

## **1 ATTENDANCE**

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Councillor AJH Empson - Chairperson

### **Members**

His Worship the Mayor AD Livingston – from item 6; Councillors – EH Barnes, RJ Cooper, GC Flay, GH Jull – from item 8, PL Lee, EC Newlands – except for items 1-7 & part of items 10-11, GG Scaramuzza, DL Sharpe – from item 6.1, BJ Taranaki, GRP Webber and Committee Member G Roberts

### **Staff**

Chief Executive (JC Inglis), Deputy Chief Executive (GD Dyet) – from item 8, Group Manager Policy & Strategy (R McNeil), Group Manager Assets, Community & Business Services (JM Mills) – from item 9, Planning & Policy Manager (D Frederick) – until item 8, Planning Services Manager (W Allan) – items 10-11, Building Control Manager (G Boys) – items 10-11, Special Projects Manager Utility Services (P Gunasinghe) – items 8-10, Planner (D Bayley) – items 8-10, Committee Secretary (C Plowright)

**Public - 2**

## **2 APOLOGIES**

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### **RESOLVED**

2/05/62

*That apologies for lateness be received from Councillors Jull and Sharpe and for absence from Councillor Thomas.*

Cr Webber/Cr Taranaki

## **3 LATE ITEMS**

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Nil.

## **4 CONFIRMATION OF ORDER OF MEETING**

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File: 01-85-12

### **RESOLVED**

2/05/63

*That the order of the meeting be confirmed.*

Cr Lee/Cr Barnes

## **5 VISITORS**

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Nil.

[Mayor Livingston joined the meeting at 9.05am.]

## **6 MINUTES OF PREVIOUS MEETINGS**

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File: 01-85-12

**Minutes of Policy Committee meeting held on 9-11 May 2005 were included in the agenda.**

### **RESOLVED**

2/05/04

*That the minutes of the meeting of the Policy Committee held on 9-11 May 2005 be received subject to the following amendments -*

- a) *Amend the last sentence on page 19 to read "Mayor Livingston said that whilst Council is supportive of the project its involvement would be limited because the reserve is owned and administered by the Department of Conservation.*
- b) *Amend the second to last bullet point on page 25 to read "Include the upgrade of public toilets at Albert Park. \$20,000 to be used from the \$300,000 allocation for the development of Selwyn Park to cover the cost of the toilet upgrade. Replacement of fluorescent lighting under the grandstand to be funded from the routine maintenance and operating budgets sufficient to return them to the standard they are at present but any enhancements in the standard of lighting is to be met from the Cricket Club."*
- c) *Add the word "Village" after the word "Pirongia" to the last bullet point on page 25.*
- d) *Amend the two bullet points on page 27 to reflect the changes in b) and c) above.*

Cr Barnes/Mayor Livingston

[Councillor Sharpe joined the meeting at 9.10am.]

**Matters Arising -**

**6.1 Draft Annual Plan – Consideration of Submissions (Footpaths, Kerb and Channel)**

File: 01-91-37

Councillor Barnes said nothing had been done on footpaths in Kihikihi for the last two years and asked if work had been put on hold pending the sewerage project.

The Chief Executive said he did not think any programmes had been put on hold. He said he understood Kihikihi was well provided for with footpaths and there was no funding signalled for that kind of work in the 10 year programme. Mayor Livingston said it has been signalled in the LTCCP that it is desirable to do some work in Kihikihi following the sewerage upgrade and it will be up to ratepayers in the Community Board area to determine how much should be done and balance that against affordability.

**6.2 Draft Annual Plan – Consideration of Submissions (Graffiti Removal)**

File: 01-91-37

The Chief Executive said the graffiti in the walkway between Alexandra Street, Te Awamutu and the Mahoe Street carpark is being attended to. He said he would find out what is happening regarding the painting out of graffiti in other areas.

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**7 CONSIDERATION OF THE AMENDED DRAFT 2005/06 ANNUAL PLAN**

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File: 01-91-37

**The draft 2005/06 Annual Plan, amended following consideration of submissions, was provided separately.**

Group Manager Policy and Strategy, Ross McNeil, said the draft Annual Plan for 2005/06 was being presented for the Policy Committee's confirmation prior to its adoption by Council on 28 June 2005.

He said a summary of the changes made as a result of submissions on the draft Annual Plan had been included in the agenda and those that have a funding and rating impact had been summarised on the last page of the draft Plan. He said the only change that would have rating impact was the increase to Cambridge Community Board's minor community works allocation.

Mayor Livingston asked whether it would be possible for Council to provide the Maungatautari Ecological Island Trust (MEIT) with some funds now, to be paid for by a loan, to allow them to carry out the work that is needed within the next couple of years. He asked if it would be possible to use reserve development funds to pay off the interest from a loan. The Chief Executive said it would be helpful for Council to see how the project is progressing in line with its business plan before Council decides whether it wishes to lend money to MEIT. He said he did not advise approving such a request at this time, but adopting the Annual Plan would not preclude Council from considering the issue at a later stage. Chairperson Empson said the comments on page 20 of the draft Plan covered the situation and provided quite a lot of flexibility.

Mr McNeil said there was a short statement on page 42 of the draft Plan about the pricing issues currently under consideration for the Kihikihi wastewater reticulation project. He suggested that the Committee come back to this item following consideration of item 13 (Contract for the Construction of the Kihikihi Sewerage Reticulation and Connection to the Te Awamutu Network) to confirm the wording of that statement.

[The Committee considered items 8-13 next and returned to consideration of item 7 at the conclusion of the meeting.]

The Chief Executive suggested that, in light of the outcome of agenda item 13, the statement on page 42 of the Plan should include the tendered price for the Kihikihi sewerage project, the increase in cost and the fact that the increase is eligible for government subsidy.

**RESOLVED**

2/05/05

*That Council -*

- a) *Approve the financial estimates for the 2005/06 financial year with a rate requirement of \$25,227,000, as amended following consideration of public submissions.*
- b) *Pursuant to Section 95 of the Local Government Act 2002, adopt the 2005/06 Annual Plan, as amended following consideration of public submissions.*
- c) *Pursuant to Sections 23 and 24 of the Local Government (Rating) Act 2002, and in accordance with the 2004-2014 Long Term Council Community Plan and the Funding Impact Statement for the 2005/06 financial year, set the rates for the 2005/06 financial year.*
- d) *Amend the statement concerning Kihikihi Wastewater Reticulation, on page 42 of the 2005/06 Annual Plan, to include tender prices for the project, the increased cost of the project and the fact that the increase is eligible for government subsidy.*

Cr Newlands/Cr Barnes

## **8 REVIEW OF TRAFFIC RELATED BYLAWS**

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File: 45-02-08

**Amended Proposed Speed Limit Bylaw, accompanying Register and the Amended Proposed Stock Droving Bylaw were included in the agenda.**

Group Manager Policy and Strategy, Ross McNeil, explained that when this item was considered by the Policy Committee, in conjunction with the submissions received on it, there was an issue around the format of the Waipa District Speed Limit Bylaw 2005 and how the speed limit information is to be documented and managed. He said legal advice indicates that the matters that Land Transport New Zealand (LTNZ) had a particular concern about could be managed by way of a separate register that would not impact on Council's ability to confirm the Bylaw and would provide a flexible means for undertaking future changes to speed limits through a Council resolution.

Mr McNeil said a number of the requests received from submitters on the proposed Bylaw had been included in the register. He explained the process and timeframe for seeking final approval from LTNZ and the Police and confirming the Bylaw. He said LTNZ was still unhappy about a number of minor issues, but they do not want to hold up the process in dealing with them, and it has been agreed to re-examine the register and those particular issues in six to nine months' time.

Councillor Webber said he was disappointed that LTNZ is deciding what is appropriate for the local community. He said it made no sense for Rolling Place to have a 70km speed restriction when it's just 146 metres long, has no footpath and the BMX track is located there. He mentioned several other examples where LTNZ have not accepted the requests from submitters. Mr McNeil said that whilst some of those requests appear to warrant a speed reduction, they couldn't be justified if they fall outside of the LTNZ framework. He advised the Committee to identify any issues in the register that they feel are not acceptable and there will be the opportunity to work with LTNZ on those issues once the Bylaw has been made. He also explained why there is the need for Rowling Place to have a 70km/hour and 50km/hour speed restriction in place, in line with LTNZ requirements.

[Councillor Jull joined the meeting at 9.50am.]

The Committee then considered the register of speed restricted roads when the following alterations and queries were noted –

| Page No | Road Name                                       | Alteration/Query  |
|---------|---|---|
| 10      | Lamb Street from Burns Street to Carlyle Street | Change to "Lamb Street from Rowling Place to Carlyle Street".   |
| 16      | Victoria Street (bridge)                        | Add a note explaining that the bridge is subject to a 25km speed limit as it has a weight restriction and that this is a different piece of legislation to the Speed Limit Bylaw. |
| 27      | Armstrong Street                                | Change to Armstrong Avenue  |
| 30      | Cotswald Close                                  | Query spelling.   |

[Councillor Newlands joined the meeting at 10.20am.]

|    |   |   |
|----|---|---|
| 32 | Flushing Meadows  | Query status of this road (could be a shared access private road)   |
| 41 | St Leger Road   | This is listed as a 50km/h road, thought to be 70 or 100km/h.   |
| 46 | Carlyle Street from a point on Carlyle Street 65 metres southwest of Browning Street to the south-western end of Carlyle Street | This is felt to be a dangerous intersection (Roto-o-Rangi/Carlyle Street crossroads). Asked whether the speed limit could be re-examined. |
| 49 | Eric Lane, Holmwood Drive and Reid Road   | Check whether these should be in the 50km/h zone.   |
| 51 | Collinson Street  | Check whether this should be in the 50km/h zone.  |
| 56 | Koromatua Road 200 metres west of Tuhikaramea Road to 240 metres east of Barrett Road.  | Queried whether there was a safer place for the 80km/h zone to start.   |
| 56 | Maungatautari Road 50 metres northwest of Judd Lane to 850 metres south of Judd Lane.   | Asked whether this zone could be extended 400 metres northwest of Judd Lane and at least north of Hydro Road.                             |

It was explained that the reference to "See Section 9 – EXEMPTION" in the schedule should be amended to "Section 12". This is a section in the Bylaw which explains that a road is administered by another roading authority (i.e. if it is a State Highway). It was agreed to add a note to the schedule explaining that Council does not have the ability to set speed limits on State Highways.

Mayor Livingston asked if an explanation could be provided on what changes have been made to the register as a result of the submissions from Karapiro and Pirongia Villages. With respect to Karapiro, Mr McNeil said it was proposed that there be a 70km/hour speed limit 300 metres west of State Highway One on Hydro Road, just before the entrance to the rural residential area, and that this would continue toward Karapiro Village. He said the existing 50km/hour speed restriction sign would be moved around the corner closer to the village.

With respect to the submissions from Pirongia Village asking for extensions to the 50km zones in Baffin Street, Franklin Street (northern end) and Collinson Street, Mr McNeil said there was no ability to make those changes requested within the LTNZ criteria. He said the 70km/hour zone on Crozier Street had been extended eastwards to the other side of Collinson Street but it had not been possible to extend the 70km/hour zones on Pirongia Road and Kakaramea Road (between Kane Street and Bird Road).

Mayor Livingston asked if staff could look again at changing Collinson Street to a 50km/hour zone because of the number of residents that have moved into that area.

The Chief Executive said that for each suggested alteration to the schedule staff would see if it was possible to make those changes and, at the very least, supply an explanation about why the changes could not be made. He said that information would be provided to the 28 June Council meeting when the Bylaw is scheduled to be confirmed.

[The meeting adjourned at 10.40am and reconvened at 11.00am.]

**RESOLVED**

2/05/66

*That Council, pursuant to Sections 83, 145 and 157 of the Local Government Act 2002 and the Land Transport Rule: Setting of Speed Limits 2003 – Rule 54001, make the Waipa District Council Speed Limit Bylaw 2005, as amended following consideration of public submissions, and addressing the issues raised by the Policy Committee at its meeting of 13 June 2005, come into force on 1 July 2005.*

Cr Cooper/Cr Jull

Mr McNeil said that whilst there had been no submissions, some minor editorial issues relating to the Stock Droving Bylaw had been addressed. Councillor Sharpe asked if it would be possible to send the new Bylaw to individual farmers to make them aware of the changes. Mr McNeil said Council would be publicly advertising the new Stock Droving Bylaw coming into effect with a summary on the new provisions. The changes will also be highlighted in the Word on Waipa.

**RESOLVED**

2/05/67

*That Council, pursuant to Sections 83, 145 and 157 of the Local Government Act 2002, make the Waipa District Council Stock Droving Bylaw 2005, to come into force on 1 July 2005.*

Cr Taranaki/Cr Webber

**RESOLVED**

1/05/68

*That Council revoke -*

- a. *The Waipa District Council Speed Restriction Bylaws 1995, 1996, 1998 and 1999;*
- b. *The Waipa District Council Stock Droving Bylaw 1993;*
- c. *The Waipa District Council Victoria Bridge No. 1 Bylaw 1991;*

*with effect from 1 July 2005.*

Cr Webber/Cr Cooper

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**9 ESTABLISHMENT OF A WAIKATO REGION COUNCIL CONTROLLED ORGANISATION**

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File: 01-69-04

Group Manager Policy and Strategy, Ross McNeil, said work was progressing with the establishment of a council controlled organisation (CCO) in the Waikato Region to oversee the future development and delivery of shared services. He said Council has sought public comment on the proposal, no submissions have been received, and it is recommended that Council approve the establishment of and shareholding in the Shared Services CCO.

Mr McNeil said Council has a policy on the appointment of directors to CCO's and that it would need to have regard to the policy during the appointment process. It has been proposed that the directors should be Chief Executive Officers. He explained that Waikato Regional Council and Hamilton City Council would each have a director appointed to the CCO and the remaining directors would be appointed from groups of councils. He said there would be one director representing Otorohanga, Waipa and Waitomo District Councils Executive Officer.

The Chief Executive said he had no difficulty with the director being a Chief Executive Officer but he thought there should be representation from every member local authority. He said he felt the issue regarding appointment of directors should be addressed further to Council's satisfaction before it makes a decision on that aspect of the proposal.

A number of Councillors said they were concerned about the proposal regarding appointment of directors to the CCO and that there should be equal rights for all the councils involved. Councillor Lee said he was concerned about each council's representation with voting. He said he also felt that Councillors should be involved in the CCO. It was explained that it would be appropriate for a Chief Executive to be a director because the CCO would be working at an operational level and that there could be political input from Council at another level.

Chairperson Empson said he did not understand how a representative from three councils could act in the best interests of each individual council on the CCO, particularly when the councils might not all be involved in the same type of business.

The Chief Executive said the Committee's views on the appointment of directors had been helpful and would allow him to broach the subject before the establishment of the CCO. He suggested that the Committee accept the recommendations contained in the agenda and comments made during the discussion would be noted in the minutes.

**RESOLVED**

2/05/69

*That Council -*

- a) *Pursuant to Sections 56 and 83 of the Local Government Act 2002, confirm the establishment, in conjunction with the local authorities of the Waikato Region, of a council controlled organisation to oversee the development and delivery of shared services across the region.*
- b) *Pursuant to sections 56 and 83 of the Local Government Act 2002, confirm its intention to become a shareholder in a council controlled organisation referred to in a) above.*
- c) *Have regard to its policy on the appointment of directors to council organisations when considering the appointment of a director to the council controlled organisation referred to in a) above and note the discussion at today's meeting.*

Cr Scaramuzza/Mayor Livingston

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**10 OHAUPO PLAN CHANGE 22 – STAGE 1 REPORT**

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File: 65-07-22

**Report of Planner, David Bayley, dated 13 May 2005 was included in the agenda.**

Deputy Chief Executive, Garry Dyet, reminded the Policy Committee that there is a commitment in this year's Annual Plan to notify a Plan

Change for the rezoning of an area of land for rural-residential development in Ohaupo. He explained that Council is required to undertake a special consultative procedure as part of the Plan Change process and he said the report provided feedback on the technical investigations and public consultation that has taken place.

Planner, David Bayley, said the Policy Committee had considered the proposed Plan Change in February 2005 and had given approval for investigations in this area. He said that whilst the resolution passed at that meeting (2/05/15) made reference to the inclusion of an area of land to the north he believed it had been the intention of the Committee to include the existing residential zone block, known as the Edwards block, in the proposed Plan Change.

Mr Bayley said consultants had undertaken traffic impact, water supply and wastewater assessments and their findings had been included in the report. He outlined the options, recommendations and financial implications for providing the physical infrastructure required for the development which would lead from a Plan Change. It was explained that whilst the results of the consultants' investigations show that rural-residential development is achievable, it would require upgrades to existing roading and water supply services which would have financial implications for developers and/or Council.

Mr Bayley said feedback from residents on the proposed rezoning was generally positive and landowners had been largely enthusiastic. He explained the next stage in the process, which will be the drafting of concept and structure plans, further public consultation, and then referral of a Stage 2 report back to the July Policy Committee meeting. Formal public notification as required under the Resource Management Act would then take place. Mr Bayley said feedback from the Committee on the various infrastructure options included in the report would be used to draft the structure plan.

Councillor Sharpe thanked Mr Bayley for the work he has done on the proposed Plan Change and, in particular, the way he has gone about it. She said she had initially preferred cul-de-sacs for the development but now supported the through road provided there are sufficient speed restrictions and other means of traffic calming put in place. She also spoke about the possibility of having dual water and stormwater systems on each property to provide for water conservation. Mr Bayley said staff would investigate that option.

[Councillor Newlands left the meeting at 11.58am.]

Chairperson Empson said there were a variety of conservation options that could be explored during the rezoning process.

Several Councillors spoke in support of one road for the development provided there is sufficient deterrent to through traffic. There was also discussion concerning options for stormwater management and it was explained that the preferred option is for individual houses to put in rainwater tanks. Mr Bayley said that could be made a mandatory requirement through the Plan Change.

There was lengthy discussion concerning the use of Development Impact Fees (DIFs) for development of both the residential and the rural-residential areas. Mr Dyet explained how implementing DIF levies under the Local Government Act, which becomes operative on 1 July 2006, would allow for more flexibility than is currently available under the District Plan.

Mayor Livingston asked if it was possible to install kerb and channel as part of the infrastructure development. Mr Dyet said doing so would add a significant cost to the development. He said reducing the lot sizes would make that proposition more economic but residents have not indicated a preference for smaller lot sizes.

**RESOLVED**

2/05/70

*That -*

- a) *The report of the Planner dated 13 May 2005 be received.*
- b) *The Policy Committee authorises Council officers to draft proposed Plan Change 22 for further preliminary public consultation.*
- c) *Officers report back to the Policy Committee with the draft proposed Plan Change 22 and the results of public consultation.*

Cr Sharpe/Cr Flay

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**11 RELOCATED BUILDINGS**

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File: 01-52-01

**Report of the Planning Services Manager and Building Control Manager dated 24 May 2005 was included in the agenda.**

Deputy Chief Executive, Garry Dyet, explained how relocated buildings are governed by the Building Act, the Resource Management Act (RMA) and the District Plan, requiring both a resource consent and a building consent. He said Council had made operative a change to the District Plan in September 2004, which increased standards for second hand buildings, and they are now a discretionary activity in the residential zone.

He said Council's planning and building staff had amended current practice in processing applications for relocated buildings to ensure the process is more robust.

Planning Services Manager, Wayne Allan, said the Environment Court has indicated that relocated building applications should not be subject to the type of restrictions being imposed by some councils. However, he said concern from the community about the impact of relocated houses on residential amenities, property values and fitting into the existing residential character had been taken on board when preparing the District Plan Change. He said staff are currently exploring issues relating to bond requirements.

Building Control Manager, Gary Boys, said one particular developer had brought the situation to a head and Council had now changed its policy making it a requirement that a Council Building Control Officer must inspect all buildings in excess of 50 years of age. He said that, to date, all applicants had been able to provide information to Council on how they intend to bring the relocated building back to a sanitary state. However, that level of detail has recently been tightened, with better plans and specifications now being required.

Councillor Lee said he was concerned about sub-standard houses being moved into the Waipa District and that it should be possible for Council's building inspectors to decline those sorts of applications.

[Councillor Newlands rejoined the meeting at 12.40pm.]

Mayor Livingston said it would provide the community with more confidence if every building due for relocation was inspected, not just those in excess of 50 years of age, and a clear message would be sent to developers. Councillor Sharpe said Council already has more control over second-hand buildings than it does over new ones.

**RESOLVED**

2/05/71

*That the report of the Planning Services Manager and Building Control Manager dated 24 May 2005 be received.*

Cr Sharpe/Cr Empson

Mr Boys said that, in staff's experience, houses less than 50 years of age have not dropped into the dangerous or insanitary condition of houses that have raised this concern. He said reports and photographs are sufficient for staff to assess whether they are acceptable for relocation, subject to the appropriate conditions.

Councillor Lee **moved, seconded** Mayor Livingston (proforma) –

*That all houses are to be subject to an inspection by Council's Building Control staff and adequately bonded before consideration for relocation.*  
(Resolution 2/05/72)

Chairperson Empson put the motion which was **carried** on a show of hands with the Chairperson's casting vote (7 for, 6 against). He said staff would provide more information on the cost and implications of inspecting all houses requiring relocation.

[The meeting adjourned for lunch at 12.50pm and reconvened at 1.16pm.]

## **12 RESOLUTION TO EXCLUDE THE PUBLIC**

File: 01-37-01

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

### **RESOLVED**

2/05/73

*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:*

| <b>Item No</b> | <b>Minutes/Report of:</b>   | <b>General subject of each matter to be considered</b>   | <b>Reason for passing this resolution in relation to each matter</b> | <b>Ground(s) under section 48(1) for the passing of this resolution</b> |
|----------------|---|--|--|---|
| 13             | Report of Group Manager Assets, Community & Business Services to be tabled. | Contract for the Construction of the Kihikihi Sewerage Reticulation and Connection to the Te Awamutu Network | Good reason to withhold exists under section 7                       | Section 48(1)(i)  |

*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:*

|                |                         |                  |
|----------------|-------------------------|------------------|
| <b>Item No</b> |                         |                  |
| 13             | Conduct of negotiations | Section 7(2) (i) |

Cr Lee/Cr Newlands

**13 CONTRACT FOR THE CONSTRUCTION OF THE KIHIKIHI SEWERAGE RETICULATION AND CONNECTION TO THE TE AWAMUTU NETWORK**

File: 85-11-04

This item was considered during the public excluded session of the meeting

[The public were readmitted at 2.12pm.]

**14 REPORTING OF RESOLUTIONS MADE IN PUBLIC EXCLUDED SESSION**

**14.1 Contract for the Construction of the Kihikihi Sewerage Reticulation and Connection to the Te Awamutu Network**

File: 85-11-04

**RESOLVED**

IC2/05/01

*That information relating to this item can be made publicly available remembering that a lot of the figures are what may eventuate and are indicative only.*

Chairperson Empson/Cr Newlands

[The meeting then returned to consideration of item 7.]

Councillor Sharpe requested leave of absence from the 11 July Policy Committee meeting.

There being no further business, the meeting was declared closed at 2.20pm.

**CONFIRMED AS A TRUE AND CORRECT RECORD**

**CHAIRPERSON:** \_\_\_\_\_

**DATE:** \_\_\_\_\_