

WAIROA DISTRICT COUNCIL

ORDINARY MEETING OF COUNCIL

Minutes of an Ordinary Meeting of Council held in the Wairoa District Council Chambers, Coronation Square, Wairoa on Tuesday 11 December 2007 at 10:00 am.

PRESENT: His Worship the Mayor, L Probert (Chair)

COUNCILLORS

D Eaglesome, D Caves, J Heron, C, Cairns, B McKinnon, and J Petersen.

IN ATTENDANCE: P Freeman (Chief Executive Officer)
T Cook (Administration Manager)
R Snow (Finance Manager)
N Cook (Engineering Manager)

CIVIC PRAYER

Councillor Eaglesome gave the Civic Prayer.

APOLOGIES

NIL

CALLS FOR CONFLICTS OF INTEREST

Nil

CALLS FOR ITEMS OF URGENT GENERAL BUSINESS NOT INCLUDED IN THE AGENDA AND NOTICES

1. Late Item – Air Conditioning Administration Offices (Administration Manager)
2. Late Item – Draft Memorandum of Understanding Wairoa District Council and Wairoa Community Development Trust (Chief Executive Officer)
3. Late Item – Letter From Walkway Committee (Engineering Manager)
4. Late Item – Annual Report For Year Ended 30 June 2007 (Finance Manager)
5. Policy Review (Councillor Petersen)
6. Wairoa Cemetery (Councillor Caves)
7. Bike-wise Mayoral Challenge (Councillor Eaglesome)
8. Regional Development Roothing (Chief Executive Officer)
9. Tea & Scones – Tuai (Chief Executive Officer)
10. Long Term Council Community Plan (Chief Executive Officer)

GENERAL BUSINESS

His Worship the Mayor asked that the following items 'Wairoa Age Concern' and 'Mahia Beach Craft Fair Market' be brought forward in the Agenda for discussion so that those in attendance could speak to the item.

WAIROA AGE CONCERN

A.24.18

<u>Resolved:</u> <i>That the report be received.</i> <i>Eaglesome/Cairns</i>
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Ngaire Jones, Secretary/Treasurer of Grey Power – Wairoa, thanked the Mayor and Councillors for being provided an opportunity to speak against the proposal put forward to Council by Wairoa Age Concern.

Grey Power Wairoa believed it was not necessary to establish the position of 'Older Person's Co-ordinator, when there were three or four other community based organisations that assisted in the support of elder persons, and could work toward the implementation of Council's Older Person's Policy.

Grey Power expressed disappointment that no approach had been made by Age Concern to other organisations to discuss the establishment of the proposed position and were further of the opinion that if Council were to do so, that it may leave Council wide open to further funding requests from other community based organisations.

His Worship the Mayor thanked Grey Power – Wairoa for making their position known to Council, acknowledging that communication and working together go a long way toward the delivery of policy and that the need for co-ordination between the various groups working to the benefit of the 'Older Person' was a valid argument.

The Chief Executive Officer informed those present that Council's Older Person's Policy had been adopted following extensive input from all organisations involved in the care and/or representation of Older Person's in the Wairoa District. Where proposals and/or submissions were received as related to that policy, Council were only restricted by the decisions they made.

Given the controversial and conflicting statements that had been heard by Council, Councillor McKinnon was of the opinion that the proposal be deferred to the Long Term Council Community Plan, which would allow for the submission to be heard and debated.

<u>Resolved:</u> <i>That Council defer the proposal to the hearing of submissions to the Long Term Council Community Plan 2008/2009.</i>	McKinnon/Heron
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Councillors expressed concern at the acknowledged lack of co-ordination between organisations that represented the 'Older Person' and that it was important that Council not be seen to be favouring one group above another.

<u>Resolved:</u> <i>That the Community Portfolio Holders facilitate a meeting between the various community groups and report back to Council.</i>	Heron/Cairns
AGAINST: Councillor Petersen	

MAHIA BEACH CRAFT FAIR AND MARKET **G.01.01**

<u>Resolved:</u> <i>That the report be received.</i>	Heron/Caves
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Kimberley Bell thanked Council for being given an opportunity to present their proposal to establish a regular Craft and Produce Market at Mahia.

The proposal was that the Seaside Market operates on Sundays and Wednesdays from 9am to 1pm. The vision was to promote produce and craft of the Mahia and wider Wairoa District. A set eligibility criteria had been established, with a majority of stallholders to be of origin within the Wairoa District. Limitations had also been set as to the number and size of stalls. Organisers and stallholders would retain responsibility for site maintenance and meeting health standards imposed, and as such, were seeking a token lease agreement from Council, in writing, that would allow for the prevention of misuse of the proposed site and the overall concept.

His Worship the Mayor stated that any venture that attracts to and adds enjoyment to an area was a good thing. A number of markets based upon similar concepts were well supported and attended in Gisborne, and Hawke's Bay.

<u>Resolved:</u> <i>That Council approve the trial use of Pohutukawa Reserve to 31st March 2008 at a fee to be determined, and that the organising group liaise with the Chief Executive Officer.</i>	Petersen/Eaglesome
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Councillor Caves expressed concern in that a petition had been received from residents of Mahia previously as pertained to the use of Pohutukawa Reserve by a commercial venture and that the market in itself could be perceived as being a commercial venture.

Councillor McKinnon stated that if the trial period was deemed to be successful, the concept of holding a regular Craft Market would need to be included within the Reserves Management Plan, with the focus moving to the more appropriate utilisation, expansion, and development of Paua Reserve as a preferred site.

The Chief Executive Officer informed those present that the general thrust of the Pohutukawa Reserves Management Plan was to move people along to the passive recreational areas. Commercial use of the reserve was not permitted under the plan, however if a proposal put to Council was deemed to be community based, then Council could approve the use.

Receipt/Confirmation of Minutes of Previous Council Meetings

SPECIAL MEETING OF COUNCIL HELD 31 OCTOBER 2007

The Minutes of a Special Meeting of Council held 31 October 2007 were presented.

<u>Resolved:</u> <i>That the Minutes of the Special Meeting of Council held 31 October 2007 be confirmed as correct.</i> Eaglesome/Heron
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ORDINARY MEETING OF COUNCIL HELD 13 NOVEMBER 2007

The Minutes of an Ordinary Meeting of Council held 13 November 2007 were presented.

<u>Resolved:</u> <i>That the Minutes of an Ordinary Meeting of Council held on 13 November 2007 be confirmed as correct subject to amendment.</i> Petersen/His Worship the Mayor
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DISCUSSION

Councillor McKinnon sought an amendment to the minutes as the original motion, moved by Councillor McKinnon, and seconded by Councillor Heron to debate the amendment to the resolution of the Inaugural Meeting of Council, with an inclusion that the salary be reviewed in twelve months had not been included.

The Deputy Mayor believed that the amendment proposed reflected that the matter had been one of a personal nature and as such, she would maintain an extensive diary of her activities to justify the difference in payment of salary, and report back to Councillors of said activities in great detail at the time of salary review.

GENERAL BUSINESS

DOCUMENTS SEALED FOR THE PERIOD 19 FEBRUARY 2007 TO 22 NOVEMBER 2007

<u>Resolved:</u> <i>That the report be received.</i> Cairns/Eaglesome

Councillor Petersen questioned why the report covered a nine-month period, preferring that information on sealed documents be presented monthly. The Chief Executive Officer agreed that information should be presented on a monthly basis, and that this would be implemented for future Agendas of Council.

TRUSTEE APPOINTMENT TO WAIROA COMMUNITY CENTRE TRUST

D.03.100

The Chief Executive Officer spoke to the report advising that it was an administrative matter that needed to be addressed. Correspondence had been received from the Wairoa Community Centre Trust, who were in the process of making application for charitable status, seeking confirmation of the approval of the appointment of Chris Joblin as a Trustee.

While a letter was received by the Trust seeking Councils approval of Mr Joblin's appointment in 2000, no action was taken by Council to support this request. As such, the Chief Executive Officer was seeking the retrospective appointment of Mr Joblin as a Trustee.

Resolved:	<i>That Council retrospectively appoint Mr Chris Joblin to the Wairoa Community Centre Trust.</i>	Caves/Eaglesome
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DELEGATION – WARRANT TO ACT - PLANNING

C.18.03

Resolved:	<i>That the report be received.</i>	Petersen/Caves
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Resolved:	<i>That the Delegations and Appointment as scheduled in the 'Schedule of Delegations and Appointments December 2007' be approved with immediate effect.</i>	Eaglesome/Caves
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NAME	DELEGATION/AUTHORITY
Linda Cook Planner	<p>An enforcement officer pursuant to section 38(1) of the Resource Management Act 1991 ("the Act"), and is authorised to carry out any and all of the functions and powers of an enforcement officer under the following provisions of the Act, including but not limited to the particular powers summarised:</p> <p><i>To direct a person believed to be breaching the Act to give his or her name or the name and address of any person who has breached the Act pursuant to Section 22.</i></p> <p><i>To prepare and serve abatement notices pursuant to Section 322</i></p> <p><i>Where an abatement notice has not been complied with, to enter a place and seize and impound a noise source pursuant to Section 323</i></p> <p><i>To cancel an abatement notice pursuant to Section 325A</i></p> <p><i>To enter any place except a dwelling house for the purpose of inspection to determine compliance and take samples pursuant to Section 332</i></p> <p><i>To enter and re-enter onto land and carry out surveys, investigations, tests or measurements and take samples for any purpose connected with preparation, change, or review of a policy statement or plan pursuant to Section 333</i></p> <p><i>To exercise a search warrant issued by the Court or a duly authorised Justice pursuant to Section 334</i></p>

ANNUAL REPORT FOR THE YEAR ENDED 30 JUNE 2007

F.02.10.12

Resolved:	<i>That in accordance with Section 46A (7) of the Local Government Official Information and Meetings Act, the item LATE ITEM – ANNUAL REPORT FOR THE YEAR ENDED 30 JUNE 2007 be considered given the item had not come to hand at the time of Agenda compilation and consideration of this item is required now in order to respond within the timeframe allowed.</i>	Heron/McKinnon
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Resolved:	<i>That the Annual Report for the year ended 30 June 2007 be adopted.</i>	His Worship the Mayor/Eaglesome
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Resolved: *That transfers from and to reserves as provided for in the Annual Report for the year ended 30 June 2007 be approved.*
Heron/Cairns

LATE ITEM – LETTER FROM WALKWAY COMMITTEE

B.03.03.03.01

Resolved: *That in accordance with Section 46A (7) of the Local Government Official Information and Meetings Act, the item LATE ITEM – LETTER FROM WALKWAY COMMITTEE be considered given the item had not come to hand at the time of Agenda compilation and consideration of this item is required now in order to respond within the timeframe allowed.*
Cairns/Heron

The Chief Executive Officer spoke to the report stating that funds had been raised by public subscription to complete section one of the walkway. Correspondence had since been received from the Walkway Committee requesting that Council take over the maintenance of the walkway. While the Chief Executive Officer was not opposed to taking over the maintenance, the cost in doing so, and affect on depreciation, needed to be determined.

Councillor Petersen reminded Councillors that there had been assurances given that the walkway would not result in any cost being borne by the ratepayer. By taking on the maintenance of the walkway, the cost would be met by the ratepayers of the district, a cost that would increase as the length of the walkway increased.

Resolved: *That Council fund the maintenance of the Wairoa Riverbank Walkway.*
Heron/Eaglesome

LATE ITEM – DRAFT MEMORANDUM OF UNDERSTANDING

WAIROA DISTRICT COUNCIL AND WAIROA COMMUNITY DEVELOPMENT TRUST A.24.01.01

Resolved: *That in accordance with Section 46A (7) of the Local Government Official Information and Meetings Act, the item LATE ITEM – DRAFT MEMORANDUM OF UNDERSTANDING WAIROA DISTRICT COUNCIL AND WAIROA COMMUNITY DEVELOPMENT TRUST be considered given the item had not come to hand at the time of Agenda compilation and consideration of this item is required now in order to respond within the timeframe allowed.*
Cairns/McKinnon

The Chief Executive Officer, and Council's Policy Analyst spoke to the report, informing Councillors that the Wairoa Community Development Trust had been established to carry out projects to the benefit of the whole Wairoa District.

As Councillors were aware, it was not always possible for Council to raise funds through charitable trusts. The establishment of the Trust made it possible for a group of community minded individuals to action projects that Council was unable to.

The Trust was seeking a formal agreement with Council through a Memorandum of Understanding, which set out the relationship between Council and the Wairoa Community Development Trust. There were no financial commitments sought from the Trust at this stage.

The Chief Executive Officer acknowledged that the Late item had only come to the hands of Councillors on the day of the meeting, and supported the deferment of the item to the meeting of Council in February 2008, should it be Council's preference to do so, allowing time to read the Memorandum of Understanding at their leisure.

Resolved: *That the Late Item – Draft Memorandum of Understanding – Wairoa District Council and Wairoa Community Development Trust, be deferred to the February 2008 meeting of Council.*
Heron/Caves

LATE ITEM – AIR CONDITIONING ADMINISTRATION OFFICES

A.16.01

Resolved: *That in accordance with Section 46A (7) of the Local Government Official Information and Meetings Act, the item LATE ITEM – AIR CONDITIONING ADMINISTRATION OFFICES be considered given the item had not come to hand at the time of Agenda compilation and consideration of this item is required now in order to respond within the timeframe allowed.*
Heron/McKinnon

The Administration Manager spoke to the report informing Councillor's of the history of installation of air-conditioning installation in the Executive Wing of Council, and Council Chambers, and the need to install units in remaining sections of the Administration Building.

From November through to April, the open plan offices of Regulatory, Rates, and Customer Services, experience extreme fluctuations in air temperature and poor indoor air quality. This is a result of constantly changing interaction between employees, climate, building structure, and mechanical/information technology systems. During the Winter months, these offices experience the reverse in that night store heaters are not effective in circulating warm air to all open plan offices.

The installation of air-conditioner/heat pumps would improve indoor air quality, and in turn the overall productivity of the organisation, in that a constant temperature and a much improved air quality could be maintained in all offices and working spaces of Council

Resolved: *That Council allocate \$27,670 for the installation of air conditioning in the remaining offices of Council, as detailed in the attached proposal, from unexpended funds budgeted for the refurbishment of 9 Locke Street, Wairoa in 2006/2007.*
Petersen/Heron

Councillor's requested that the Administration Manager make further enquiries in a bid to seek a quote from an alternative supplier, prior to accepting the quote already received.

POLICY REVIEW

Councillor Petersen stated that he had recently looked at Council's Policy Folder and noted that in many instances, Policy had not been reviewed since 2002. Councillor Petersen sought an update of the manual.

The Chief Executive officer informed Councillor Petersen that the Long Term Council Community Plan contained most of the policies of Council. The manual that he referred to was no longer utilised by Council, and should have been disposed of.

WAIROA CEMETERY

Councillor Caves queried whether the funds that had been approved for remedial work carried out on desecrated headstones at the Wairoa Cemetery could be recovered through insurance, as this seemed to be the approach being taken by another territorial authority who had experienced similar damage.

The Chief Executive officer advised that Council had a deductible of \$2,500 for each event that occurred, and it would be a matter of whether the damaged caused to the headstones was defined as being one overall event, in which case Council would follow the matter through, or as an individual event for each headstone. The Engineering Manager advised that the initial \$10,000 allocated should meet a substantial amount of the cost to repair headstones, and that excessive figures quoted by media of late were incorrect to the extreme.

MAYORAL CHALLENGE

Councillor Eaglesome informed Councillors that the Bike-wise Mayoral Challenge was scheduled for March 2008, with a date to be confirmed. Councillors Eaglesome and Cairns would be promoting the activity through local schools, and encouraged other Councillors, Management, and Council as a whole to support the event and the Mayor.

REGIONAL DEVELOPMENT ROADING

The Engineering Manager informed Councillors of Regional Development Funding that had been targeted for Tairāwhiti and Northland, to promote the development and enhancement of forestry roading. To date a further sum of almost one million dollars had been secured to spend on local roads.

MAYORAL UPDATE

His Worship the Mayor informed Councillors of meetings he had attended and activities he had been involved in for the previous month. Of particular note was a meeting held with the Wairoa Police to finalise the implementation of the CACTUS scheme, an eight-week disciplinary course designed for at risk youth. Wairoa was the first North Island Community to secure the programme, which would be run throughout the year in eight-week blocks.

TEA & SCONES – TUAI

The Chief Executive Officer confirmed the meeting time and venue for Councillors and the Mayor to meet with residents of Tuai. The purpose was to provide a forum where Councillors could listen to the community of Tuai and take note of their concerns. Council's Maori Liaison Officer would be accompanying Councillors to keep a written record of concerns raised to enable them to be brought back to Council for further discussion. Feedback received to date on the process of engagement with communities had been good.

LONG TERM COUNCIL COMMUNITY PLAN

The Chief Executive officer informed Councillors of a Management Team Meeting held to progress the pathway forward in developing the 2009/2019 Long Term Council Community Plan, and further explained in detail aspects of the plan that were visually presented as a mind-map, and Council's role in each area of the plan and its development.

The Chief Executive Officer informed Councillors that the Local Government Act 2002 requires Council to engage in consultation with communities, as well as the review of community outcomes. This had already commenced with the community tea and scone meetings, which in turn would be followed by a directions workshop with communities.

The importance of determining key significant issues, defining sustainability and assumptions, and the need for quality assurance were also highlighted.

Councillors would be provided definitive information once a project plan had been completed for the Long Term Council Community Plan in due course. Councillors would also be provided a copy of the 'mind map' and SOLGM documents that had been made available as related to the planning process for the LTCCP.

ADJOURNED: 12:25 PM

RECONVENED: 1:01 PM

Resolved: *That pursuant to Section 48 (1) of the Local Government Information and Meetings Act 1987, the public be excluded on the following grounds:*

That the exclusion of the public from the whole or relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in:

S7 (2)(b) Protect information where the making available of the information-

- (i) Would disclose a trade secret; or*
- (ii) Would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information;*

Eaglesome/Petersen

RELEASE OF CONFIDENTIAL ITEMS

A06.09

NIL

There being no further General Business, the His Worship the Mayor, declared the meeting closed:

MEETING CLOSED: **1:25 PM**