing Commissioner.

7 COUNCIL COMMITTEE MINUTES

7.1 Policy Committee

File: 01-85-12

7.1.1 Minutes of meeting held on 14 February 2005 were included in the agenda.

RESOLVED

1/05/27

That the confirmed minutes of the meeting of the Policy Committee held on 14 February 2005 be received.

Cr Empson/Cr Flay

Matters Arising

a) Proposed Fees and Charges – 2005/2006

File: 75-15-03

Res: 2/05/09 & 11

The Chief Executive said a final version of the Fees and Charges to be adopted had been provided to Councillors and could be kept for the year.

RESOLVED

1/05/28

That -

- a) *Fees and Charges as per the attached schedule "Fees and Charges 2005/2006" be adopted, effective from 1 July 2005, with the exception of the Fees and Charges for Building Control Fees, Dog Registration and Impounding Fees, and Resource Management Fees and Charges.*
- b) *Pursuant to Section 219 of the Building Act 2004 and Section 150 of the Local Government Act 2002, Council Fees and Charges for Building Control as presented in the attached schedule "Fees and Charges 2005/2006", be adopted with effect from 31 March 2005 and that the charges operative from 1 July 2004 be replaced as from 31 March 2005 by this resolution.*
- c) *The use and availability of the Karapiro Domain Water Sports Complex be clarified with respect to rowing use of this complex and its availability for casual hireage.*
- d) *Council delegate authority to the Chief Executive to vary the charges for Karapiro Domain Camping and Karapiro Domain Lake User Charges to best advantage of the facility, its use and the need to reasonably recover costs from revenue; and that a report on the revenue and expenditure associated with the Domain be provided to the Policy Committee by 30 June 2005.*

Cr Taranaki/Cr Thomas

**b) Review of Consultation with Community Tenants
Relating to the Lease of Council Owned or
Administered Land by Recreational, Educational
and Cultural Groups**

File: 45-05-03

Res: 2/05/22

RESOLVED

1/05/29

That -

- a) *The resolutions adopted by the Policy Committee on 9 August 2004 and presented in the Property Manager's report of 14 January 2005 as "Proposed Policy for Lease of Council Land to Community Tenants" be adopted as Council policy and implemented by agreement with tenants or when current leases expire and a new lease is negotiated.*
- b) *The common seal for the Waipa District Council be affixed to all relevant documentation.*

The proposed policy is set out below -

a) *Leasing of Land*

Council will support recreational, educational, cultural and sporting clubs by permitting use of existing reserve land at minimal cost, provided the use meets the criteria of the relevant Reserve Management Plan and the Waipa District Leisure Plan. Council seeks equity between similar groups.

b) *Assessment of Ground Rental –*

- i) *The area of lease is established.*
- ii) *The commercial rental of open space land per annum is set at 6% of the rating value of the land covered by the lease. Note that the rating value for reserve land is assessed on the basis of other fee simple land within the same vicinity.*

- iii) *This commercial rental is reduced by 2/3rd (down to 2% of the land value) to reflect the restrictions on the use of community land. This is the assessed rental. The restrictions recognise that the land is held in public ownership and that the majority is either classified as reserve or carries Town Belt status. Alternative uses are minimal or expensive to achieve.*

- iv) *A 98% subsidy is then applied to the assessed rental. This subsidy recognises the historical 'peppercorn' rental enjoyed by community tenants and the benefits that are gained from the activities of recreation, education, cultural, and sporting groups across the District.*

An example using this formula is set out below:

If land were valued at \$100,000, the commercial rental would be \$6,000; a 2/3rd reduction would reduce this figure to \$2,000; a 98% subsidy of \$2,000 would reduce the rental to \$40.00 per annum.

- c) *Lease of Council Buildings –*

Council may rent/lease buildings to community groups. The rental formula established at (b) above shall apply to the lease of buildings and shall be based on the land and building value of the property.

- d) *Standard Lease*

Council will use a standard lease document that will incorporate the terms and conditions established by this policy.

e) *Term of Lease*

Leases will generally be for a term of 5 years with two rights of renewal for a further period of 5 years. This term will be subject to the provisions of individual Reserve Management Plans and to any lease restrictions imposed by the Reserves Act.

A longer tenure of lease may be considered in specific cases where asset improvements need to be recognised.

f) *Rent Reviews*

Rental will be reviewed on renewal but will be subject to the formula established by this Policy.

g) *Allocation of Outgoings*

Lessees shall be responsible for -

- Legal obligations associated with any lessee-owned building (including holding appropriate insurance);*
- Exterior maintenance and deferred maintenance of any lessee-owned building;*
- Interior maintenance of all buildings;*
- Rubbish control and grounds maintenance for the area of land subject to the lease;*

- *All personal utility costs – including, water, sewage, electricity, gas, telephone etc. Where any water rates are not separately metered, Council will meet the costs on installing water meters to assess appropriate charges. Where the installation of a water meter is not possible, the residential uniform annual charge will apply;*
- *Payment of rates. All other rates will be administered in accordance with Council policy.*

h) Administration Fee

Lessees will be responsible for an annual administration fee at the commencement of the lease and again at each renewal of lease. This charge shall include legal costs associated with document preparation, travel costs associated with property inspections throughout the term of the lease, as well as the costs associated with Council administering the lease.

Council will review the administration fee annually and advise all lessees by 31 July of each calendar year. The initial administration charge for the 2004/2005 Financial Year shall be \$200.00 plus GST.

i) Lease of Recreational Land for Non-Recreational Use - Excluded From Policy –

Council may lease recreational reserve land not immediately required for development, to appropriate individuals or groups who will maintain the land in good order, ensure public safety, retain the passive enjoyment and the provision of open spaces within the District.

Leases to groups or individuals for the purpose of making private profits will be negotiated on a commercial basis with rentals being assessed through market values or by tender.

Where community leases that are subject to this Policy have a commercial nature, Council may increase rentals above the formula established in (b) above.

j) Existing Legal Agreements

Council will honour all existing legal agreements to community tenants. Where an existing agreement does not cover all the necessary aspects of leasing Council land, this policy will be used to address any gaps.

k) Erection or Replacement of Buildings on Council Reserves –

Council may permit the erection or replacement of buildings on reserve land subject to compliance with the relevant Reserve Management Plan.

Cr Empson/Cr Lee

c) Adoption of Amendments to the Albert Park Reserve Management Plan and Policies Relating to “Commercial Sponsorship” and Signage

File: 4492/046.00

Res: 2/05/30

RESOLVED

1/05/30

That having completed a process to amend policies 3.4.6, 3.4.7 and 3.7.5 of the Albert Park Reserve Management Plan as set out in Section 41 of the Reserves Act 1977, the Albert Park Reserve Management Plan be approved by Council subject to the changes set out in the clauses below:

- 3.4.6 *Buildings and facilities may have displayed upon them or painted on their surface any advertising of any sort provided the advertising complies with the operative Waipa District Plan, or resource consent has been granted in relation to that matter if it does not.*
- 3.4.7 *Club buildings and or pavilions may attach signs identifying the owner/occupier of that facility, providing in all instances that the signage complies with the rules and requirements of the operative District Plan.*
- 3.7.5 *The erection of permanent advertising signs, hoardings, flags or similar is prohibited on all parts of the reserve unless in accordance with the operative Waipa District Plan, or there is an existing use right in accordance with Section 10 of the Resource Management Act 1991.*

Cr Empson/Cr Webber

d) Te Awamutu Town Centre Plan

File: 01-23-01

Res: 2/05/27

The Chief Executive said Opus Consultants, who are working on the designation of the Te Awamutu Western Arterial, have been asked to extend the scope of the project to include the problems associated with heavy traffic in the CBD, so one is not considered in isolation from the other. He said Opus was preparing a report for consideration at the April Policy Committee meeting.

7.1.2 Minutes of meeting held on 14 March 2005 were included in the agenda.

RESOLVED

1/05/31

That the unconfirmed minutes of the meeting of the Policy Committee held on 14 March 2005 be received.

Cr Cooper/Cr Scaramuzza

Matters Arising -

a) Maungatautari Reserve Management Plan

File: 04-03-50

Res: 2/05/37

RESOLVED

1/05/32

That -

- a) *Council approve the classification of Lots 3 and 4 DPS 59103 as Scenic Reserve pursuant to Section 19(1)(a) of the Reserves Act 1977.*
- b) *Staff initiate the appropriate Gazette Notice for Lots 3 and 4 DPS 59103 in accordance with the requirements of the Reserves Act 1977.*

Cr Cooper/Cr Webber

b) Review of Traffic Related Bylaws

File: 45-02-08

Res: 2/05/38

RESOLVED

1/05/33

That pursuant to clause 3 of the Waipa District Council Traffic bylaw 1995, the Council authorises the Council's Regulatory Engineer to erect and maintain the traffic signs of the type described in Part VII of the fourth Schedule of the Traffic Regulations 1976 on roads in Te Awamutu and Cambridge, the nature and location of the signs are identified in the schedule attached to these minutes.

Cr Empson/Cr Lee

[Councillor Newlands joined the meeting at 9.40am.]

7.2 Regulatory Committee

File: 01-89-04

7.2.1 Minutes of meeting held on 28 February 2005 were included in the agenda.

RESOLVED

1/05/34

That the unconfirmed minutes of the meeting of the Regulatory Committee held on 28 February 2005 be received.

Cr Sharpe/Cr Taranaki

8 COMMUNITY BOARD MINUTES

8.1 Cambridge

File: 01-21-14

8.1.1 Minutes of meeting held on 2 March 2005 were included in the agenda.

RESOLVED

1/05/35

That the unconfirmed minutes of the meeting of the Cambridge Community Board held on 2 March 2005 be received.

Cr Scaramuzza/Cr Cooper

Matters Arising -

a) Cambridge Third Bridge

File: 55-03-22

Res: 5/05/044

Councillors were advised that the need for a third bridge in Cambridge could be considered when Council prepares its Long Term Council Community Plan for 2006.

b) Sister Cities – Proposed Policy

File: 01-80-03

Res: 5/05/055

It was noted that the Cambridge Community Board agrees with the concept of the Sister Cities policy as proposed by Council.

RESOLVED

1/05/36

That the Sister City relationships with Prescott and Mudgee be discontinued.

Cr Cooper/Cr Taranaki

c) Proposed New Road Names

File: 55-28-12

There was discussion about what has been the practise for the naming of roads in recent times and it was agreed that this is confusing and Council needs a policy that is easier to understand. Mayor Livingston said the issue would be discussed further when item 8.2.1 a) was considered, and it was agreed to return to this item at that time.

[Item 8.2.1 a) was taken next and then the meeting returned to item 8.1.1 c)]

Councillor Sharpe said she did not want the subdivider to be held up by Council over the issue and that she saw no problem in using a Councillor's surname. Councillor Sharpe **moved, seconded** Councillor Empson –

That Council supports the names as proposed, i.e. Norfolk Drive, Cooper Crescent, Taranaki Place, Glenroy Place and Amella Place, for the subdivision in Cambridge.

Councillor Lee said he was concerned there might be a conflict of interest in using the names of Councillors and he asked if this could be checked with the Audit Office. Mayor Livingston suggested adding the following words to the motion “..subject to assurance from the Audit Office that there is no conflict of interest or any disadvantage to Councillors whose names may be used as street names” and the mover and seconder agreed to that addition.

RESOLVED

1/05/37

That Council supports the names as proposed, i.e. Norfolk Drive, Cooper Crescent, Taranaki Place, Glenroy Place and Amella Place, for the subdivision in Cambridge subject to assurance from the Audit Office that there is no conflict of interest or any disadvantage to Councillors whose names may be used as street names.

Cr Sharpe/Cr Empson

[Councillors Cooper and Taranaki did not take part in the discussion and abstained from voting.]

d) Lake Te Ko Utu
File: 01-51-21

Mayor Livingston asked when the outcome of investigation and research into Lake Te Ko Utu would be reported back to Council. The Chief Executive gave a brief update on progress and said it was hoped the consultants would have a report ready for the 9 May Policy Committee meeting.

e) Alpha Street Telephone Box
File: 28-04-75
Res: 5/05/040 & 041

Councillor Scaramuzza said he had obtained a new quote for the Victorian style telephone box of \$5,000 plus GST. The Chief Executive said the revised quote should be referred back to the Board for consideration.

[The meeting adjourned at 10.20am and reconvened at 10.44am.]

8.2 Te Awamutu
File: 01-21-13

8.2.1 Minutes of meeting held on 15 February 2005 were included in the agenda.

RESOLVED

1/05/38

That the confirmed minutes of the meeting of the Te Awamutu Community Board held on 18 January 2005 be received.

Cr Barnes/Cr Empson

Matters Arising -

a) New Road Names – Te Awamutu
File: 55-28-12
Res: 6/05/53

The Chief Executive said a clearer policy on new road names would give the Community Boards, Council and developers some direction and a process to follow. He said it was particularly important to get the process right given the amount of growth taking place in the District and additional streets being created.

RESOLVED

1/05/39

That staff be requested to develop a draft policy on new street names for the Policy Committee to consider.

Cr Empson/Cr Lee

8.2.2 Minutes of meeting held on 15 March 2005 will be included in the April Council agenda.

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

File: 75-09-06

Councillors Thomas and Webber said they would provide a presentation on their recent waste management tour at the 26 April Council meeting. Councillor Barnes spoke about her attendance at a recent Enviroschools Education Day and a school trip to the Maungatautari Ecological Island project. Councillor Taranaki said the Kihikihi Town Hall was celebrating its centenary this year and she mentioned a commemoration ceremony she had attended to mark this occasion.

10 USE OF COUNCIL SEAL

File: 01-22-30

RESOLVED

1/05/40

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

Documents Sealed by Chief Executive

Other Documents

- a) *Grazing Lease – D Salmon (for part allotment 317 Parish of Mangapiko and Lot 3 DPS 62851 comprising approximately 3.26 ha)*
File: 04611/089.00
Delegations Ref: 5.1b lease with a term up to 5 years
- b) *Grazing Lease – P Entwistle (for allotment 29, 30, 31 and 32 Cambridge town Belt comprising approximately 9.06ha)*
File: 04361/999.01 & 02 & 03
Delegations Ref: 5.1b lease with a term up to 5 years

- c) *Easement for Services – Rae (for a fee simple section comprising approximately 1.7ha off Te Tahī Road in Otorohanga District which was part of a forestry block).*
File: 5550/504.01
Res: 1/04/45
- d) *Proxy Form – Local Government New Zealand (giving permission for Council’s proxy to vote on its behalf at the Special General Meeting to be held on 11 March 2005).*
File: 01-41-02
- e) *Easement Instrument – Twin Oaks Enterprises*
File: 4530/840.00
Pol Ref: 4.4.6 a)l)

Liquor Licenses

- f) *General Manager’s Certificate – D Patel*
File: 33-26-02
Pol Ref: 1.7.19
- g) *Club Manager’s Certificate – NM Hunt*
File: 33-26-02
Pol Ref: 1.7.19

Survey Plans sealed by Environmental Services Manager, Planning Services Manager or Senior Planner

- h) *Conservation Covenant – Echo Land Ltd*
File: 4570/237

Cr Cooper/Cr Empson

11 NOTIFIABLE CONTRACTS LET

File: 02-12-01

No Notifiable contracts to report this month.

12 FINANCIAL REPORTS

File: 01-84-16

- 12.1 Financial Report to Council for the Period Ended (137-144)**
28 February 2005.

RESOLVED

1/05/41

That the report of Group Manager Finance for the period ended 28 February 2005 be received.

Cr Scaramuzza/Cr Newlands

Mayor Livingston said staff had done an excellent job in reducing arrears from the prior year down from \$166,000 to \$89,000 and this was also a reflection of how ratepayers regard the District.

12.2 Treasury Report – Pirongia Ward

Report of Group Manager Finance for the period ended 28 February 2005 was included in the agenda.

RESOLVED

1/05/42

That the report of Group Manager Finance for the period ended 28 February 2005 be received.

Cr Sharpe/Cr Thomas

13 TRIENNIAL AGREEMENT

File: 45-08-02

Proposed Waikato Triennial Agreement 2004 – 2007 was included in the agenda.

It was noted that on the last page of Appendix One the comments attributed to Waikato – Bay of Plenty Electoral Officers Forum and the Waikato – Bay of Plenty Waste Liaison Group had been transposed.

RESOLVED

1/05/43

That the “Triennial Agreement Waikato Region” prepared following a meeting of representatives of all parties on 16 February 2005 and provided in the agenda of the 29 March 2005 Council meeting be approved and adopted as the triennial agreement for 2004 – 2007 as required by S15 of the Local Government Act 2002.

Cr Cooper/Cr Taranaki

14 WAIKATO REGIONAL AIRPORT LIMITED –STATEMENT OF INTENT FOR 2005/2006 AND INTERIM REPORT FOR SIX MONTHS ENDING 31 DECEMBER 2004

File: 40-13-01

Statement of Intent for 2005/2006 and Interim Report for Six Months Ending 31 December 2004 were included in the agenda.

RESOLVED

1/05/44

That -

- a) *Council agree to the Waikato Regional Airport's Statement of Intent for 2005/2006 received on 25 February 2005 and that the Airport Company be advised of this agreement.*
- b) *The half-yearly report to 31 December 2004 be received.*

Cr Sharpe/Cr Newlands

Councillor Sharpe said she felt there should be reference in the objectives to maintaining a good relationship with the Airport's neighbours and keeping them well informed about developments. Mayor Livingston said he would convey that suggestion to the Directors of the Airport.

15 TRANSPOWER NEW ZEALAND – 400KV GRID UPGRADE PROJECT - SUBMISSION

File: [40-20-10](#)

Deleted: 01-41-12

The Chief Executive said the content of Council's submission to Transpower had been refined, following a Councillor workshop held on 14 March, and would be presented to Transpower on 8 April.

Councillor Lee asked if some alternatives to the Western Route had been promoted in Council's submission. Mayor Livingston said alternative routes were not part of Council's brief and the New Era Group would be making comments on that aspect of the project.

RESOLVED

1/05/45

That Council forwards a submission to Transpower New Zealand that takes into account information received in consultation with affected parties and emphasises the relevant provisions of Waipa District Council's District Plan.

Cr Webber/Cr Thomas

16 OTHER COMMITTEE MINUTES

16.1 Waipa Heritage Council

File: 65-11-02

Minutes of meeting held on 17 February 2005 were included in the agenda.

RESOLVED

1/05/46

That the minutes of the meeting of the Waipa Heritage Council held on 17 February 2005 be received.

Cr Lee/Cr Taranaki

There was discussion concerning the temporary removal of Category II listed buildings from the Historic Places Trust register and Councillor Lee said he was concerned that this could create a "loop-hole" for developers. Mayor Livingston explained that this was a temporary situation and, in the interim, Council's District Plan offers those buildings some protection.

17 RATEPAYER ASSOCIATION REPORTS

17.1 Pirongia Residents and Ratepayers Association

File: 01-08-07

Minutes of Meeting held on 2 February 2005 were included in the agenda.

RESOLVED

1/05/47

That the minutes of the meeting of the Pirongia Residents and Ratepayers Association held on 2 February 2005 be received.

Cr Thomas/Cr Sharpe

Councillor Thomas asked what progress has been made with Pirongia endowment land. Mayor Livingston said the Chief Executive would make enquiries.

17.2 Ohaupo Ratepayers Association

File: 01-08-37

Minutes of meeting held on 2 March 2005 were included in the agenda.

RESOLVED

1/05/48

That the minutes of the meeting of the Ohaupo Ratepayers Association held on 2 March 2005 be received.

Cr Sharpe/Cr Thomas

There being no further business, the meeting was declared closed at 12.35pm.



**COUNCIL MINUTES
29 MARCH 2005**

CONFIRMED

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MAYOR

Completed and despatched 12 April 2005
Next Meeting: Tuesday 26 April 2005