

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 September 2007 at 10:00 am.

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

COUNCILLORS

D Eaglesome, S Birrell, G McIntyre, B Shortt, B McKinnon, and D Caves

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

1. Graffiti and Vandalism (Councillor Birrell)
2. Wildling Pines (Councillor Shortt)
3. Ormond Drive (Councillor Shortt)

PUBLIC FORUM

His Worship the Mayor welcomed residents of Mahia to the meeting who wished to speak against a Council recommendation to allow twenty-four hour parking of large fishing vessels at Mahia. His Worship acknowledged residents concerns, and explained the process involved in Councillor's seeking notice of motion when revisiting any resolution made by Council. His Worship the Mayor invited representatives forward to convey their concerns.

Mr Peter Blunden

Mr Blunden thanked the Mayor and Councillors for allowing the presentation to Council of a petition signed by residents of Mahia Beach who were against Councils resolution to allow the parking of Commercial Fishing Boats at Mahia. Mr Blunden emphasised that the concern of residents was a matter of principle, not personal. Residents were against Council providing parking facilities in what was a recreational environment and sought Councils consideration in identifying alternative areas such as the Waikokopu Harbour. Mr Blunden handed the petition directly to His Worship the Mayor.

Mr Patrick Mudgeway

Mr Mudgeway endorsed the comments made by Mr Blunden, adding that he lived directly opposite the area that had been proposed as a parking site for Commercial Fishing Boats. Mr Mudgeway emphasised that as a ratepayer, he had not purchase the property with a long-term view of having to observe commercial fishing boats in his line of sight twenty-four hours a day. Mr Mudgeway also asked that Council rescind their motion and look toward finding an alternative solution such as Waikokopu Harbour.

His Worship the Mayor thanked residents who had made their concerns known, stating that the matter has been before Council for a number of years, and that, rightly or wrongly, Council's decision had been made on the basis of encouraging the growth of the commercial fishing industry at Mahia.

Councillor McIntyre emphasised that the resolution allowing the parking of commercial fishing vessels had only been made as a temporary measure until such time that alternative parking sites, such as the redevelopment of Waikokopu Harbour, could be progressed.

Councillor Birrell expressed concern that while the matter had been discussed thoroughly and Council had consulted on the parking of commercial fishing boats as related to the Pohutukawa Reserve Management Plan, there had been no consultation with affected parties on the alternative sites proposed.

His Worship the Mayor advised Councillors that until such time that a notice of motion was received to revisit Council's resolution, there was little point in debating the matter any further.

Councillor McIntyre advised that he would present a notice of motion to the Chief Executive Officer prior to the next meeting of Council.

Receipt/Confirmation of Minutes of Previous Council Meetings

SPECIAL MEETING OF COUNCIL HELD 19 JUNE 2007

The Minutes of a Special Meeting of Council held on 19 June 2007 were presented.

Resolved: *That the Minutes of the Special Meeting of Council held on 19 June 2007 be received*
McKinnon/McIntyre

SPECIAL MEETING RESOURCE MANAGEMENT COMMITTEE HELD 25 & 26 JULY 2007

The Minutes of a Special Meeting of the Resource Management Committee held on 25 & 26 July 2007 were presented.

Resolved: *That the Minutes of the Special Meeting of the Resource Management Committee held on 25 & 26 July 2007 be received.*
Birrell/McIntyre

SPECIAL MEETING OF COUNCIL HELD 19 JUNE 2007

The Minutes of a Special Meeting of Council held on 19 June 2007 were presented.

Resolved: *That the Minutes of the Special Meeting of Council held on 19 June 2007 be received*
McKinnon/McIntyre

ORDINARY MEETING OF COUNCIL HELD 14 AUGUST 2007

The Minutes of an Ordinary Meeting of Council held on 14 August 2007 were presented.

Resolved: *That the Minutes of an Ordinary Meeting of Council held on 14 August 2007 be confirmed as correct.*
Caves/Shortt

DISCUSSION

Ormond Memorial Property

The Engineering Manager informed Councillors that while arrangements had been made with Quality Roding Service (Wairoa) Limited to demolish and remove the public facility on the Ormond Memorial Property that would allow the Mahia Social Club to proceed with their project, he was unable to advise as to when QRS would commence with the work.

Erosion Kopu Road

The Engineering Manager informed Councillors that he was in the process of preparing consent.

Graffiti

His Worship the Mayor informed Councillors that a letter had been prepared and would be sent to retailers who stocked and sold spray paint cans in due course.

SPECIAL MEETING OF THE RESOURCE MANAGEMENT COMMITTEE HELD 28 AUGUST 2007

The Minutes of a Special Meeting of the Resource Management Committee held on 28 August 2007 were presented.

<u>Resolved:</u> <i>That the Minutes of the Special Meeting of the Resource Management Committee held on 28 August June 2007 be received.</i>	Caves/McKinnon
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GENERAL BUSINESS

**ACCREDITATION RESOURCE MANAGEMENT HEARING COMMITTEE
COUNCIL VEHICLE POLICY**

**A.06.11
A.06.03**

<u>Resolved:</u> <i>That the report be received.</i>	McKinnon/McIntyre
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Councillor McKinnon spoke to the first item of the report stating that the intent was to add to strength to decisions made by the Resource Management Hearings Committee, particularly given the looming local authority elections where it was probable that there would be new members to the Committee who were not qualified to undertake a decision making role as related to the hearing of consents. Mr McKinnon was recommending that members must have achieved competency in the 'Making Good Decisions' programmed prior to their being permitted to hear consent applications.

The Chief Executive Officer stated that there was an advantage in Committee members being exposed to the hearing consents process to gain experience prior to their undertaking required exams. The proposed resolution would make it difficult for people to undertake any required training.

Councillors recognised the need for an indoctrination period prior to the sitting of required exams, however they were also of the belief that this could be achieved through the hosting of internal workshops.

<u>Recommended:</u> <i>That all members sitting on Council's Resource Management Hearings Committee, must have achieved competency in the 'Making Good Decisions' programme.</i>	McKinnon/Shortt
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Councillor McKinnon informed Councillors that the second item of the report sought to formalise the use of vehicles by Councillors, and payment of mileage, for duties undertaken outside of Council by the direction of a meeting of Council. Mr McKinnon stated that Councillors did not have the right, and neither was it acceptable, to approach staff directly to request the use of a Council vehicle for business that has not been authorised.

Councillor Caves spoke to the item stating that he believed that as the Chief Executive Officer, as the administrator of all staff and vehicles, any request could be made formally through him to use a Council vehicle. Councillor Caves was concerned that in passing the resolution, an onus would be placed on all Councillors to own a vehicle to allow them to conduct Council business.

His Worship the Mayor stated that a policy needed to be established as to when a vehicle should be provided to a Councillor, primarily when formally authorised to represent Council, and where a vehicle was not available, the process for reimbursement of expenses incurred.

Councillor Birrell stated that the issue had arisen as a result of a hearing held in Napier, which a number of Councillors had decided to attend at their own expense merely as a matter of personal interest, where as others had sought the use of a Council vehicle to attend.

<u>Resolved:</u>	<i>That Councillors only have the right to the use of Council owned vehicles for the tasks that they have been directed to perform by Council, and that where a Council vehicle is not available, Councillors are fully reimbursed for expenses incurred.</i>	McKinnon/Birrell
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Councillor Caves stated that he trusted that there would be a formalisation of attendance of Councillors at future meetings and/or events as a result of the resolution.

PUBLIC FORUM

WAIROA AGE CONCERN – OLDER PEOPLES POLICY

His Worship the Mayor invited Mr Bernard Ryan and Mrs Hine Flood forward to speak on their interest in seeking collaboration with Council as related to the delivery of Council's Older Persons Policy.

Mr Ryan informed Councillors of the demographics of the elder population of the Wairoa District, emphasising that the aged population made a considerable contribution to society, and that the simplicities of life of the elderly should not be taken for granted.

Wairoa Age Concern were proposing that the Wairoa District Council fund an Older Person's Co-ordinator position that would allow a partnership collaboration, the implementation of Councils Older Person's Policy, and provide a mechanism to determine strategic direction and trends.

His Worship the Mayor informed Councillors that the matter had been raised following a forum on Elder abuse, and asked that the item be placed on the agenda of the first meeting of the newly elected Council, who in turn could determine whether such a position could be funded.

Councillors supported the intent of the presentation, as they recognised that parts of the Older Persons Policy were unable to be actioned as a result of a lack of resources.

<u>Resolved:</u>	<i>That the proposal brought forward by Wairoa Age Concern be placed on the Agenda of the first ordinary meeting of the newly elected Council for deliberation.</i>	His Worship the Mayor/Eaglesome
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MAHANGA BEACH SEAWALL

B.11.02

<u>Resolved:</u>	<i>That the report be received.</i>	Shortt/McIntyre
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The Engineering Manager informed Councillors that a letter had been received from a landowner primarily wishing to undertake erosion control on their property, with an option of extending the protection works to protect a Council owned road and part of the reserve. A financial contribution was sought from Council if protection works were to benefit Council assets. The report had been put forward for Council to discuss the principle of the request and whether they wished to contribute towards costs. Detailed costs had not been received.

Councillor Caves was concerned that in contributing towards the cost of protection works, it may set a precedent. Council were currently faced with a number of erosions issues throughout the district and as such Council's policy was to protect strategic assets, not privately owned property.

Councillor McIntyre was of the opinion that it was a matter that should be discussed in the Hawke's Bay Regional Council's Chambers, as they were responsible for the protection of coastal land. The engineering Manager informed Councillors that the Hawke's Bay Regional Council's policy as related to coastal erosion was that property owners move away from the erosion area.

Resolved: That no contribution be made toward the proposed protection works at Mahanga. **Caves/McKinnon**

TAYLOR'S BAY SEAWALL **B.11.02**

Resolved: That the report be received. **Birrell/Caves**

The Engineering Manager spoke to the report informing Councillors that it was similar to the previous report in that the respective property owner wished to carry out protection works. The difference was that the section of land between the property and the foreshore was Council Reserve. The owners were wishing to protect their land from erosion, and were seeking a financial contribution from Council, and the permission of Council to proceed, as Council was an adjacent landowner.

Resolved: That Council approve the request to commence with protection works at the landowner's expense. **Caves/McIntyre**

Resolved: That no contribution be made toward the proposed protection works at Taylor's Bay. **Caves/McKinnon**

ADJOUNED: 11:15 AM

RECONVENED: 11:22 AM

EX FRASERTOWN FIRE STATION **H.01.03**

Resolved: That the report be received. **Eaglesome/Birrell**

The Chief Executive Officer sought a correction to the report in that the land was 'gifted by the family of Mr H.C. Beckett' to the Frasertown Community.

The Chief Executive Officer informed Councillor's that it had been the decision of the previous Council that any money received from the sale of the former Frasertown Fire Station, be returned to the Frasertown Community. At the time it was envisaged that the Frasertown Fire Party would have dissolved by the time the property was sold, and that Council hold funds on behalf of the community until it could be distributed. The Chief Executive Officer had since been informed that the Frasertown Fire Party was still active as a community group, with an active bank account and funds. As such, Council needed to determine whether the funds were to be returned to the Community via the Frasertown Fire Party, to be distributed accordingly.

Resolved: That the Frasertown Fire Party is the community body that receives the proceeds of the ex-Frasertown Fire Station sale, and consults with the community to decide upon the best utilisation of the funds to support community interests and development. **Shortt/Birrell**

POLICY ON FRAUD **A.06.11.01**

Resolved: That the report be received. **Shortt/McIntyre**

The Chief Executive Officer spoke to the report advising Councillor's that it had been held over from a previous meeting of Council following the receipt of advice from Council's Solicitors.

The Chief Executive Officer advised Councillors that the matter had been brought to the attention of Management by Council's Auditors in that the Auditor General had an expectation that all public entities formulate an appropriate policy on fraud that included the minimisation of risk of fraud occurring, and advised of procedures to be followed if fraud was suspected.

Resolved: That Council adopt the Wairoa District Council Policy on Fraud. **McKinnon/McIntyre**

GRAFFITI AND VANDALISM

B13.01

Councillor Caves sought an update from Community Portfolio Holders following discussions held with the New Zealand Police and other parties. He and other Councillors were concerned at the escalating costs being borne by ratepayers as a result of increasing graffiti and vandalism, and the negative image that was being portrayed of the town and district.

His Worship the Mayor advised that outcomes of the meeting included continuing to make people aware of Council's Graffiti Policy, the potential for evening patrols to be conducted by citizens, and looking at a scheme, in conjunction with the Police, to deal with problem youth in the district. Councillor Eaglesome endorsed the Mayor's comments, advising that the CACTUS programme being promoted was for all young people, not just youth offenders. It was an eight-week physical programme that was expected to be up and running before the end of the year if not before. Councillor Birrell stated that the programme was one well worth supporting. The difficulty was how to get young people onto the programme, as the Court and Police needed to encourage youth to join the programme as a form of diversion.

WILDLING PINES

B03.02

The Chief Executive Officer informed Councillors that the removal of wildling pines along Ormond Drive was an ongoing process.

ORMOND DRIVE

B06.03.02

Councillor's Shortt and McIntyre expressed concern at the dumping of rubbish along Ormond Drive. Following the cleaning of the road verges along Ormond Drive, spoil had been placed in large holes, spread out, and flattened, creating suitable surfaces for parking. The spoil had since been removed leaving large craters, which in turn were being used as a dumping site for rubbish.

The Engineering Manager informed Councillors of the sequence of events that led to the spoil being removed. He emphasised that it was a matter of correct process and procedure not being followed, in that we live in an environment where consent is required to carry out certain activities, consent which Quality Roading Services (Wairoa) Limited did not have when they spread the spoil in the car park areas, albeit with good intentions.

The Chief Executive Officer advised Councillors that the problem had arisen as a result of two issues, being the requirement of Contractors to obtain consent from Council, and requirements of the District Plan.

MAYORAL DISCRETIONARY FUND

A06.07.10

His Worship the Mayor requested that some thought be given to the establishment of a Mayoral Discretionary Fund for the purpose of making contributions to community groups and organisations that sought support for events. At present he received numerous letters seeking minimal financial support for events but was unable to offer any assistance, as he had no discretionary funds to allocate.

His Worship the Mayor thanked the Chief Executive Officer and staff for their co-operation over the past three years, and commended Councillors on their service to the Community. His Worship acknowledged that it was not easy being a Councillor, with many having come on to Council 'green' and were now wiser, particularly in the area of Resource Management. His Worship also expressed his thanks to the Press, and members of the public who had attended meetings of Council over the last three years.

The Chief Executive Officer thanked the Mayor and Councillors for their input over the past three years, which had been positive and worthwhile.

Councillors also expressed their thanks to the Chief Executive Officer, staff, and fellow Councillors, with particular mention made to Councillor Birrell, who was retiring from politics. Councillor Birrell responded stating that he had served on four Councils, with this Council, mainly due to members being elected at large, being the best Council that he has sat on.

Mrs Sheila Chilvers spoke from the floor, informing Councillor's that she represented the Christian members Association, and conveyed thanks to outgoing Councillors for their dedication to the welfare of the Wairoa District over the past three years.

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/Birrell

EXCLUDED FROM: 11:59 AM

READMITTED FROM: 12:25 PM

RELEASE OF CONFIDENTIAL ITEMS

A06.09

NIL

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

MEETING CLOSED: 12:25 PM

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Chair