

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 9 May 2006 at 10.00 am.

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

COUNCILLORS

S Birrell, D Eaglesome, B McKinnon, B Shortt, D Caves

IN ATTENDANCE: P J 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

An apology was received from Councillor McIntyre

<u>Resolved:</u> <i>That the apology received from Councillor McIntyre be accepted.</i> <i>Eaglesome/Caves</i>
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CALLS FOR ITEMS OF URGENT GENERAL BUSINESS NOT INCLUDED IN THE AGENDA AND NOTICES

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| 1. Late Item Regional Land Transport Strategy Review Issues Report | (Administration Manager) |
| 2. Tsunami | (Chief Executive Officer) |
| 3. Plan Change | (Chief Executive Officer) |
| 4. Wainuiorangi Road | (Engineering Manager) |

PRESENTATION

NZ MOTOR CARAVAN ASSOCIATION INC.

His Worship the Mayor welcomed Mr Stuart Cross and New Zealand Motor Caravan Association members from Gisborne and invited them to make their presentation to Council.

Mr Cross gave a brief overview of the history, purpose, and growth of the NZ Motor Caravan Association of New Zealand (NZMCA). The purpose of their presentation was to recommend to Council to consider formulating, adopting and implementing a Motor Caravan Recreation Policy.

The Policy had been implemented by a number of Councils in New Zealand already, and made provision for independent overnight parking on Council controlled public land, for a maximum of two nights in any calendar month, at any location. Independent overnight parking was also to be restricted to vehicles that had a self containment certificate in accordance with NZS 5465:2001 with wastewater disposed of at approved dump stations. The NZMCA supported Councils by establishing, maintaining, and making available to its members publications such as, newsletters, and induction kits that strictly adhered to Motor Caravan Recreation Policies adopted by Councils.

Mr Cross believed it was in Council's interest to consider the tourism growth potential to the district, as the adoption of a Motor Caravan Recreation Policy would signal to members that it was a friendly and welcoming district to visit, whereas the lack of provision of overnight parking facilities was likely to deter members from visiting the district. Mr Cross encouraged Council to consider the value of expansion of industry to adding to the economic growth of the district when considering the development and implementation of bylaws.

Councillor Shortt presented Mr Cross with a series of photographs, which illustrated that a number of Motor Caravans in recent months had blatantly ignored current Council Policy of No Freedom Camping. Councillor Shortt questioned the ability of the association to enforce adherence to Council Policy upon its members when blatant disregard seemed to be the current practice. Mr Cross responded stating that not all Motor Caravan operators were members of the association, and that they had no control over tourism operators.

The Chief Executive Officer advised Mr Cross that Reserves Management Plans were being developed and would be open for public submissions. The current plans did not make any provision for freedom camping on Council controlled reserves, and as such the association should convert their presentation into a sub-mission for consideration by Council following public consultation. The Association was advised that a sub-mission should be made to the Long Term Council Community Plan for consideration of provision of an overnight parking area for members of the NZMCA to utilise.

His Worship the Mayor thanked Mr Cross and members of the Association for their presentation.

GENERAL BUSINESS

The Chief Executive Officer asked that the item 'Ormond Memorial Property' be brought forward as Mr Coop was in attendance at the meeting to speak to the matter.

ORMOND MEMORIAL PROPERTY – MAHIA

H.01.03

Mr Coop thanked Council for being given the opportunity to speak to the item. Mr Coop represented a group wishing to form a Maritime Museum at Mahia Beach. Mahia Beach had a rich maritime history, and it was the intention of the Mahia Maritime Museum Trust to establish a facility that was educational, environmental, recreational, and a centre for the provision of an information service. The overall intent was to establish a living museum that not only provided access to historical artefacts, but also encompassed visits to whaling stations and shipwrecks in the area. The Trust wished to know if they were able to lease the Ormond Memorial Property for the purpose of building a Maritime Museum.

The Chief Executive Officer informed Councillors that a lease was already in place for a term of ten years with the Mahia Social Club, and could not be terminated as long as the land was utilised for the purpose of providing recreational community facilities.

Resolved: *That the report be received.*

Birrell/Caves

The Chief Executive Officer informed Councillor's that when considering whether there had been a breach of the lease agreement, upon solicitor's advice the definition of the words 'recreational use' could be as wide as members of the public wished to take it. Merely walking through the property could be defined as a recreational use.

Councillor Shortt advised that there could be a breach of the lease as the land in question had not been utilised for the purpose required, in this case the building of a tennis court. The lease had been in place for two years, during which time there had been no activity, and the lease clearly stated that it was to be utilised for its intended purpose within a year.

Councillor Shortt asked if Council could request the Mahia Social Club to present a complete project plan to Council by August detailing project start and completion dates.

The Chief Executive Officer advised that it was legitimate for Council to put a timeframe on the Mahia Social Club to present their project plans by a specified date, and if not received within the timeframe, to be followed-up with a 'please explain' letter and a review of the lease.

Resolved: *That the Mahia Social Club provide plans and specifications, inclusive of commencement and completion dates, to Council by 30th August 2006 and that failure to produce an acceptable plan will result in a review of the lease agreement.*

Shortt/Caves

RECEIPT/CONFIRMATION OF MINUTES OF COUNCIL MEETINGS

SPECIAL MEETING OF THE RESOURCE MANAGEMENT COMMITTEE HELD 14 MARCH 2006

The Minutes of a Special Meeting of the Resource Management Committee held 14 March 2006 were presented.

Resolved:	<i>That the Minutes of the Special Meeting of the Resource Management Committee held on 14 March 2006 be confirmed as correct.</i>	McKinnon/Shortt
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ORDINARY MEETING OF COUNCIL HELD TUESDAY 11 APRIL 2006

The Minutes of an Ordinary Meeting of Council held on 11 April 2006 were presented.

Resolved:	<i>That the Minutes of the Ordinary Meeting of Council held on 11 April 2006 be confirmed as correct.</i>	Birrell/Eaglesome
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DISCUSSION

Waikatea Station

The Chief Executive Officer informed Councillors that the Hawke's Bay Regional Council has joined the appeal process and supports Council's decision.

Statement of Intent Quality Roading Services (Wairoa) Limited

The Chief Executive Officer of Council has spoken to the Chief Executive Officer of Quality Roading Services (Wairoa) Limited with a date and time for a meeting to be arranged.

Long Term Council Community Plan

The Chief Executive Officer advised Councillors that the Auditors had completed their work on the plan, and that the completed Financials, would be provided to Audit by the end of the day. An opinion from the Office of the Auditor General was expected to be received by Friday. A meeting would be set for the adoption of the Long Term Council Community Plan, and its release for public consultation following receipt of the Auditors opinion.

Mr Dickson

His Worship the Mayor the Mayor and the Chief Executive Officer advised Councillors that they had met with Mr Dickson and family members. At that meeting it was stressed that Mr Dickson's submissions, as relates to Reserves, would be looked at and considered with all other submissions once the Reserves Management Plans were formulated and released for public consultation. The Chief Executive Officer and Engineering Manager, would be meeting with a consultant on Monday to commence the development of the first of Councils Reserves Management Plans.

RECEIPT/CONFIRMATION OF MINUTES OF COUNCIL MEETINGS

MAORI COMMITTEE MEETING HELD 4 APRIL 2006

The minutes of the Maori Committee Meeting held 4 April 2006 were presented.

Resolved:	<i>That the minutes of the Maori Committee Meeting held 15 July 2006 be received.</i>	Caves/Eaglesome
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GENERAL BUSINESS

WAIROA WAR MEMORIAL HALL UPGRADE

H.06.01

The Administration Manager spoke to the report advising that correspondence had been received from the Wairoa Combined Service Club Hall Management Committee requesting Council consideration of a financial contribution toward the removal of whisper coating, containing asbestos' from the ceiling and walls of the War Memorial Hall meeting Room.

Council leased the Hall to the Combined Services Club in 2002 for a period of ten years, with a right of renewal, in conjunction with the payment of a one of grant of \$65,000 in lieu of any future maintenance/renewal work required.

Councillors need to determine whether the removal of the asbestos whisper coating should be the sole responsibility of the lessee, or whether as lessor, the Council wishes to contribute to, or meet the full cost of, the removal of the asbestos whisper coating.

Resolved: *That the report be received.*

Caves/Eaglesome

The Chief Executive Officer advised that the asbestos within the whisper coating only posed a risk if it were to be removed. He reinforced that Councillors needed to determine, as there was no current risk to users, whether they had a responsibility to assist in meeting the cost to remove the coating allowing the upgrade of the meeting room to proceed.

Councillor Caves asked whether the Combined Services Club would qualify for Government funding, as he believed there was funding available to clubs for the restoration of war memorials, facilities and graves. The Chief Executive Officer advised that he had received no information of such funding being available, however if it were available, and the War Memorial Hall was to qualify, then Council would support an application from the Management Committee.

Councillors admired the achievements of the Combined Services Club to date in their restoration of the War Memorial Hall, however as they paid a peppercorn rental, and had received a one of grant in lieu of all future maintenance/renewal requirements as set out in the lease agreement, they did not believe that it was beholden on Council to meet any renovation costs.

Resolved: *That the request for financial assistance toward the removal of the 'asbestos' whisper coating received from the Wairoa Combined Services Club Hall Management Committee be declined.*

Shortt/McKinnon

LATE ITEM – REGIONAL LAND TRANSPORT STRATEGY REVIEW ISSUES REPORT **B.03.06**

Resolved: *That in accordance with Section 46A (7) of the Local Government Official Information and Meetings Act, the item REGIONAL LAND TRANSPORT STRATEGY REVIEW ISSUES REPORT 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.*

Birrell/Caves

The Operations Manager and Councillor Caves attended the regional Transport Meeting held in Hawke's Bay when the document was in its draft form. The provision of the final document at the meeting provided Councillors the opportunity to discuss its contents, and consider making a submission prior to the closing date of 10 May 2006.

The Councillors and Management perused the document and were concerned that it was not really a 'Strategy' document as it highlighted to perceived problems within the district, but gave no direction as to how they would be addressed, particularly in relation to rural transport issues. Councillors made the statement that Wairoa was still not receiving satisfactory answers and/or actions to district roading concerns continually raised. The document was no more than a technical report that identified regional issues, and lacked strategy.

Resolved: That the report be received.

Caves/Birrell

TSUNAMI EVENT

A22.02

The Chief Executive Officer and Administration Manager briefed Councillors on Council's response to the perceived Tsunami threat following an earthquake in the Pacific. The Chief Executive Officer stressed that had there been a Tsunami that would impact on the New Zealand Coast, and specifically the Wairoa District, that Council had a Tsunami response Plan, which would be immediately activated. The Tsunami Alert, and self-evacuation that eventuated, was a result of the National Crisis Management Centre not managing the international media, and failing to inform national media that there was no threat.

The Administration Manager advised that following concerns raised by coastal communities, a number of meetings were being arranged to inform people of levels of risk, emergency procedures and processes, and to ascertain the specific concerns following the incident as relates to individual communities.

The Chief Executive Officer and Administration Manager stressed that Civil Defence is about people being prepared to respond to adverse events and emergencies, it is not a structure or service that can be accessed by dialling 111. Civil Defence is a 'response' agency that responds to emergency incidents/events as they occur, whether a flood, earthquake, drought, pandemic event, or tsunami.

His Worship the Mayor stated that there were lessons to be learnt from everybody despite it not being a real incident, as it had made people more aware of the threat from Tsunami.

The Administration Manager advised that there would be an International Exercise the following week, which had been in the planning for the past six months, which would test the International response to a confirmed Tsunami, and the subsequent activation of Emergency Operations Centres. The Wairoa District Council would be participating in this exercise.

ISTHMUS PLAN CHANGE

D01.25.05

The Chief Executive Officer read from an e-mail received from Mr Keith Frenz advising of proposed changes to the Isthmus Plan, prior to its adoption for release for public consultation. Following Councillor's confirmation on the required changes, the Chief Executive Officer was to advise Mr Frenz accordingly. The amended plan would be forwarded to Council for adoption for public consultation.

WAINUIORANGI ROAD

B03.02

The Engineering Manager brought to Councillor's attention the possible need to address road legalisation issue on the Wainuiorangi Road. The current road alignment was not in accordance with the legal road alignment, and currently deviated through private property with a locked gate at the entrance to that property. A representative of other property owners on the road had made an approach that Council form the legal road for property owner access, however this would also enable public access to the entire beach front, and this was not the overall desire of property owners. The Engineering Manager advised that there would be a substantial cost involved in forming the legal road, and that a formal report would be put before Council to enable them to decide on a preferred option.

WALKWAY

B03.02.02.01

His Worship the Mayor advised Councillors that a Walkway Information Brochure had been completed and that funding to allow the commencement of the project would become available in July.

His Worship the Mayor also raised the issue of a recent incident involving the removal of a Kowhai Tree on the Marine Parade Riverbank. Council had received a report that the condition of the tree was such that it posed a risk to the safety of pedestrians, and should be removed. A member of the public reacted against the felling of the tree and had to be removed from the site by Police.

The Engineering Manager advised that there had been a breakdown by Council in communicating with the person concerned, as prior to the tree being felled, an assurance had been given to the concerned resident that staff would make contact with her and advise of their intended action. This did not occur,

and as such the concerned resident acted accordingly. An apology has since been passed on to the person concerned and duly accepted.

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;*

Birrell/McKinnon

EXCLUDED FROM: 2:05 PM

READMITTED FROM: 2:42 PM

RELEASE OF CONFIDENTIAL ITEMS

A06.09

There were no items brought forward for release from the Confidential Agenda.

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

MEETING CLOSED: 12:40 PM