

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 13 November 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

His Worship the Mayor advised that the Deputy Mayor was deemed to have a Conflict of Interest as related to Agenda Item, Remuneration – Deputy Mayor. While permitted to comment on the matter, the Deputy Mayor was not to participate in any voting that may arise.

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

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| 1. Late Item – Wairoa Cemetery | (Engineering Manager) |
| 2. Newly Elected Members Seminar and Policy Formation | (Councillor Caves) |
| 3. Audit Expenditure | (Councillor Heron) |
| 4. Induction Training | (Councillor Eaglesome) |
| 5. Workshops, Planning and Training | (Chief Executive Officer) |

Receipt/Confirmation of Minutes of Previous Council Meetings

ORDINARY MEETING OF COUNCIL HELD 11 SEPTEMBER 2007

The Minutes of an Ordinary Meeting of Council held 11 September 2007 were presented.

<u>Resolved:</u> That the Minutes of an Ordinary Meeting of Council held on 11 September 2007 be confirmed as correct. <p style="text-align:right">McKinnon/Caves</p>
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DISCUSSION

Wairoa Age Concern

Councillor Eaglesome queried the absence of the Wairoa Age Concern proposal on the Agenda for the first meeting of Council. The Chief Executive Officer advised that he would follow the matter up and ensure that it was placed on the Agenda for the December meeting of Council.

SPECIAL MEETING RESOURCE MANAGEMENT COMMITTEE HELD 21 SEPTEMBER 2007 – PN & JB KRZANICH RM070001

The Minutes of a Special Meeting of the Resource Management Committee held on 21 September 2007 were presented.

Resolved: That the Minutes of a Special Meeting of the Resource Management Committee held on 21 September 2007 be received. Caves/McKinnon

SPECIAL MEETING OF COUNCIL HELD 21 SEPTEMBER 2007

The Minutes of a Special Meeting of Council held 21 September 2007 were presented.

Resolved: That the Minutes of the Special Meeting of Council held 21 September 2007 be confirmed as correct. McKinnon/Caves
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INAUGURAL MEETING OF COUNCIL HELD 23 OCTOBER 2007

The Minutes of the Inaugural Meeting of Council held on 23 October 2007 were presented.

Resolved: That the Minutes of the Inaugural Meeting of Council held on 23 October 2007 be confirmed as correct. Heron/Cairns

DISCUSSION

Councillor Forum Days

Councillor Caves raised the issue of renaming the Councillor Forum Days as a Workshop Day, thereby removing the public perception that it was a day for Councillor participation only. Councillors agreed that Workshops were to be inclusive of the public with the intent being that the day commence at 9am with Councillors giving reports on their respective portfolios, followed by presentations and/or workshopping, an adjournment at noon, reconvening at 12:30pm with members of the public given an opportunity to raise issues with Councillors between 12:30pm and 1:30pm (allowing employed people to participate during their lunch hour.) An Order Paper was to be prepared for every Workshop detailing the business of the day.

Resolved: That the Councillor Forum Day is renamed as a Workshop Day, is open to the public, and held on the fourth Tuesday of the month, commencing at 9:00am. Heron/Petersen

Community Engagement and Consultation

Councillor Caves requested that when meetings and workshops of Council were being advertised that Agenda/Order Paper items be included within the advertisement informing members of the public of issues that Council would be discussing on the day.

GENERAL BUSINESS

REMUNERATION – DEPUTY MAYOR

A.06.06.01

His Worship the Mayor spoke to the report, stating that the resolution passed at the Inaugural Meeting of Council to reduce the salary of the Deputy Mayor from 1.5, to 1.25 that received by Councillor's was not fitting for the position, and as such was asking Councillor's to consider revisiting their resolution. Comments made during the Inaugural meeting that the duties of the Deputy Mayor were not as onerous as they may have been in the past, were unfounded. As it is the Mayor who controls the level of responsibility given to the Deputy Mayor, only the Mayor is fully aware of the amount of work undertaken on his behalf and/or in his absence. His Worship the Mayor was concerned that the resolution had been supported based on personal opinions, when it should have been based on fact.

Councillor Petersen stated that he was astounded to read in the Wairoa Star that the Deputy Mayor's salary had been reduced to 1.25. The level of salary had been 1.5 in his previous term as a Councillor, had always been 1.5, and as such should be left at 1.5.

Councillor McKinnon stated that the resolution had been put forward following an honest assessment of what the position required. Remarks made within the Mayor's report were somewhat obscure in that the previous Council had all questioned the Deputy Mayor's salary in that they also believed the margin was too wide. Councillor McKinnon emphasised that this, and the previous Council, were different to the old traditional form of council, in that each Councillor had portfolio responsibilities that demanded as much attention as the responsibilities of the Deputy Mayor.

Councillor Cairns stated that her support of the resolution had been based on information provided at the Inaugural Meeting, not on personal opinion, and believed that 1.25 was reflective of the role and responsibilities. Councillor Cairns further stated that the issue of salaries paid to Councillors and the Deputy Mayor should be determined prior to the Inaugural Meeting.

Councillor Caves endorsed statements made by the previous two speakers, stating that the Agenda of the Inaugural Meeting, in that the appointment of the Deputy Mayor was made, prior to remuneration being determined, did not allow for the removal of personalities from debate.

Councillor Heron stated that he was favourable to an amendment being made to Council's resolution, on the condition that remuneration be reviewed in twelve months.

Councillor Eaglesome responded to statements made, believing that Councillors decision, particularly that of new Councillors, was made on information provided to them by one Councillor, not based on fact. The Deputy Mayor attended many meeting and functions on behalf of the Mayor that Councillors had little to no knowledge of.

His Worship the Mayor restated his position of the matter and put his recommendation forward, with an amendment that remuneration be reviewed in twelve months.

<u>Resolved:</u>	<i>That Wairoa District Council adopts payment of Councillors on the basis that the Deputy Mayor receives 1.5 times the payment of a Councillor, to be reviewed in twelve months, and that the remaining salary pool is split equally amongst remaining Councillors.</i> His Worship the Mayor/Petersen
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MEMBERSHIP RESOURCE MANAGEMENT COMMITTEE

A.06.03

The Chief Executive Officer spoke to the report stating that he was seeking Councillor's reconsideration of a resolution of the previous Council to confine membership of Council's Resource Management Committee to Councillors who achieved accreditation. The Chief Executive Officer was concerned that as the next available opportunity for newly elected Councillors to attend the 'Making Good Decisions Programme was in February and March 2008, that there was a risk of a quorum not being attained by the three accredited members of the Committee remaining. The current review of the structure of the Maori Committee also had implications in that the Committee was in abeyance until the review was completed, and as such, in the absence of nominations, there was no representative from the Maori Committee to sit on the Resource Management Committee.

Councillor McKinnon stated that accredited Councillors were likely to support an amendment to the previous resolution on the condition that accreditation was to be achieved by 30th June 2008 by remaining Councillors, if they were to remain members of the Resource Management Committee. His Worship the Mayor and Councillors endorsed this requirement.

<u>Resolved:</u>	<i>That the Resource Management Committee of the Wairoa District Council consist of the Mayor as Chairman, all Councillors, and Mr Walter Wilson, and that accreditation is to be achieved by all members of the Committee by 30th June 2008.</i>	<i>His Worship the Mayor/Heron</i>
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BYLAWS REVIEW

A.04.07

<u>Resolved:</u>	<i>That the report be received.</i>	<i>Eaglesome/Caves</i>
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Council's Policy Analyst spoke to the report, highlighting concerns and suggestions raised for consideration by Council in submissions received from Mr Phil Hunt and sought direction from Council as to how they wished to proceed in light of the content within both submissions. For the benefit of newly elected Councillors an overview of the requirement for Bylaw Review was also provided.

Councillor Caves complimented the submitter on raising safety matters for Council's consideration and supported the suggestion that blanket speed limits be applied to all beaches, although this should be reduced to 20kms/hr as opposed to the 30kms/hr suggested in the submission. Councillor Caves also recognised that the use of mobility parks by the general public, as against those that they were specifically provided for, was a real issue for Council that needed to be monitored and enforced.

The Chief Executive Officer informed Councillors that Officers of Council were warranted and as such empowered to issue parking infringement notices and fines under current, and the Consolidated Bylaw before them for adoption. The issue before Council was not one of management and enforcement of penalties as related to the improper use of mobility parks, but more one of exempting the Wairoa Disability Transport Service Bus, in that permission was being sought to utilise mobility parks when uplifting and dropping off passengers. As Mobility Cards could only be issued to qualifying individuals, not vehicles, an exemption was required to ensure that the Wairoa Disability Transport Services Bus, and indeed other such similar services, such as the Sunshine Buses in Gisborne, was not in breach of the proposed Bylaw.

<u>Resolved:</u>	<i>That an exemption be noted in a Schedule to allow the parking of the Wairoa Disability Transport Services Bus in Mobility Parks.</i>	<i>Heron/Cairns</i>
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Mr Hunt's second submission required Councillors consideration as to the imposing of a blanket speed limit on all beaches, and general beach access. Following receipt of advice from Council's Policy Analyst, Councillors agreed that a number of concerns raised would be addressed by the consolidated bylaw once approved.

The Chief Executive officer and Councillor Caves recounted incidences in the past where complaints had been received, and vehicles confiscated by the Police, as a result of inappropriate use of vehicles on beaches, particularly at Mahanga. Councillors supported the intent of implementing a speed limit, however as there were financial implications, further investigation was required.

The Engineering Manager informed Councillors that as with the previous item, should a speed limit be introduced, it would be added to a schedule within the bylaw, which would only require an amendment to the schedule, as against a review and amendment to the entire bylaw.

<u>Resolved:</u>	<i>That the implementation of a 30km speed limit on beaches be investigated by Council staff.</i>	<i>Eaglesome/McKinnon</i>
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<u>Resolved:</u>	<i>That in accordance with the Local Government Act 2002, part 1 (Introductory), Part 2 (Land Transport) and Part 3 (Public Safety) of the Wairoa District Council Consolidated Bylaw 2007, with amendments if necessary, become operative as of 20th November 2007.</i>	<i>Cairns/McKinnon</i>
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REVIEW MAORI COMMITTEE POLICY

A.06.14.02

Resolved: *That the report be received.* **Petersen/McKinnon**

The Chief Executive Officer spoke to the report informing Councillors that the Maori Liaison Officer of Council wished to undertake a review of the current structure of the Maori Committee, which in turn required a review of Council's Maori Policy.

The current Policy stated that Marae Committees were to forward their nominations for representation on Council's Maori Committee within one month of the results of Council elections. As there was an opportunity to review the current structure, calls for nominations had been delayed, until such time that a review was undertaken. The Maori Committee would be held in abeyance until the review was completed.

Resolved: *That the Maori Committee Policy be reviewed.* **Heron/Petersen**

Councillor Caves requested that a timeframe be applied to the review and subsequent formulation of policy.

Resolved: *That the Maori Committee be held over in abeyance until the policy review has been completed and that the Maori Liaison Officer report back to the February meeting of Council.* **Eaglesome/Cairns**

IWITEA WATER SUPPLY

B.08.03.04

Resolved: *That the report be received.* **Cairns/McKinnon**

The Engineering Manager spoke to the report informing Councillors that he was seeking approval in principle for an extension of the town water supply to the community of Iwitea.

Housing New Zealand Corporation had identified that the current water supply of Iwitea was a public health risk to the Iwitea Community, and in turn had investigated the feasibility of hooking the Iwitea community into the town water supply, with the full cost to do so being met by Housing New Zealand. The issue before Council was a matter of how the extension to the town water supply was to be managed in the future in terms of ownership of the asset.

Councillors discussed the value of providing water to the community of Iwitea, and sought an assurance from the Engineering Manager that the town's water supply would not be compromised where the water supply was utilised to fill stock troughs.

Resolved: *That Council approve the extension of the Wairoa water reticulation to Iwitea to be vested in Council upon completion, subject to:*

- (a) Appropriate easements in place to the satisfaction of Council's legal advisors.*
- (b) Design and construction of the asset carried out generally in accordance with Council's Engineering Code of Practice to the satisfaction of the Engineering Manager.*
- (c) As-built plans provided upon completion of construction.*

McKinnon/Caves

ORMOND MEMORIAL PROPERTY – MAHIA

H.09.03

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

The Finance Manager spoke to the report informing Councillors that the Mahia Social Club had advised that they had purchased the materials required for the construction of a tennis court, however prior to proceeding sought confirmation that they were still entitled to do so under their lease agreement.

Councillors discussed the lack of progress made by the Mahia Social Club in constructing a tennis court on the Ormond Memorial property despite their assuring Council the project would be completed by Labour Weekend. Councillors discussed conditions within the lease agreement and their expectations of the Mahia Social Club.

Councillors acknowledged that the Mahia Social Club had a legitimate lease, and as such, could proceed with their project. Councillors also agreed however that any extension given to the Mahia Social Club to complete the project needed to be within a set timeframe.

Resolved:	<i>That the Mahia Social Club be given an extension to the end of April to complete their tennis court facility on the Ormond memorial Property – Mahia</i> McKinnon/Eaglesome
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LATE ITEM – WAIROA CEMETERY

G.03.01

Resolved:	<i>That in accordance with Section 46A (7) of the Local Government Official Information and Meetings Act, the item LATE ITEM – WAIROA CEMETERY 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> Eaglesome/Petersen
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The Engineering Manager spoke to the report informing Councillors of vandalism that had occurred at the Old Wairoa Cemetery resulting in significant damage to headstones that required repaired and in some cases would need to be replaced.

The report presented two options for Councillors consideration being either to carry out minimal work on the gravesites, or to provide funding that would allow the reinstatement and repair of toppled monuments and headstones.

The Chief Executive Officer informed Councillor's that current policy required families of the interned to maintain gravesites and headstones, however the type of vandalism that had occurred, and resulting damage, fell outside of Council Policy.

Councillors expressed concern at the emotional impact that the vandalism would have on relatives of those interned, and emphasised the need for families to be contacted personally and informed of what had happened and any action that Council would take to resolve the matter.

Resolved:	<i>That Council approve expenditure up to \$10,000 for remedial work to repair vandalism at the Wairoa Cemetery.</i> Caves/Eaglesome
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The Engineering Manager informed Councillors that he had since received a quote from a monumental mason which suggested that the final cost was likely to be greater than that highlighted in his report. Councillor's acknowledged that the cost was likely to be greater and that they would address any difference in funding when actual costs were known.

Councillors commended Council staff and Contractors on their level of maintenance of the Wairoa Cemeteries.

VANDALISM AND GRAFFITI

B13.01

His Worship the Mayor informed Councillors that the Community Portfolio Holders had met with Mick Landers (NZ Police) to discuss youth vandalism and graffiti in the district, the cost to ratepayers, and how the issue may be dealt with.

TRAINING SEMINAR

Councillor Caves asked that Councillors be given an opportunity to review and compare Council's Significance Policy with that of other Councils. Councillors questioned whether there was a need for review as the existing policy had already been approved by Audit and was incorporated in Council's Long term Council Community Plan, and as such would be reviewed within the next two years.

DEVELOPMENT CONTRIBUTIONS POLICY

F01.01.02

Councillor Caves stated that during the Induction for Newly Elected Members Training presenters had recommended that Council's proceed with the formulation of a Development Contributions Policy, as well as a Grants Allocation Policy. The Chief Executive Officer advised that a Development Contributions Policy could not be finalised until such time that Council had determined a programme of expenditure within its Long Term Council Community Plan.

AUDIT EXPENDITURE

F02.03

Councillor Heron expressed concern at the significant amount of money expended by Council, Quality Rooding Services (Wairoa) Limited, and Kahungunu Executive as a result of auditing requirements. Councillor Heron had obtained figures of registered auditors approved by the Office of the Auditor General, which showed significant variations in prices between Council's current Auditors and others on the list. Councillor Heron stated that he would like to see the matter of audit expenditure pursued. The Chief Executive Officer informed Councillors that an approach had been made to the Office of the Auditor General on two previous occasions expressing concern, and on both occasions was assured by the Auditor General that the costs were reasonable. Councillor Heron requested that he meet with the Chief Executive Officer to discuss pursuing the matter.

INDUCTION TRAINING

A06.03

Councillor Eaglesome requested that Councillor's be given an opportunity to visit the Water Treatment Plant, and other Council facilities, and significant sites of interest that would involve Councillors input and decision making during their term of office. Councillors had been given a tour of the district in the past, which had been beneficial to new and returning Councillors, and it was a practice that should be continued.

COMMUNITY MEETINGS – TEA & SCONES

A06.03

The Chief Executive Officer informed Councillors that he had made tentative arrangements with a number of communities as related to appropriate days on which to hold community meetings and venues. It was acknowledged that the purpose of the meetings was to engage the involvement of communities, and as such, the day, time, and venue had to suit the communities that were being engaged in discussion, not Councillor's.

The Chief Executive Officer was to prepare a schedule of the venue, days, and time of each meeting, and circulate the same to Councillors.

It was suggested that the Induction Training requested by Councillor Eaglesome, be facilitated on the same day as Community Meetings, whereby Councillors would be given a tour of activities being undertaken in those communities.

Discussion also ensued as to the facilitating of a two-day retreat for Councillors and Management. Councillors requested that the retreat comprise of a night followed by a full day, as against two days, and that an independent facilitator be engaged for the duration.

RESOURCE MANAGEMENT COMMITTEE TRAINING

A06.03

Councillors Eaglesome, Heron, Cairns, and Petersen confirmed their availability to attend the 'Making Good Decisions Training Programme' in Palmerston North in 2008.

MAYORAL UPDATE

A06.07.10

His Worship the Mayor informed Councillors of events and meetings he had attended in his capacity as Mayor for the previous month.

EXCLUDED FROM: 12:18 PM

READMITTED FROM: 12:54 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;*

McKinnon/Caves

RELEASE OF CONFIDENTIAL ITEMS

A06.09

Councillor's approved the release of the following resolutions from the Confidential Agenda.

LAKE TO LIGHTHOUSE MULTI-SPORT EVENT

A.24.01

Resolved: *That Council supports the Lake to Lighthouse Multi-Sport Event and confirms that this is a priority for sponsorship* **His Worship the Mayor/Heron**

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

MEETING CLOSED: **2:00 PM**

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Chair