

WAIROA DISTRICT COUNCIL

ORDINARY MEETING OF COUNCIL

Minutes of an Ordinary Meeting of Council was held in the Wairoa District Council Chambers, Queen Street, Wairoa on Tuesday, 10 March 2009 at 10.00am.

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

COUNCILLORS

B Cairns, D Caves, D Eaglesome, J Heron, B McKinnon, D Evans (10.05am)

IN ATTENDANCE: P J Freeman (Chief Executive Officer)
N Cook (Engineering Manager)
R Snow (Finance Manager)
M Jones (Secretary)

CIVIC PRAYER

Councillor Eaglesome gave the Civic Prayer

Swearing In David Edwin Evans

His Worship the Mayor welcomed the public to the meeting and announced that it was his pleasure to swear in the new Councillor. Mr Evans was asked to come forward and was sworn in. He then took his seat at the table.

APOLOGIES: Nil

CALLS FOR CONFLICTS OF INTEREST Nil

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

1. Solid Waste Management (Cr Caves)
2. Mahia Waste Water (Confidential) (Cr Caves)
3. Update Rural Fire (Chief Executive Officer)
4. Update Regional Collaboration (Chief Executive Officer)
5. Special Meeting held 12 February 2009 (Cr McKinnon)
6. Late Item – Policy in Respect of Payment of Salaries & Allowances (Finance Manager)

Public Forum

His Worship again addressed the public and asked if there were any items they wished to bring to Council's attention. Mr V Plowman, Chairman of the Mahia Isthmus Residents and Ratepayers Assn (MIRRA) sought Council's permission to present a petition from the Mahia area.

Mr Plowman was advised by the Chief Executive Officer that the more appropriate avenue would be for the petition to be received as a submission directly to the Long Term Council Community Plan (LTCCP).

The Mayor thanked Mr Plowman and received the Petition and again advised that it would be processed through the appropriate channels.

Presentation - Quality Roading and Services (Wairoa) Limited – Bokashi Bins

The Engineering Manager introduced Kim O'Gorman of Quality Roading and Services (Wairoa) Limited. Mr Cook commented that normally presentations would be heard at the Forum but in light of a previous request by Council to provide further information and the report to follow, Council would be provided with a demonstration of the system at Council.

Mrs O’Gorman outlined the types of foods that could and could not be composted, the Bokashi Process itself and the uses of the Bokashi Juice. She also presented for Council’s inspection a Bokashi Bin and a bag of Compost-Zing, the ingredient used to promote the smooth fermentation of the waste as well as a jar containing the juice.

Mrs O’Gorman also spoke of the trial undertaken and the feedback that had been received to date, the cost to purchase and briefly touched on the incentives given by the Gisborne District Council to their ratepayers wishing to avail themselves of this system.

Councillors asked various questions.

General Items

BOKASHI COMPOSTING BINS

B06.20

The Engineering Manager spoke to the report adding that he was aware the Gisborne District Council also used a voucher system which again reduced the overall cost of the item. At the end of the day he said it was a numbers game. One of the great benefits of the system is that it’s easy and could be used indoors. It was noted that the cost of the Bokashi bin was \$36.00 including GST + delivery. The Activator by itself cost \$6.00.

If Council were to implement a similar subsidy regime the cost would increase for each household that takes up the Bokashi system. If half the households in Wairoa Township took up the offer (approx. 1000 households) it would cost council around \$15,000. If it were 2000 households the cost would increase to \$30,000. Note that whatever uptake there is will likely occur over a period of years. With that in mind, the initial purchase may show a cost in the current financial year that would be recouped over the following 2-3 years, depending on how quickly the use of the bins was introduced to the community.

To encourage uptake of the initiative Council could provide a greater subsidy. Costs would increase in direct proportion. For instance if the bins were offered for \$10 then Council would be incurring a cost of \$25 per bin. 1000 bins at \$25 would cost \$25,000.

The concept of subsidising this system holds appeal from the perspective of contributing to changing behaviour and attitudes to waste and for the simple fact that 50% of the domestic waste stream could feasibly be diverted from landfill, thus prolonging the life of the landfill.

Resolved:	<i>That the report be received.</i>	Cairns/Heron
------------------	-------------------------------------	---------------------

The general consensus from Council was that the scheme was a good one, with many agreeing that any avenue to reduce waste going to the landfill could only benefit the community. Councillor Heron was of the opinion that to succeed Council would need to give some incentives.

His Worship the Mayor commented that it was just a matter as to what level Council got involved in it.

Resolved:	<i>That the Engineering Manager be given authority to purchase up to 200 bins for sale to the public at a subsidised cost.</i>	Heron/Cairns
------------------	--	---------------------

SOLID WASTE MANAGEMENT

B06

Councillor Caves raised the matter of the Government’s proposal to introduce a levy of \$10 per tonne + GST for waste to a landfill.

The Engineering Manager noted that in fact the Bill had been passed into legislation and was now an Act which would come into effect on 1 July. The amount of the funds returned to Council from the collection of the levy is based on population.

Council discussed the issue.

In response to a question from the Councillor Caves about the type of waste, Mr Cook said it included all rubbish that goes over the weigh bridge.

LAND FOR COMMUNITY GARDEN

A24.01

The Chief Executive Officer introduced the report noting that members of the collective group wishing to utilise the land behind the old fire station were in attendance. Before passing over to the group for comment he advised Council that the land was not currently used but that it was in need of a clean-up. Over the years various fencing and signage had been placed there and the area was untidy. It was noted that there was only one short coming in the proposal and that was the lack of toilet facilities.

The group consisting of Mr Bernard Ryan of Age Concern, Mrs Hine Flood – Reap and Sue Thompson from the Wairoa PHO were invited to comment. Mrs Flood spoke on their behalf expanding on benefits that the community would gain from this proposal. Not only could it be used as a teaching tool, but it was hoped it would be able to generate a sustainable food source and help with improving nutrition in the community.

Councillors discussed the matter. Councillor Caves while acknowledging the initiative was a good one was concerned that due to its proximity to the Pensioner Flats right next door that security may be compromised with everyone coming and going.

Councillor Cairns made the comment that to a certain extent security is already an issue in this particular area. She went on further to state that the garden may in fact work to the benefit of the tenants by having people there on a regular basis.

His Worship made mention of discussions he and Councillors Eaglesome and Cairns had with Police on the issue of security.

Resolved:	<i>That Council authorise the Chief Executive Officer to negotiate a suitable lease to the Wairoa PHO or other group to utilise the area as a Community Garden and that the rental shall be \$1 per year if demand. Further that should the area cease to be utilised for this purpose the lease shall terminate.</i>	Eaglesome/Cairns
------------------	---	-------------------------

DELEGATION – WARRANT TO ACT – BUILDING CONTROL

C18.03

The Chief Executive Officer spoke to the report advising that assistance was needed in the building department so that they could focus on Phase 2 of Accreditation which had to be in place by March of this year. Due to a drop off in the number of building consents required in Hastings, their Council had agreed to release Daniel McCaul to assist us.

Responding to a question from Councillor Caves about the cost implications to applicants, the Chief Executive Officer advised that there would be travel and accommodation costs to be paid for but that this would be a cost to Council and not the applicant.

Resolved: <i>That the Delegations and Appointment as scheduled in the "Schedule of Delegations" below be approved with immediate effect.</i>		Caves/Eaglesome
NAME	DELEGATION/AUTHORITY	
Daniel Oliver McCaul <i>Building Control Officer</i>	<p><i>An Enforcement Officer pursuant to Section 229 and an Authorised Officer pursuant to Section 222(4) of the Building Act 2004 with the following delegated responsibilities, powers and duties:</i></p> <p style="padding-left: 40px;"><i>To inspect buildings pursuant to Sections 111 and 167 of the Act</i> <i>To issue a Notice to Fix pursuant to Section 164 of the Act</i> <i>To deem a building to be dangerous, insanitary or earthquake prone, pursuant to Section 124 of the Act, and to take any action or serve any notice, pursuant to Section 126</i> <i>To take measures to avert immediate danger or rectify insanitary conditions pursuant to Section 129 of the Act</i> <i>To enter upon land to do work and recover costs pursuant to Section 220 of the Act.</i></p> <p><i>The bearer is authorized pursuant to Sections 174 and 177, Local Government Act 2002 to carry out and exercise the following responsibilities, powers and duties, in particular including, but not limited to any statutory power of entry:</i> <i>Section 181 "General Power of Entry", Section 172 "Power of Entry for Enforcement Purposes", and Section 164 "Seizure of Property not on Private Land" Local Government Act 2002.</i></p> <p><i>An "Enforcement Officer" pursuant to Section 38 of the Resource Management Act 1991.</i></p> <p><i>An "Officer pursuant to Section 11 of the Fencing of Swimming Pools Act 1987.</i></p>	

**DOCUMENTS SEALED FOR THE PERIOD FROM
14 JANUARY 2009 TO 13 FEBRUARY 2009**

The Schedule of Documents sealed for the period 14 January 2009 to 20 February 2009 was presented.

Resolved:	<i>That the report be received.</i>	Cairns/Evans
------------------	-------------------------------------	---------------------

Receipt/Confirmation of Minutes of Previous Council Meetings

ORDINARY MEETING OF COUNCIL HELD 10 FEBRUARY 2009

The minutes of the Ordinary Meeting of Council held on 10 February 2009 were presented.

Resolved:	<i>That the minutes of the Ordinary Meeting of Council held on 10 February 2009 be confirmed as correct.</i>	Heron/Caves
------------------	--	--------------------

**SPECIAL MEETING OF COUNCIL HELD
12 FEBRUARY 2009 – RALLY OF HAWKE'S BAY – ROAD CLOSURES**

Prior to receiving the Minutes of the Special Meeting held on 12 February, Councillor McKinnon expressed his dissatisfaction at the process that was followed and the subsequent resolution to come from that meeting stating that he considered the decision contrary to Standing Orders.

Considerable discussion took place.

The Chief Executive Officer clarified the situation in terms of the Mayor's ability to call a Special Meeting but did acknowledge there had been some procedural lapses. This would mean that if the Council resolution taken at the meeting of 12 February was not appropriate then all that followed would not be appropriate.

Council further agreed to find out the proper procedure to be followed and for the Chief Executive Officer write a report to be brought to Council to rectify the situation.

As a result of the current situation, Council also directed that the organisers of the Rally of Hawke's Bay be advised of the situation.

The Minutes were not confirmed as a true and accurate record.

Resolved:	<i>That Council declare motions taken at the Special Meeting of Council held on 12 February to be inappropriate and invalid.</i>	McKinnon/Caves
------------------	--	-----------------------

LATE ITEM – POLICY IN RESPECT TO PAYMENT OF SALARIES AND ALLOWANCES A06.06.01

Resolved:	<i>That in accordance with Section 46A (7) of the Local Government Official Information and Meetings Act the item POLICY IN RESPECT OT PAYMENT OF SALARIES & ALLOWANCES be considered given the item had not come to hand at the time of Agenda compilation and consideration of this matter is required now in order to respond within the time frame allowed.</i>	Cairns/Evans
------------------	--	---------------------

The Chief Executive Officer spoke to the report. The salary payable to the Mayor has been fixed by the Remuneration Authority at \$57,069 and an interim pool of \$144,576 has been set for the payment of Councillors and the Deputy Mayor from 1 July and commented that there was no choice about whether or not it should be accepted it was just about the disbursement of it.

Councillor Caves queried the extra responsibilities undertaken by the Deputy Mayor stating the Mayor had promised some time ago that the level of disbursement of 1.5 for the Deputy Mayor would be reviewed.

His Worship the Mayor denied making such a promise further adding he was disgraced that Councillors questioned the extra responsibilities undertaken by the Deputy Mayor.

Resolved:	<i>Payment of fixed salary for Councillors to continue.</i>	Heron/Caves
------------------	---	--------------------

Resolved:	<i>Level of remuneration for Deputy Mayor to remain at 1.5.</i>	His Worship the Mayor/Cairns
------------------	---	-------------------------------------

General Business

RURAL FIRE **I05.05**

The Chief Executive Officer updated Council on the serious situation with Rural Fire due to the loss of three of the top fire managers from the region, namely Te Aroha Cook to Central Hawke's Bay, Don Scott from Gisborne and Trevor Mitchell of DoC. He outlined the implications this would have in terms of managing a fire such as the recent one in Mahia. Mr Freeman further commented that he had indicated to Gisborne about the possibility of entering into a shared services agreement.

REGIONAL COLLABORATION **A24.05**

Reporting on a meeting that was held with other Chief Executives, Mr Freeman expanded further on the possibility of organisations helping each other out. Areas that could be looked at included having a regional Building Control Authority, shared Planning and Engineering services along with Civil Defence, Policy Sharing, Transportation Strategy to name but a few.

ORMOND DRIVE **B03.02.06.15**

The Engineering Manager gave an update. He advised that a hui was to be held on the 21st March at Ruawhoro with all Marae to discuss the roading options. The Maori Liaison Officer was to facilitate the meeting and it is hoped that this will kick start the process again.

WASTE MANAGEMENT

B06.21

Council were informed by the Engineering Manager of the Health Impact Assessment study being undertaken by the Ministry of Health which would be looking at the health impacts of our Waste Management Policy and how it would affect the community.

LETTER – J P HITCHINER

B03.02.02.01

The Engineering Manager advised had had received a letter from Mrs Hitchiner. The family offered to donate a seat to be placed along the Walkway possibly down by the Yacht Club looking towards Kihitu.

A brief discussion took place. The Chief Executive Officer noted that a Reserve Management Plan had been started with Sue Dick and there was the possibility of incorporating the seat in the design.

Resolved: *That the Engineering Manager write to Mrs Hitchiner advising Council is pleased to accept the family's offer of a seat to be placed along with Walkway.*
Heron/McKinnon

MAYORAL UPDATE

A06.03

The Mayor briefed Councillors on the recent meetings he had attended touching briefly on the Tairāwhiti Development Partnership and the Economic Development Report due for release shortly, the Mayor's Taskforce for Jobs and their focus on employment.

ADJOURNED: 11:55 AM

RECONVENED: 12.04 PM

Exclusion of the Public

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;*

Heron/Caves

RE-ADMITTED: 12.04pm

RELEASE OF CONFIDENTIAL ITEMS

A06.09

NIL

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

CLOSED: The meeting closed at **12.05pm**

.....
Chair