

WAIROA DISTRICT COUNCIL

ORDINARY MEETING OF COUNCIL

Minutes of an Ordinary Meeting of Council held in the Council Chambers, Coronation Square, Wairoa on Tuesday, 12 May 2009 at 10.00am.

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

COUNCILLORS

B Cairns, D Caves, D Eaglesome, B McKinnon, D Evans

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

CIVIC PRAYER

The civic prayer was given by Councillor Eaglesome.

APOLOGIES

An apology was received from Councillor Heron.

<u>Resolved:</u>	<i>That the apology from Councillor Heron be received.</i>	McKinnon/Evans
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CALLS FOR CONFLICT OF INTEREST - Nil

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

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| 1. | LATE ITEM - Wairoa Maori Film Festival | (Chief Executive Officer) |
| 2. | LATE ITEM - Regulation of Activities on Beaches | (Chief Executive Officer) |
| 3. | Maori Committee & Policy Update | (Administration Manager) |
| 4. | Pensioner Housing Insulation | (Councillor Eaglesome) |
| 5. | Property Disposal Update - Hunter-Brown Street | (Councillor Caves) |
| 6. | Development Contributions Policy | (Chief Executive Officer) |
| 7. | Update on Te Urewera Rainforest Route Activities | (Chief Executive Officer) |
| 8. | Overview of Mayoral Activities | (His Worship the Mayor) |

PUBLIC FORUM – Nil

General Item

DOCUMENTS SEALED FOR THE PERIOD FROM 25 FEBRUARY 2009 TO 9 APRIL 2009

The Schedule of Documents sealed for the period 25 February 2009 to 9 April 2009 was presented.

<u>Resolved:</u>	<i>That the report be received.</i>	Caves/Cairns
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Receipt/Confirmation of Minutes of Previous Council Meetings

ORDINARY MEETING OF COUNCIL HELD 14 APRIL 2009

The Minutes of a Meeting of Council held 14 April 2009 were presented.

Resolved: <i>That the Minutes of a Meeting of Council held on 14 April 2009 be confirmed as correct.</i>	Cairns/Evans
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LATE ITEM - WAIROA MAORI FILM FESTIVAL

A03.01

Resolved: <i>That in accordance with Section 46A (7) of the Local Government Official Information and Meetings Act, the item LATE ITEM – WAIROA MAORI FILM FESTIVAL 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>	McKinnon/Cairns
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The Chief Executive spoke to the report noting details of Council's previous history of financial support for the event. The festival has become synonymous with Wairoa and a clear pattern of Council support is evident.

His Worship the Mayor spoke in support of the festival and noted that it was something Wairoa should be proud of. He mentioned the various benefits of the festival to the Wairoa community.

Councillor Caves enquired as to the structure and membership of the organising committee. Councillors were referred to page 5 of the Business Plan submitted with the request.

Councillor Eaglesome supported the request for financial assistance and noted the professional presentation of documentation. She also supported the idea of festival organisers submitting to the LTCCP for ongoing funding.

The Chief Executive noted the travelling aspect of the festival and the positive promotion that comes from this.

Councillor Cairns supported the previous speakers and added that the festival was not just for Maori but for the whole community.

His Worship the Mayor highlighted that the funding in this instance was being sourced from the economic development budget and that if their submission was successful in terms of the LTCCP a new budgetary code would be necessary.

Resolved: <i>That Council grant \$10,000 to the Wairoa Maori Film Festival and that this amount be funded from Economic Development (Project Support).</i>	
<i>And further that the organisers be encouraged to make application for future funding through the Long Term Community Council Plan.</i>	Eaglesome/Cairns

LATE ITEM - REGULATION OF ACTIVITIES ON BEACHES

A06.06.01

Resolved: <i>That in accordance with Section 46A (7) of the Local Government Official Information and Meetings Act, the item LATE ITEM – REGULATION OF ACTIVITIES ON BEACHES 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>	McKinnon/Eaglesome
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The Chief Executive tabled a letter received from Hon J Carter, Associate Minister of Local Government regarding the regulation of activities on beaches in the district. He noted that its contents was self explanatory.

Currently Council has no jurisdiction below the mean high mark and bylaws therefore have no effect in the zone between the high and low water marks. The proposal is that Wairoa and 24 other Councils would alter their boundaries thereby conforming with the majority of Councils in the country.

Councillor Caves asked about the current issues regarding dogs on beaches. The Chief Executive noted that irrespective of the proposed jurisdiction changes, dog control matters are carried out on beaches regardless as a matter of public safety and this will continue.

Councillor McKinnon enquired as to whether there would be any impact on the Pukenui Road subdivision. The Chief Executive replied confirming that the Pukenui Road subdivision would not be affected and in doing so referred to the nature of the suggested changes versus Council's current jurisdiction over beaches. He added that this change was more a formality.

Resolved:	<i>That Council advise the Associate Minister of Local Government that it has no objection to the boundaries being extended to the low water mark.</i>
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Eaglesome/Cairns

General Business

MAORI COMMITTEE & POLICY UPDATE

A28.01

The Administration Manager spoke to the report noting that it was to provide Council with an update on the progress and developments relating to the formation of the Maori Committee and Maori Policy. While no formal decision of Council was sought, the report aimed to inform Council of management's intended 'next steps' with a view to bringing focus and closure to this important matter.

The Administration Manager outlined the history of Council decisions relating to this matter. He noted that a significant amount of work by Council's recently appointed Maori Liaison Officer had gone into moving this kaupapa forward. Most notably in terms of kanohi ki te kanohi (face to face) hui with the organisations mentioned in Council's meeting of 16 December 2009. These hui have been successful to the extent that they have provided some clarity of where we need to head in the future. They also identified a number of pitfalls which in turn have made it difficult to progress to the formation of a representative group and a fully developed Maori Policy.

It was noted that there was no easy answer as to how to achieve Council's desire of a representative group. Council staff have taken the time to re-evaluate the current situation and propose that a major hui be held at the paramount Takitimu Marae inviting stakeholders, for example, the Chairperson of every marae Committee in Wairoa or their representative. Additionally, it was suggested that Council consider an official kaumatua appointment.

It is necessary to share the message of what the role and responsibility of the Maori Committee is, in that it is a Standing Committee of Council and as such, is more than a benign element of the bureaucracy. Being the only Standing Committee of Council, the Maori Committee acts as a check and balance on Council processes, especially on those matters involving a Maori perspective. The hui would aim to fully involve stakeholders in the structure setting-up process which is a topic of much debate and complexity.

Councillor Eaglesome agreed the major hui was a vital tool in helping to move the process along.

His Worship the Mayor said he had concerns over how long it was taking to get a Maori policy and committee organised and that from a Council point of view we have done our best to assist the process.

The Chief Executive mentioned that it was important to "get things right" in setting up the policy and committee. It is the only standing committee of Council which gives it mana. It provides an opportunity for Maori to be involved in decision-making. Maori should be involved from the beginning not just there to talk about it afterwards.

Councillor Cairns agreed that significant progress was being made and that new discussions had been taken up by both sides about how Maori of this community are to be involved in decision-making.

PENSIONER HOUSING INSULATION

H07.03

Councillor Eaglesome confirmed that the insulation of pensioner flats was complete. She enquired as to an update of heating solutions.

The Administration Manager provided an update of the current status of work being undertaken in respect of alternative heating solutions for pensioner housing. He stated that consultant advice indicates that Council needs to deal with the obvious issues relating to heating, for example, curtaining and carpets before considering heat generating options like heat pumps. In some instances heat pumps would appear to be overkill and more sensible options need to be investigated.

PROPERTY DISPOSAL UPDATE - HUNTER-BROWN STREET

H01.03

Councillor Caves asked as to the progress made in respect of the sale of Council land at Hunter-Brown Street, Wairoa.

The Finance Manger confirmed that the sale was nearing completion with the settlement date set down for 4 June 2009.

DEVELOPMENT CONTRIBUTIONS POLICY

C19

The Chief Executive in response to queries relating to development contributions outlined the provisions of the Local Government Act 2002 (s106, s201-207 and schedule 13).

Council discussed the matter at length.

The Chief Executive noted concerns relating the "unit of demand" requirements under the Act. Moreover he noted that Council's LTCCP does not indicate any such demand. The Act specifies that we can only require a contribution for the growth aspect of a development and this only relates to a capital expenditure project.

His Worship the Mayor queried whether we could formulate a policy in contemplation of any future growth.

Councillor Cairns noted the ability of Council to set conditions as part of the resource consent process whereby developers pay for roading, lighting, sewerage, water, etc.

The Chief Executive agreed and said this was necessary to protect existing ratepayers, but that it was also important to strike a balance.

The Engineering Manager noted that the salient difference between Wairoa District Council and the likes of Taupo District Council or Northshore City Council was that they (through their District Plan) determine where development occurs, that is a "proactive approach". Whereas Wairoa's District Plan applies a "reactive approach" to development.

His Worship the Mayor and Councillor Caves agreed.

The Chief Executive suggests that changes to the District Plan would be more effective at this stage then considering a Development Contributions Policy.

UPDATE ON TE UREWERA RAINFOREST ROUTE ACTIVITIES

A15.03

The Chief Executive tabled and read from the Chairman of the Te Urewera Rainforest Route. The letter acknowledges Council for providing financial support and gives an update of activities relating to this initiative.

OVERVIEW OF MAYORAL ACTIVITIES

His Worship the Mayor gave a brief overview of his activities since the last Council meeting:

- AGM of the Women's Catholic League.
- Open day at Hereheretau Station a finalist for Ahuwhenua Trophy, awarded to the winner of the BNZ Maori Excellence in Farming competition.
- Opening for the JAB Rugby Season.
- CDEM Meeting.
- Powhiri for new Administration Manager.
- Letters to the Minister of Conservation regarding DOC boundary issue; Mayors Taskforce for Jobs regarding agriculture and letter of condolence to Napier regarding recent shooting incident.

ADJOURNED: 11.40 AM

RECONVENED: 12.18 PM

Exclusion of the Public

<p><u>Resolved:</u> <i>That pursuant to Section 48 (1) of the Local Government Information and Meetings Act 1987, the public be excluded on the following grounds:</i></p> <p><i>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:</i></p> <p><i>S7 (2)(b) Protect information where the making available of the information-</i></p> <p><i>(i) Would disclose a trade secret; or</i></p> <p><i>(ii) Would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</i></p> <p>McKinnon/Evans</p>

RE-ADMITTED: 12.18pm

RELEASE OF CONFIDENTIAL ITEMS

A06.09

NIL

There being no further business His Worship the Mayor declared the meeting closed.

CLOSED: The meeting closed at **12.20pm**

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Chair