



ORDINARY MEETING  
OF COUNCIL

**TUESDAY**

**10 AUGUST 2010**

**9.00 AM**

<b>REPORT TO: COUNCIL</b>	
<b>DATE: 10 AUGUST 2010</b>	
<b>SUBJECT: WAIROA DISTRICT COUNCIL PENSIONER HOUSING POLICY</b>	<b>FILE REF: H07.03</b>
<b>AUTHOR: S ANDERSON, POLICY ANALYST</b>	<b>ATTACHMENTS:</b> 1. Wairoa District Council Pensioner Housing Policy
<b>RELATED COMMUNITY OUTCOME:</b> A safe and secure community. A lifetime of good health and well-being. Supportive, caring and valued communities.	<b>RELATED COUNCIL ACTIVITY:</b> Pensioner Housing, Policy

**PURPOSE:**

The purpose of this report is to finalise the Wairoa District Council Pensioner Housing Policy following the public consultation process.

**BACKGROUND:**

On 13 April 2010 Council reviewed a Draft Wairoa District Council Pensioner Housing Policy and approved its release for public consultation and submission under the Local Government Act 2002.

**CURRENT SITUATION:**

Public notice was placed in the Wairoa Star on 6 May 2010 at the commencement of the public submissions period. A follow-up public notice was published on Thursday 3 June 2010, the week preceeding the closing date for all submissions, which was on Thursday 10 June 2010. Other media such as the Council website and email distribution were also used to encourage public consultation.

No formal submissions have been received.

**DISCUSSION:**

Comments recorded in the minutes of the Maori Standing Committee meeting of 12 March 2010 and the Council meeting of 13 April 2010, although not considered part of the formal submissions process, do merit further discussion.

*From the Minutes of MSC meeting 12 March 2010:*

*Comment:* 'Senior Citizen' would be a more appropriate term than 'Pensioner'

*Response:* The rationale for the using the term 'Pensioner' as the descriptor were –

- 1) To reflect the original purpose of the flats - "*The Council Flats were erected between 1952 and 1967 as a result of government loans to the Wairoa Borough Council for the express purpose of pensioner housing.*" (Officer report, 13 April 2010)
- 2) To align the policy with a particular asset – "*...the current 2009-2019 LTCCP, Pensioner housing is an identified strategic Council asset...*" (Officer report, 13 April 2010)

From the Minutes of Council meeting 13 April 2010:

*Comment:* Incusion of a statement that accommodation is not suitable for applicants with dependents

*Response:* The assumption in the policy is that the type of accommodation determines potential applicants. Most of council's pensioner units are bedsits or 1 bedroom units which are of a suitable size for individual tenants (in the case of bedsits) or couples (in the case of 1 bedroom units). Any reference to 'dependents' in the policy would require further discussion about who is the 'dependent' – especially where applicant's have a caregiver-patient relationship. In addition, the policy explicitly states that "*all of the pensioner units are designed for independent living*" (6.1.4) which creates an expectation that applicants are sufficiently healthy or able bodied to enable applicants to take care of themselves.

#### **ASSESSMENT OF SUSTAINABILITY:**

This review contributes to the sustainability of the Wairoa District by helping to achieve the specified community outcomes noted above.

#### **FINANCIAL IMPLICATIONS:**

The cost of adopting this policy will be met from existing budgets.

#### **RECOMMENDATION(S):**

That:

1. Council receives the report.
2. Council adopts the Wairoa District Council Pensioner Housing Policy with amendments if necessary.



S Anderson  
**POLICY ANALYST**



James Baty  
**ADMINISTRATION MANAGER**

**ATTACHMENT 1: WAIROA DISTRICT COUNCIL PENSIONER HOUSING POLICY**

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<b>Policy Name:</b>	<b>Pensioner Housing Policy</b>		
<b>Person Responsible:</b>	Policy Analyst	<b>File Reference:</b>	H07.03
<b>Category:</b>	Property	<b>Status:</b>	FINAL FOR APPROVAL
<b>Date Policy Adopted:</b>		<b>Approval By:</b>	
<b>Review Period:</b>	Tri-annually	<b>Next Review Due By:</b>	2013
<b>Supersedes</b>	TENANCY - POLICY ON COUNCIL FLATS		

## **Background**

Wairoa District Council has a long standing commitment to providing housing for the elderly residents, who through personal circumstances, are unable to rent accommodation in the private market.

Council currently manages and maintains 32 residential units on six sites located in the Wairoa Township.<sup>1</sup>

## **Purpose**

The purpose of the pensioner housing policies is to provide clear guidelines in the following key areas:

- Eligibility for tenancy
- Administration of Waiting Lists
- Rents, Rent Collection and Rent Arrears.
- Maintenance and Upgrading
- Grievance Mechanisms

This policy supersedes all existing Council policies<sup>2</sup> relating to Pensioner Housing.

## **Principles**

The principles underlying this policy are:

- That there is a genuine need for long-term affordable accommodation for the elderly and Wairoa District Council has a role in meeting this need.
- That the Council's pensioner housing units shall continue to be available for rental at below private market rentals.

## **Definitions**

"Elderly" are those people aged 65 or over, but may include younger persons 55 years and older if they have a medical condition, and they are on an age related benefit or similar.<sup>3</sup>

"Pensioner Housing" refers to residential accommodation for a person or persons of an age that is eligible for the national pension.

## **Policy:**

The Pensioner Housing policy is comprised of the following policies:

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<sup>1</sup> Wairoa District Council LTCCP 2009- 2019 – Pensioner Housing Activity Management Plan

<sup>2</sup> Existing Council Policies – Tenancy Policy (1993) & Pensioner Housing Rentals Policy (2001)

<sup>3</sup> Definitions for older person or elderly fall into three main categories: 1) chronology; 2) change in social role (i.e. change in work patterns, adult status of children and menopause); and 3) change in capabilities (i.e. invalid status, senility and change in physical characteristics).

## 6.1

<b>Pensioner Housing - Eligibility for Tenancy</b>	<b>FILE</b>	
	Approval Date:	
	Approved By:	
	Review Date:	
Responsible Officer:	Expiry Date:	
	Version No.	
Authorising Officer:	Chief Executive Officer	

**1. Applicants**

- a) The prospective applicant for tenancy of a pensioner unit shall be determined by application and assessed in accordance with eligibility criteria.
- b) All applicants must be a New Zealand citizen or be permitted to reside here in New Zealand, have an urgent need for accommodation due to their current circumstances and have family living within the Wairoa District that can support their tenancy.
- c) Council will use a priority based eligibility scale to determine suitability of prospective tenants.

**2. Priority one eligibility criteria**

- a) In order to be given this priority the applicant must satisfy all of the following criteria:
  - i) Must be 65 years of age or older (being the age eligible for a pension in New Zealand) and be retired from full time work; **and**
  - ii) The applicant's primary source of income is from a permanent New Zealand / Overseas age related benefit:
    - o National Superannuation
    - o War Disablement Pension
    - o New Zealand Veterans Pension **and**
  - iii) The combined value of the applicant's assets (excluding car, furniture and personal household effects) must not exceed the figures below:
    - o Single person \$20,000
    - o Couple \$30,000 **and**
  - iv) Assets may include cash in the bank, shares, trusts, investments or any other property of value (but excluding car, furniture and personal households effects); **and**
  - v) In the case of a couple, both partners must meet all of the eligibility criteria.

- b) Applicants who do not satisfy the Priority One criteria on the grounds of age (younger than 65 years) or main source of income (a non-age related benefit) may qualify for a place in a pensioner unit if they satisfy the Priority two criteria.

### **3. Priority two eligibility criteria**

- a) In order to be given this priority the applicant must satisfy all of the following criteria:
- i) Must be 55 years of age or older and be retired from full time work. **and**
  - ii) The applicant's primary source of income is from a permanent New Zealand / Overseas benefit other than an age related benefit, including
    - o Sickness Benefit
    - o Invalids Benefit
    - o ACC Payment **and**
  - iii) The combined value of the applicant's assets (excluding car, furniture and personal household effects) must not exceed the figures below:
    - o Single person \$20,000
    - o Couple \$30,000 **and**
  - iv) Assets may include cash in the bank, shares, trusts, investments or any other property of value (but excluding car, furniture and personal households effects) **and**
  - v) In the case of a couple, both partners must meet all the eligibility criteria.

### **4. Individual Merits**

- a) Applicants who do not satisfy any of Priority One or Priority Two criteria may still be considered individually on the merits of their application.
- b) The acceptance (or otherwise) of applications remains at the full discretion of the Council. Wairoa District Council reserves the right to decline any application that does not meet the criteria.
- c) All of the pensioner units are designed for independent living. Priority One applicants may require a recent medical certificate relating to applicant's health and their ability to care for themselves independently.

### **5. Changes to Eligibility during Tenancy**

- a) Council reserves the right to re-evaluate the tenancy of successful applicants should Council become aware of any changes to the tenant's income source and/or value of assets. In particular:
  - o Change of income source - from receiving a benefit to paid employment
  - o Change to value of assets – asset value exceeds stated thresholds

## 6.2

<b>Pensioner Housing - Waiting Lists</b>	<b>FILE</b>	
	Approval Date:	
	Approved By:	
	Review Date:	
Responsible Officer:	Expiry Date:	
	Version No.	
Authorising Officer:		Chief Executive Officer

**1. Administration of Waiting Lists**

- a) Where the number of eligible applicants (refer to Policy No.1) exceeds the number of units available, a waiting list will be maintained by Council and shall be kept at the Council offices.
- b) The list shall be kept up to date, and those on the list will be contacted at regular intervals, or as required, so as to verify that all applicants still wish to remain on the list and also update their applications if the situation has changed.

## 6.3

<b>Pensioner Housing - Rents, Rent Collection and Rent Arrears</b>	<b>FILE</b>	
	Approval Date:	
	Approved By:	
	Review Date:	
Responsible Officer:	Expiry Date:	
	Version No.	
Authorising Officer:		Chief Executive Officer

**1. Rents**

- a) Rents are set out in the Fees and Charges section of the 2009-2019 LTCCP.
- b) Any changes to rents will be approved in accordance with the provisions of the Local Government Act 2002.

**2. Rent Collection**

- a) Tenants are required to pay two weeks' rent in advance on being accepted for a pensioner unit.
- b) Rent shall be paid by the tenant, or on behalf of the tenant, fortnightly in advance by way of automatic payment.
- c) Council will record all rent payments, which will be credited against the Tenant's rent account.

**3. Arrears Management**

- a) All arrears are governed by the Residential Tenancies Act 1986.
- b) All rent arrears will be brought to the attention of the tenant in writing.
- c) Where rent arrears are outstanding for a period of 2 weeks, Council will arrange recovery of rent arrears by means of direct deductions from the tenant's WINZ payments.
- d) Where rent arrears remain outstanding and/or ongoing in excess of 3 months, Council will refer the matter to the Tenancy Tribunal for resolution in accordance with the Residential Tenancies Act.

## 6.4

<b>Pensioner Housing - Maintenance and Upgrading Procedures</b>	<b>FILE</b>	
	Approval Date:	
	Approved By:	
	Review Date:	
Responsible Officer:	Expiry Date:	
	Version No.	
Authorising Officer:		Chief Executive Officer

### 1. **Management**

- a) The day to day administration of pensioner housing is carried out by the Administration Department of the Council, with contract and maintenance works overseen by the Engineering Department preferred methods.
- b) In the case of tenants placed in Council's pensioner units at the referral of another service provider, Council reserves to right to manage the pensioner units in a manner that is to the benefit of Council approved tenants
- c) The Council may consider alternative arrangements or partnerships for the future administration and management of pensioner units if it is in the best interests of tenants and is cost-effective.

### 2. **Maintenance**

- a) Council will maintain the housing stock to a standard consistent with –
  - *Providing a safe, healthy and pleasant environment for its tenants;*
  - *Promoting tenants' independence and ability to 'age in place';<sup>4</sup>*
- b) Annual inspection of all units will be undertaken, with repairs completed and chattels that are the responsibility of Council replaced as required. Tenants will be advised throughout the process.
- c) Council does not take any responsibility in making payment for any works done at the request of the service provider, unless an agreement on payment has been reached prior to commencement of the work.
- d) 'Fair Wear and Tear' of the pensioner units is accepted HOWEVER, in the case of deliberate damage caused by tenants, all costs relating to the repair of the damage caused shall be charged to the tenant.

<sup>4</sup> Wairoa District Council LTCCP 2009- 2019 – Pensioner Housing Activity Management Plan

## 6.5

<b>Pensioner Housing - Grievance Mechanism</b>	<b>FILE</b>	
	Approval Date:	
	Approved By:	
	Review Date:	
Responsible Officer:	Expiry Date:	
	Version No.	
Authorising Officer:		Chief Executive Officer

**1. Grievance in regards to Policies**

- a) A tenant who has a grievance regarding any aspect of the Pensioner Housing policies, may state the grievance in writing or in person to the Administration Manager. Upon receipt of the grievance the following procedure will be followed:
  - i) Initially, the Chief Executive Officer, or delegate, will meet with the aggrieved in an informal manner in an effort to resolve the grievance and reach a mutually acceptable agreement.
  - ii) If this fails, the Chief Executive Officer, or delegate, will convene a Grievance Committee, comprising of two people. This Committee will be able to be approached - by the Tenant(s) in a further effort to resolve the matter in an informal manner.
  - iii) If the matter cannot be resolved through the process in (ii) above, it will be deferred to the Residential Tenancies Tribunal for formal mediation.
  - iv) If processes (i) to (iii) prove unsuccessful the matter may be referred to a Court of Law for final resolution.
- b) Within each stage, a decision must be made and the Tenant notified within ten working days. The decision may be to resolve the issue or to advance to the next stage in the process.
- c) All grievance procedures will be recorded for public scrutiny and to enable a precedent to be set should a similar case arise.

## 6.6

<b>Sundry Tenancy Matters</b>	<b>FILE</b>	
	Approval Date:	
	Approved By:	
	Review Date:	
Responsible Officer:	Expiry Date:	
	Version No.	
Authorising Officer:		Chief Executive Officer

**1. Smoking in Pensioner Units**

- a) The Council does not support cigarette smoking. As at the adoption date of this policy tenants will not be permitted to smoke within the units. This will not apply to tenants who were occupying units prior to the adoption of this policy. However, for these existing tenants, planned refurbishments will be undertaken (approximately every seven years) only if the tenant agrees not to smoke in the unit, or to allow others to do so.

**2. Animals**

- a) It is not Council policy to allow tenants to have pets. However, a small animal such as a bird, cat or small dog may be permitted with the Council's consent provided that any such animal must be well behaved, and properly cared for so they do not pose a nuisance to other tenants. Tenants are limited to one animal only and in the case of a cat or a dog, the animal must be neutered or spayed.

<b>REPORT TO: COUNCIL</b>	
<b>DATE: 10 AUGUST 2010</b>	
<b>SUBJECT: WAIROA DISTRICT COUNCIL GAMING AND TAB POLICY - REVIEW</b>	<b>FILE REF: I18.01</b>
<b>AUTHOR: S ANDERSON, POLICY ANALYST</b>	<b>ATTACHMENTS: (under separate cover)</b>  1. Info Pack. 2. Submission from New Zealand Racing Board. 3. Submission from Problem Gambling Foundation of New Zealand.
<b>RELATED COMMUNITY OUTCOME:</b> A safe and secure community. A lifetime of good health and well-being. Supportive, caring and valued communities.	<b>RELATED COUNCIL ACTIVITY:</b> Policy

**PURPOSE:**

The purpose of this report is to:

- Provide a summary and analysis of submissions lodged to the publicly advertised review of Wairoa District Council's Class 4 Gaming & TAB Venues Policy;
- Seek advice from Council on any changes to the Class 4 Gaming & TAB Venues Policy arising from the written and verbal evidence presented by submitters.

**BACKGROUND:**

Wairoa District Council adopted its current Class 4 Gaming and TAB Venues Policy on 12 June 2007.

The Gambling Act 2003 and the Racing Act 2003 requires Council to review the policy in accordance with the special consultative procedure prescribed in the Local Government Act 2002 ("LGA 2002").

Following the Council meeting on 8 June 2010, an amended Wairoa District Council Gaming and TAB Venue Policy (showing minor changes to the proposed text of the policy) and the officer's report (as the Statement of Proposal) were prepared in an information pack for public release.

### **CURRENT SITUATION:**

The advertising of the Wairoa District Council Gaming and TAB Venue Policy Review was carried out in accordance with the Special Consultative Procedures of the Local Government Act 2002 and attracted a total of two submissions.

The Information Pack is provided in **Attachment 1**.

In terms of the consultative procedure required by the LGA 2002, Council has an obligation to give the submitters an opportunity to appear and be heard in support of their submission.

Both submitters have requested to speak in support of their submissions.

Given that there are only two submitters to this policy review, a separate hearing was deemed impractical and the opportunity to appear and be heard in respect of their submissions has been included as a part of this Council meeting agenda.

### **SUMMARY OF SUBMISSIONS:**

The two submissions received are from:

- Jarrod True of Harkness Henry on behalf of the New Zealand Racing Board
- Max Llewelyn on behalf of the Problem Gambling Foundation of New Zealand

The submissions are attached for your consideration in **Attachment 2**.

**Submitter 1:** New Zealand Racing Board (“NZRB”)

Submitter requests that Council amend its current policy as follows:

- (a) Separate the Board Venue (TAB) Policy and class 4 venue (gaming machine) policy and have the review and consultation of the two policies done at different times.
- (b) Replace the current sinking lid with a cap at the current numbers (4 venues and 58 gaming machines)
- (c) Alter the policy to allow for relocation of gaming machines within the District.

**Submitter 2:** Problem Gambling Foundation of New Zealand (“PGFNZ”)

Submitter recommends that Council:

- continue with a sinking lid policy approach
- advocate to Central government for a review of the pokie trust funding system that would mean more money going back into community groups and grassroots sport.

## DISCUSSION

### Officer Assessment of Submissions

**Submitter 1:** New Zealand Racing Board (“NZRB”)

Decision sought	Officer Comments:
<p><b>Requested Change (a1)</b> Separate the Board Venue (TAB) policy and class 4 venue (gaming machine) policy.</p>	<p>NZRBs submission states that:</p> <p><i>“Councils are required to adopt two separate policies, a TAB Board Venue policy under 65D of the Racing Act 2003 and a class 4 gaming venue policy under s101 Gambling Act 2003”</i></p> <p>Neither section 101 of the Gambling Act 2003 nor section 65D of the Racing Act 2003 contain a clause that explicitly requires that the policy under either Act must be a separate policy and not combined with another, for example, a class 4 gaming venue policy.</p> <p>Wairoa District Council’s current Class 4 Gaming and TAB Venues Policy is a combined policy that addresses both class 4 gaming venues <u>and</u> TAB venues. Both types of venues are addressed and the policy addresses the requirements of both the Gambling Act and the Racing Act.</p> <p>However, NZRB’s submission does draw attention to the fact that the purpose and scope of the Racing Act 2003 is notably different from the purpose and scope of Gambling Act 2003. Section 65D of the Racing Act 2003 requires Council to adopt a Board venue policy.</p> <p>Board venues are defined under the Racing Act 2003 as <i>“premises that are owned or leased by the Board and where the main business carried on at the premises is providing racing betting or sports betting services under this Act”</i></p> <p>Board venues are commonly referred to as TAB venues but this is something of a misnomer and a potential cause of confusion by the general public.</p> <p>A Board venue policy can only address stand-alone NZRB betting venues. TAB outlets in pubs and clubs are not Board venues as defined by the Racing Act 2003 and therefore cannot be addressed in the provisions of any Board venue policy.</p> <p>This is because the main business of a Board venue is racing and sports betting. The main business of clubs and pubs (i.e. venues licensed under the Sale of Liquor Act) is the sale and consumption of alcohol. Racing and sports betting in these venues is incidental to the sale of alcohol.</p>

<b>Decision sought</b>	<b>Officer Comments:</b>
<p><b>Requested Change (a1)</b> Separate the Board Venue (TAB) policy and class 4 venue (gaming machine) policy.</p>	<p>Current examples of this type of operation in the Wairoa district are Sunset Point at Mahia and the Wairoa Club Inc in the Wairoa township. Both have TAB terminals but racing and sports betting is not their primary use.</p> <p>Without a doubt confusion does occur when reading Council's combined policy on class 4 gaming and Board (TAB) venues. This is mainly due to the difference in policy approaches - a restrictive ("sinking lid") policy approach for Class 4 gaming venues and a permissive ("allowable") policy approach for Board venues.</p> <p>However, if Council decides to re-introduce a more permissive policy approach to Class 4 gaming venues, then a combined policy provides for greater control where there is a permissive policy approach.</p> <p>As a means of avoiding confusion; especially in where the two policy approaches differ; separating Council's combined policy and having one policy for Board (TAB) venues and one policy for Class 4 gaming venues has merit.</p> <p>NZRB's submission has provided an example of our Council's combined policy can be separated into two sample policies. The main differences between Council's current policy and NZRB's sample policies are:</p> <ul style="list-style-type: none"> <li>• The new text in the sample TAB Board Venue Policy under the heading 'Scope of Policy' and 'Goals' merely rewords bullet point three of Council's current policy. The additional text under the heading 'Scope of Policy' refers to the process where a TAB Board Venue wishes to host gaming machines - this seems superfluous given Council's 'sinking lid' approach but its inclusion (or exclusion) will have a negligible impact on the application of the policy.</li> <li>• The new text in the sample Gaming Venue Policy under the heading 'Primary Activity of Class 4 Gambling Venues' merely adds TAB Board Venues to the list. Given Council's 'sinking lid' approach the impact of adding this activity to the list is negligible.</li> <li>• The only exclusion from Council's current policy that has not been transferred into the sample TAB Board Venue Policy text is the application requirements specifying information on Liquor licenses. Council may wish to have a discussion about the relevance of these information requirements for TAB Board Venue applications.</li> </ul> <p><b>Officer Recommendation:</b> Requested Change (a1) is supported.</p>
<p><b>Requested Change (a2)</b> Have the review and consultation of the two policies done at different times.</p>	<p>Having two separate policies – one for class 4 gaming venues and one for TAB venues – will require clearly delineated review processes. However, the advertising of such policies in compliance with the Special Consultative Procedures of the Local Government Act 2002 can occur at the same time at the discretion of Council.</p> <p><b>Officer Recommendation:</b> Requested Change (a2) is not supported.</p>

Decision sought	Officer Comments:
<p><b>Requested Change (b)</b> Replace the current sinking lid on class 4 venues and gaming machines within the Wairoa District with a cap at the current numbers (4 venues and 58 gaming machines)</p>	<p>Council's current "sinking lid" policy approach is more restrictive than a cap on current numbers (4 venues and 58 gaming machines) policy approach. In practice, a cap on the number of venues and the number of machines would still allow a licensed class 4 gaming operator to install gaming machines but this could only be approved if another licensed class 4 gaming operator had reduced their current number of machines. As an example, if either the Clyde Hotel or the Ferry Hotel (both operations have 18 EGMs each) decides to reduce the number of EGMs they operate on-site, technically those machine would still be in circulation and either the Wairoa Club or Sunset Point (having 14 and 8 respectively) could take on board the extra machines. A 'sinking lid' approach would result in the machines being removed from circulation, thus prohibiting any other person or organisation from installing the gaming machines in the future. Council has adopted a "sinking lid" policy approach having given due consideration to the socio-economic characteristics of the district's community.</p> <p><b>Officer Recommendation:</b> Requested Change (b) is not supported.</p>
<p><b>Requested Change (c)</b> Alter the policy to allow for relocation of gaming machines within the District if a sinking lid is retained.</p>	<p>NZRBs submission states that: <i>"If the sinking lid is to be retained or replaced with a cap at current levels, it is submitted that the policy should also be amended to allow venues with gaming machines to relocate when the business moves premises. The current policy prevents a venues relocating"</i></p> <p>NZRB's submission also provides example of a relocation provision within an existing and operational policy – that of Whangarei District Council's Class 4 Gambling Venue Policy and Board Venue Policy. NZRB refers to the inability of operators to move into new, improved or better quality premises is a commercial rationale Nonetheless, there are non-commercial circumstances, beyond the control of the operator, that merit being able to relocate. For example - fire, chemical spills, earthquakes and other natural disasters – necessitate relocating to a new venue (temporarily or permanently depending on the severity of the event). There is already provision within Council's current Gaming &amp; TAB Venues Policy (section 6 - Exceptions) that provide for the relocation of gaming machines. There is insufficient reason to support amending such provisions in the current policy to support a commercial imperative.</p> <p><b>Officer Recommendation:</b> Requested Change (c) is not supported.</p>

**Submitter 2:** Problem Gambling Foundation of New Zealand (“PGFNZ”)

Decision sought	Officer Comments										
<p><b>Recommendation (1)</b> Retain the sinking lid approach so that no new venues or machines are allowed; and that where machines are removed or venues are closed or close, that number of machines be immediately removed from the total for the district</p>	<p>At the previous review of ‘Wairoa District Council’s Gaming &amp; TAB Venues Policy’ a “sinking lid” policy approach was adopted.</p> <p>In the three years since the 2007 review, the only change that has occurred has been the closure of Chances Sports Bar (which removed 18 EGMs from circulation in the Wairoa district) in late 2009. The Wairoa district does not experience the annual fluctuations in its commercial gaming environment as experienced in larger provincial or metropolitan areas. The full impact of the closure of Changes Sports Bar on the local community may become more apparent at the next policy review in 2013.</p> <p>The “sinking lid” approach is not only suitable for a community that is characterised as being the ‘most deprived’ on the socio-economic deprivation scale; it is a policy approach that is achieving the outcomes intended by the Gambling Act 2003.</p> <p><b>Officer Recommendation:</b> Recommendation (1) is supported.</p>										
<p><b>Recommendation (2)</b> Advocate to Central Government for a review of the pokie trust funding system for a fairer, efficient and transparent system o take responsibility that would mean more money going back to community groups and grassroots sport.</p>	<p>The Gambling Act only permits Class 4 gambling where it is used to raise funds for authorised community purposes.</p> <p>Authorised purposes under section 4 of the Act are:</p> <ul style="list-style-type: none"> <li>• a charitable purpose;</li> <li>• a non-commercial purpose that is beneficial to the whole or a section of the community;</li> <li>• promoting, controlling, and conducting race meetings under the Racing Act 2003, including the payment of stakes.</li> </ul> <p>The current breaddown of allocation rates from gambling proceeds are as follows:</p> <table border="1" data-bbox="580 1487 1398 1693"> <thead> <tr> <th>Allocation of gross proceeds</th> <th>GST exclusive</th> </tr> </thead> <tbody> <tr> <td>Gaming machine duty</td> <td>22.50%</td> </tr> <tr> <td>Problem gambling levy</td> <td>1.91%</td> </tr> <tr> <td>Venue payments (maximum)</td> <td>16.00%</td> </tr> <tr> <td>Authorised purpose distribution (minimum)</td> <td>37.12%</td> </tr> </tbody> </table> <p>Source: Department of Internal Affairs</p> <p>Basically for every \$1.00 of gross proceeds (turnover less player wins) from Class 4 gambling roughly 37c must be distributed to an authorised purpose. Each club or society which operates gaming machines is responsible for distributing money, and for reporting on grants made. In addition, there is no requirement under the Gambling Act for gambling proceeds ‘collected’ in a locality to be spent on authorised purposes within that locality.</p>	Allocation of gross proceeds	GST exclusive	Gaming machine duty	22.50%	Problem gambling levy	1.91%	Venue payments (maximum)	16.00%	Authorised purpose distribution (minimum)	37.12%
Allocation of gross proceeds	GST exclusive										
Gaming machine duty	22.50%										
Problem gambling levy	1.91%										
Venue payments (maximum)	16.00%										
Authorised purpose distribution (minimum)	37.12%										

<p><b>Recommendation (2)</b></p> <p>Advocate to Central Government for a review of the pokie trust funding system for a fairer, efficient and transparent system of take responsibility that would mean more money going back to community groups and grassroots sport.</p>	<p>In other words, gambling proceeds collected in one territorial authority <u>can</u> be allocated to an authorised purpose in another territorial authority. So basically, not all of the money collected from the EGMs in the Wairoa District goes to community groups in Wairoa. The other side of the argument is that community groups can apply for funding from societies which have EGMs in other territorial authorities.</p> <p>Should PGFNZ consider leading the lobby to advocacy on a review of pokie trust funding, Council would give due consideration to supporting such action.</p>
	<p><b>Officer Recommendation:</b> Recommendation (1) is supported in principle.</p>

### **Fees**

A minor text was proposed to sections 9 and 10 of the current WDC Gaming and TAB Venues policy (now included in the Amended WDC Gaming and TAB Venues policy). The purpose of the text changes was to align the setting of application fees to the Annual Plan process.

No submissions were received in respect of these text changes. Nor was there any opposition expressed to these text changes by the two submitters – RBNZ and PGFNZ.

### **DECISION MAKING**

Taking into consideration the written and verbal submissions of RBNZ and PGFNZ, in addition to the Officer's recommendations, Council will need to decide upon the following:

1. Whether or not to continue with the "sinking lid" policy approach of Council's current 'Gaming & TAB Venues policy'.
2. Whether or not to adopt Council's amended Class 4 Gaming & TAB Venues Policy (inclusive of the minor text changes.)
3. Whether or not to have a separate policy for Class 4 Gaming Venues and a separate policy for TAB Board Venues.

The policy will be rewritten to take into Council's decisions and will be resubmitted to Council for final adoption.

### **ASSESSMENT OF SIGNIFICANCE:**

Gambling is considered to be a significant issue for communities in the Wairoa District. In accordance with the Gambling Act 2003 and the Local Government Act 2002, Council used the special consultative procedure for the review of this policy.

### **FINANCIAL IMPLICATIONS:**

The cost of implementing this policy will be met from existing budgets.

**RECOMMENDATIONS:** That:

1. The report is received.
2. Council consider and advise on the Officer's recommendations outlined in this report.



S Anderson  
**POLICY ANALYST**



J Baty  
**ADMINISTRATION MANAGER**

<b>REPORT TO:</b> COUNCIL	
<b>DATE:</b> 10 AUGUST 2010	
<b>SUBJECT:</b> REVISED BUILDING CONTROL FEES & CHARGES	<b>FILE REF:</b> F01.23
<b>AUTHOR:</b> J BATY, ADMINISTRATION MANAGER	<b>ATTACHMENTS:</b> 1. Revised Building Control Fees & Charges
<b>RELATED COMMUNITY OUTCOME:</b> All Community Outcomes	<b>RELATED COUNCIL ACTIVITY:</b> Corporate Services

**PURPOSE:**

To adopt a revised schedule of fees and charges relating to Building Control.

**BACKGROUND:**

Council recently adopted a Schedule of Fees & Charges with its Annual Plan 2010-2011. Amendments are required in relation to the activity of Building Control as advised by Council's Building Control Team Leader.

**CURRENT SITUATION:**

Council can amend fees and charge at anytime by way of Council resolution. A revised schedule of Building Control Fees & Charges is attached for Council's consideration.

**RECOMMENDED:** That:

1. The report be received.
2. The revised Building Control Fees & Charges be adopted.



**J Baty**  
**ADMINISTRATION MANAGER**

CHARGE DESCRIPTION	GST EXCL	GST AT 12.5%	GST AT 15% (FROM 1 OCT 2010)
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## REGULATORY

### Building Control

#### Building Control Staff

Inspection Officer (Per Hour)	\$110.00	\$123.80	\$126.50
Consents Officer (Per Hour)	\$75.00	\$84.40	\$86.20

#### Building/Drainage Consents

Consent Applications Based On Time Occupied

DBH Levies 0.197% (\$0.65 For Each \$1000.00) Of Building Cost \$20,000 & Over

Building Research Levy 0.1% (\$1.00 Of Each \$1000.00) Of Building Cost \$20,000 & Over

**NB:** Some of the fees are determined by statute or regulation and Council is not able to change them. They are subject to change on direction without notice.

Accreditation Audit Fee	\$17.80	\$20.00	\$20.40
Consent Deposits - Building Work <\$100,000 deposit	\$133.30 (dep)	\$150.00 (dep)	\$150.00 (dep)
Consent Deposits - Building Work >\$100,000 deposit	\$888.90 (dep)	\$1000.00 (dep)	\$1000.00 (dep)
Solid Fuel Heaters – Free Standing (Includes Accreditation Fee)	\$155.60	\$175.00	\$178.90
Solid Fuel Heaters – In Built Heater (Includes Accreditation Fee)	\$200.00	\$225.00	\$230.00
Marquees (Includes One Inspection - Additional Inspections At Cost)	\$133.30	\$150.00	\$153.30
Demolition Consent (Includes One Inspection - Additional Inspections At Cost)	\$133.30	\$150.00	\$153.30
Building Act Compliance Certificates (Additional Fees May Be Charged For Complex Issues)	\$111.10	\$125.00	\$127.80
Building Property Files Search	\$22.20	\$25.00	\$25.60
Building Consent Amendment	\$44.40	\$50.00	\$51.10
Building Consent Cancellation & Lapsing Fee	\$44.40	\$50.00	\$51.10
Swimming Pool Fence Inspection (Plus Mileage & Time)	\$44.40	\$50.00	\$51.10
Certificate Of Acceptance (Plus Normal Inspection & Mileage)	\$444.40	\$500.00	\$511.10
Certificate Of Public Use (Plus Mileage & Time)	\$222.20	\$250.00	\$255.60
Notice To Fix	\$80.00	\$90.00	\$92.00
Building Relocation Report Request By Territorial Authority/Customer (Plus Mileage & Time)	\$133.30	\$150.00	\$153.30
Administration Fee - Maori Land Court Letter	\$40.00	\$45.00	\$46.00
Issue Of Compliance Schedule	\$220.00	\$247.50	\$253.00

CHARGE DESCRIPTION	GST EXCL	GST AT 12.5%	GST AT 15% (FROM 1 OCT 2010)
Amendments To Certificate Of Compliance Schedule	\$97.80	\$110.00	\$112.40
Building Warrant Of Fitness Administration	\$84.40	\$95.00	\$97.10
Certificate Of Title Registration Of S73 & 74 Notice (Plus Any Inspection Costs)	\$124.40	\$140.00	\$143.10
Certificate Of Title Registration Of S77 & 78 Notice (Plus Any Inspection Costs)	\$124.40	\$140.00	\$143.10
Exempt Building Work Application Fee	\$40.00	\$45.00	\$46.00
Entry of Building Report On To Property File	\$57.80	\$65.00	\$66.40
Photocopy Charges (Refer To Administration Photocopying Charges)			
Scanning Building Consent Plans – Standard Fee A4 Sheets & Application Form	\$13.30	\$15.00	\$15.30
Scanning – A3 (Per Sheet)	\$1.80	\$2.00	\$2.00
Scanning – A2 & A1 (Per Sheet)	\$4.40	\$5.00	\$5.10
<b>NB:</b> The above are not applicable to fixed fee consents.			
Copy Of Certificate Of Title	\$22.20	\$25.00	\$25.60
<b>Property Information</b>			
Land Information Memorandum	\$111.10	\$125.00	\$127.80
Property Information Memorandum	\$111.10	\$125.00	\$127.80
Engineering & Planning Fee	\$111.10	\$125.00	\$127.80

# Receipt/Confirmation of Minutes

<b>REPORT TO:</b> COUNCIL		
<b>DATE:</b> 10 AUGUST 2010		
<b>SUBJECT:</b> CONFIRMATION OF MINUTES OF AN ORDINARY MEETING OF COUNCIL HELD 13 JULY 2010	<b>FILE REF:</b>	
<b>AUTHOR:</b> J BATY, ADMINISTRATION OFFICER	<b>ATTACHMENTS:</b> Nil	
<b>RELATED COMMUNITY OUTCOME:</b> N/A	<b>RELATED COUNCIL ACTIVITY:</b> N/A	

**PURPOSE:**

Attached are the Minutes of an Ordinary Meeting of Council held on 13 July 2010.

**RECOMMENDATION:**

That the Minutes of the Ordinary Meeting of Council held on 13 July 2010 be confirmed as correct.

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**WAIROA DISTRICT COUNCIL**

## **ORDINARY MEETING OF COUNCIL**

Minutes of an Ordinary Meeting of Council held in the Council Chambers, Coronation Square, Wairoa on Tuesday, 13 July at 9.00am.

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

**COUNCILLORS**

D Caves, D Eaglesome, J Heron, D Evans, B McKinnon

**IN ATTENDANCE:** P J Freeman (Chief Executive Officer)  
B Sinden (Finance Manager)  
M Jones (Secretary)  
G Symes (Chairperson – Interim Maori Standing Committee)

**CIVIC PRAYER**

The civic prayer was given by Councillor Eaglesome.

**APOLOGIES:**

Apologies were received from Councillor Cairns.

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<b><u>Resolved:</u></b> That the apology from Councillor Cairns be received.	<b><u>Caves/Heron'</u></b>
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**Nil**

**CALLS FOR CONFLICTS OF INTEREST: Nil**

His Worship the Mayor welcomed the public.

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

- |    |   |               |
|----|---|---------------|
| 1. | Update or report on what Council are doing about Moko | (Cr Caves)    |
| 2. | Amendment – Rates Resoluton                           | (B Sinden)    |
| 3. | Rugby World Cup – Fan Zones                           | (P J Freeman) |

**General Items**

**FORMATION OF A PANEL TO HEAR VERBAL SUBMISSIONS ON DRAFT MAORI POLICY**

**A14.02**

<b><u>Resolved:</u></b>	<i>That the report be received.</i>	<b><i>Caves/Eaglesome</i></b>
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The Chief Executive Officer spoke to the report explaining the reasoning behind the recommendation.

Considerable discussion ensued with several Councillors of the opinion that the submitters are entitled to have their submissions heard by the entire Council with Maori Committee representatives joining them.

Councillor Heron noted that from a public perspective the whole Council with only three Maori Committee Members on the panel would look unbalanced.

Mr Freeman further clarified the situation stating that ultimately the final decision would be made by Council. What was being suggested was that a sub-committee of 6 be the Hearing Panel. Remaining Council & Maori Committee Members were urged to attend the hearing at the end of which a workshop would be convened to discuss the issues raised.

Mr Symes advised that the Maori Committee would be happy to have three members on the panel.

<b><u>Resolved:</u></b>	<i>That six (6) members be appointed to a panel to consider submissions received on the Draft Maori Policy 2010. Three (3) from Council and three (3) from the Maori Standing Committee.</i>	<b><i>Heron/Evans</i></b>
		<b>AGAINST: Cr B McKinnon Cr D Caves</b>

After initially having her name put forward to act as a Member on the Hearing Committee, Councillor Eaglesome withdrew it nominating Councillor Cairns instead. There being no objection from the members present the names were changed.

<b><u>Resolved:</u></b>	<i>That Council's representation on the Hearing Committee for submissions to the Draft Maori Policy be:</i>	
	<i>Councillor Benita Cairns Councillor Jim Heron Councillor Dave Evans</i>	<b><i>His Worship the Mayor/Eaglesome</i></b>

<b><u>Resolved:</u></b>	<i>That the panel be empowered to make a recommendation to the Council regarding the adoption of the final policy.</i>	<b><i>Eaglesome/Evans</i></b>
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**CEO REMUNERATION POLICY &  
CEO PERFORMANCE MANAGEMENT POLICY GUIDELINES**

**C17.02**

Councillor Heron raised a concern in respect of points 4 and 7 of the CEO Remuneration Policy, suggesting that due to the fact they were similar, one was redundant.

The Chief Executive Officer advised that the points in question were indeed different and related to separate issues – Point 4 related to base salary and Point 7 to the market movement for the position.

Although happy with the Policies overall, Council requested that the wording on the Chief Executive (CEO) Remuneration Policy, in particular Points 4 and 7 be amended to better reflect the difference.

<b><u>Resolved:</u></b>	<i>That the Chief Executive (CEO) Remuneration Policy and CEO Performance Management Policy Guidelines be adopted in principal.</i>	<b><i>McKinnon/Heron</i></b>
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**FORESTRY**

**G05.01**

The report was presented by the Chief Executive Officer. He advised that although we did not have to do the job, it would be preferable to lift the pruning of the majority of these trees to six and a half metres rather than wait. The trees in the plantation have made exceptional growth however it is important to keep the core diameter low to increase the log value at times of harvest.

<b><u>Resolved:</u></b>	<i>That the report be received.</i>	<b><i>Evans/Heron</i></b>
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Councillor Caves sought an assurance that money taken out of the DDF for the project to go ahead would go back into the DDF upon the sale of the trees.

The Chief Executive Officer assured him that this was always the case.

<b><u>Resolved:</u></b>	<p><i>That:</i></p> <ol style="list-style-type: none"> <li>1. <i>Council approves the funding of \$14,000 to high prune and thin this plantation earlier to ensure the maximum net return for logs in the future.</i></li> <li>2. <i>That the source of funding be the District Development Fund.</i></li> </ol>	<b><i>Eaglesome/Heron</i></b>
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**GIS – SOFTWARE – OPTIONS & FUNDING PROPOSAL**

**C10.34**

The Finance Manager spoke to the report. He advised Council that the report was a follow on from the presentation given to them recently.

<b><u>Resolved:</u></b>	<i>That the report be received.</i>	<b><i>Caves/Heron</i></b>
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<b><u>Resolved:</u></b>	<p><i>That the Information Systems Depreciation Reserve be utilised to fund the \$9,000 additional budget required for Option 2 – that being:</i></p> <p><i>Implement all changes in Year (1)</i></p> <p><i>Year 1 (2010 / 2011)</i> <i>DMS Complete Setup / Hosting / Deployment of Internal and External GIS software</i></p> <p><i>Year 2 (2011 / 2012)</i> <i>DMS Continuation of Internal and External GIS software under contract</i></p> <p><i>Year 3 (2012 / 2013)</i> <i>DMS Continuation of Internal and External GIS software under contract</i></p>	
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**STORMWATER PIPE REPLACEMENT****B02.03**

The Chief Executive Officer spoke to the report. He explained that the situation that arose was unforeseen and attempts to clear the tree roots were impossible without removing the culverts. Due to the nature of their construction any attempt to remove the culverts would result in breakage

<b><u>Resolved:</u></b>	That the report be received.	<b>McKinnon/Evans</b>
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<b><u>Resolved:</u></b>	Council approves the required funding of \$15,000 from the Depreciation Reserve.	<b>Eaglesome/Heron</b>
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## Receipt/Confirmation of Minutes of Previous Council Meetings

### **ORDINARY MEETING OF COUNCIL HELD 8 JUNE 2010**

The Minutes of an Ordinary Meeting of Council held on 8 June 2010 were presented.

<b><u>Resolved:</u></b>	That the Minutes of the Ordinary Meeting of Council held on 8 June 2010 be confirmed as correct.	<b>Caves/Heron</b>
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**DISCUSSION** In respect of the Minutes from the 8<sup>th</sup> of June, two items were raised.

The first from Councillor Heron, who queried whether or not the Trustees from the Wairoa Community Centre Trust had yet been invited to attend a meeting. He noted that the Trust would soon have their annual meeting and perhaps we could co-ordinate a meeting with the Council, thereby killing two birds with one stone.

The second concern raised was that of the changes to the Intercity Bus Timetable. The Chief Executive advised he would discuss the issue with the Administration Manager.

### **SPECIAL MEETING OF COUNCIL HELD 9 JUNE 2010**

The Minutes of the Special Meeting of Council held on 9 June to hear Annual Plan Submissions were presented.

<b><u>Resolved:</u></b>	That the Minutes of the Special Meeting of Council held on 9 June to hear Annual Plan Submissions be confirmed as correct.	<b>Caves/Eaglesome</b>
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**DISCUSSION:** The Chief Executive Officer informed Council that all responses to the submissions had been co-ordinated and will go out within the next couple of days.

Councillor Heron asked if there had been any further movement in respect of the Gaiety Theatre and was advised by the CEO that Council had requested to see a full business plan and properly formulated budget. The matter would be looked at again once these had been received.

### **SPECIAL MEETING OF COUNCIL HELD 15 JUNE 2010**

The Minutes of the Special Meeting of Council held on 15 June to Adopt the 2010-2011 Annual Plan were presented.

<b><u>Resolved:</u></b>	That the Minutes of the Special Meeting of Council held on 15 June to Adopt the 2010-2011 Annual Plan be confirmed as correct.	<b>Evans/Heron</b>
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At this point in the meeting His Worship the Mayor welcomed Mr Roland Matley and invited him to speak.

Mr Matley commenced by asking what steps had Council taken to support the current campaign to retain Wairoa's PHO, its building, staff and services?

He was advised by the Mayor that Council had discussed the matter and that it had made a submission to the Hawke's Bay District Health Board. Council also stressed in its submission the need to maintain:

- Levels of service for primary health care in the Wairoa district are maintained.
- Levels of funding for Doctor's visits are maintained.
- The Wairoa community is adequately represented in any governance body structure.

Councillors and those in attendance at the meeting were furnished with a copy of the Submission.

The Mayor also commented that Dr Snee had been invited to attend the Council Forum on August the 24<sup>th</sup>.

Councillor Eaglesome expressed concern also over the effect of the loss of the Mohaka/Waiiau Road Maintenance Contract would have for Quality Roading and Services (Wairoa) Limited.

The Chief Executive advised that, as with many of the contracts we put out to tender, there are certain criteria/processes that have to be met. If tenderers failed to meet them, their chances of securing the contract were low.

### **SPECIAL MEETING OF COUNCIL HELD 22 JUNE 2010**

The Minutes of the Special Meeting of Council held on 22 June to Set the Rates for the year commencing 1 July 2010 were presented.

The Finance Manager advised Council of an error in respect of the instalments/discount dates in Point 15. They should show the 20<sup>th</sup> of August and not the 28<sup>th</sup> of August.

**Resolved:** *That subject to the change of instalement/discount date from the 28<sup>th</sup> of August to the 20<sup>th</sup> of August, the Minutes of the Special Meeting of Council held on 22 June 2010 to Set the Rates for the year commencing 1 July 2010 be confirmed as correct.*

***Eaglesome/Heron***

### **COUNCIL ACTION SHEET**

**A06.03**

Council reviewed and discussed its action sheet. As a result of discussions the date for the Reserve Management Plans for Rangi-houa Pilot Hill Heritage Reserve and the Wairoa Riverbank Reserve Management Plan was set for the afternoon of the 10<sup>th</sup> August.

Councillor Eaglesome also spoke briefly in regard to the Community Max presentation. The decision was made to invite them to the August Forum. Councillor Eaglesome will contact the office and provide contact name.

## **GENERAL BUSINESS**

### **MOKO**

**A15.05**

Considerable discussion took place in respect of Moko and the desire of the Mahia people and Wairoa District as a whole to bring the body of Moko back to Mahia.

The Chief Executive advised that at this point in time, there were a couple of scenarios that could be considered - that he be buried where he was found on the beach at Matakana Island or for the body to come back to Mahia, the latter being the most desired by Wairoa.

At the end of the day Mr Freeman said, the Minister of Conservation will make the decision but Council was working diligently to try and ensure that the decision would be to bring Moko back to Mahia.

Should Council be successful in having Moko returned, discussions turned to possible burial sites and types of memorial.

## **RENTAL – LAMBTON SQUARE**

**F10.02**

The Finance Manager advised that in May 2008, Council had dispensed with the rental of Lambton Square for one year. At the time Council had further resolved that its Sports Ground Policy be reviewed and that that review take consideration of applying a set fee for specified events on Council Reserves. To date this had not been done.

**Resolved:** *That there be no rent charged for this year and that a Policy be introduced to deal with the matter.* **Heron/His Worship the Mayor**

## **KITAIBARAKI VISIT**

**A06.12**

The Chief Executive Officer informed Council of the visit of Mayor Toyoda, the Chair and Deputy Chair of the Assembly and other officials from Kitaibaraki. He outlined their itinerary noting that their time here in Wairoa was limited to one full day only.

Tentative plans for their stay included a visit to Mr Probert's farm, a helicopter trip around the district, lunch and a Civic Reception. This he concluded would not come without a cost.

## **RUGBY WORLD CUP – FAN ZONES**

The Chief Executive outlined the concept and rules behind running Fan Zones for the World Cup noting that organising things for these events can be expensive and ultimately Council did not have the resources to organise and run such an event but would support those who wished to. He went on further to say that funding had been offered from Venture Hawke's Bay to the tune of \$1,000.

Mayor Probert suggested that may be Ross Bramwell and Peter Mooney could be invited to come and explain exactly what they are going to do.

Mr Freeman added that he along with the Mayor, Cr Cairns, Mr Baty, and Mrs Simpson would be meeting shortly to discuss what part Council should play. At this stage Council's position was that Wairoa was 'open'.

## **AIRPORT**

**H10.02**

The Chief Executive advised Council of the meeting he had with Skyline Aviation, who are the providers of air ambulance services for the Hawke's Bay District Health Board. Also in attendance at the meeting were the Engineering and Operations Manager.

The main purpose of the meeting was to discuss maintenance and safety issues and possible upgrades to navigation equipment. Maintenance and safety centred around loose chip, particularly in the parking and turning areas and bird strike.

In terms of upgrade to navigation equipment, these included GPS certification at the northern end of the airport to replicate the one at the southern end. This would cost in the vicinity of \$20,000 plus \$500 a year. The second request was for a weather station, costing \$35,000 plus maintenance fees. The weather station would allow the pilots to use Wairoa readings and adjust their minimum descent altitude accordingly.

Mr Freeman advised that the discussions were positive and some actions have been agreed upon. Further work is still being undertaken in terms of options and costings. As a main user of the Airport, Council could look at a partnership with the HBDHB in terms of possible funding input into any upgrades.

## **MAYORAL UPDATE**

**A06.07.10**

His Worship updated Council on current meetings he has had. Particular mention was made of the meeting he attending in Gisborne on the 'Future of the Railway', the Aviation Exhibition at the Museum, Duffey's Books in Schools morning at Wairoa Primary and his meeting with the Minister of Transport regarding SH38.

Mr Probert said the delegation, made up of Mayor Colin Holmes of Whakatane and Mr Joe Doherty, Chair of the Te Urewera Rainforest Route received a good hearing. One contentious issue that arose pertained to costs, with NZTA's figures differing greatly from the one's in our report. The Minister, Mr Probert said, has asked his officials to have another look at the proposal.

His Worship also congratulated the staff involved on putting the submission together.

**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;*

***His Worship the Mayor/Heron***

**RELEASE OF CONFIDENTIAL ITEMS**

**A06.09**

*NIL*

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

**CLOSED:** The meeting closed at **11.11 AM**

**ACTIONS FOR THE ORDINARY MEETING OF WAIROA DISTRICT COUNCIL HELD ON TUESDAY 13 OCTOBER 2009**

<b>Item</b>	<b>Title</b>	<b>Description</b>	<b>Who</b>	<b>When</b>	<b>Status</b>
1.	MAINTENANCE MARINE PARADE TREES	That Council undertakes maintenance on those Marine Parade trees that require it.	Engineering	ASAP	In train
2.	TREE GUIDELINE	That general guidelines regarding trees be investigated.	Regulatory	ASAP	Tasked to Consultant, Sue Dick
4.	TRAINING - INTERIM MAORI STANDING COMMITTEE	<ol style="list-style-type: none"> <li>1. All members of the Maori Standing Committee be given the "Good Decision Making" programme as budget allows.</li> <li>2. Training in policy &amp; procedure be initiated for Interim Maori Standing Committee.</li> <li>3. Tiriti O Waitangi training be delivered to the Interim Maori Standing Committee and Councillors.</li> </ol>	Administration	ASAP	MSC sub-committee working on this. M Watson completing training.
5.	POLICY RESPONSIBILITIES - INTERIM MAORI STANDING COMMITTEE	<ol style="list-style-type: none"> <li>1. The Interim Maori Standing Committee review the Maori Policy.</li> <li>2. The Road Naming and Numbering Policy be given to Maori Standing Committee to lead.</li> <li>3. Maori Tourism is an issue for the Maori Standing Committee to manage.</li> </ol>	Administration	ASAP	Review pending

**ACTIONS FOR THE ORDINARY MEETING OF WAIROA DISTRICT COUNCIL HELD ON TUESDAY 8 DECEMBER 2009**

<b>Item</b>	<b>Title</b>	<b>Description</b>	<b>Who</b>	<b>When</b>	<b>Status</b>
6.	EASTEND CAFÉ – EXEMPTION FROM COUNCIL BYLAW	That a trial period of 6 months be granted to licensed cafés to allow the consumption of alcohol on the public footpath as defined in front of these businesses, provided that this is possible within the confines of the Wairoa District Council Consolidated Bylaw Part 3 – Public Safety Bylaw.	Regulatory Administration	Immediate	Need to review

**ACTIONS FOR THE ORDINARY MEETING OF Wairoa District Council Held on Tuesday 9 February 2010**

<b>Item</b>	<b>Title</b>	<b>Description</b>	<b>Who</b>	<b>When</b>	<b>Status</b>
7.	COMMUNITY MAX	That Council obtain more information before making a decision and invite the Ministry of Social Development, Hastings and Gisborne District Councils to make a presentation about Community Max and their involvement.	Regulatory	Immediate	Awaiting further placements

**ACTIONS FOR THE ORDINARY MEETING OF Wairoa District Council Held on Tuesday 13 April 2010**

<b>Item</b>	<b>Title</b>	<b>Description</b>	<b>Who</b>	<b>When</b>	<b>Status</b>
9.	CEO PERFORMANCE REVIEW	That Council approve \$20,000 from reserves to meet the cost of services for Mr Tims and set a yearly budget of up to \$10,000 to cover future performance appraisals.	Finance	Immediate	In train
10.	NEW CYCLEWAY/WALKWAY	That \$110,000 from the 2009/2010 budget for new footpaths and a further \$58,000 previously set aside for cycleway/walkways giving a total of \$168,000 be redirected to form a new cycleway/walkway from Pohutukawa Drive to Taylors Bay.	Finance Engineering	Immediate	In train
11.	RANGI-HOUA PILOT HILL HERITAGE RESERVE MANAGEMENT PLAN AND THE WAIROA RIVERBANK RESERVE MANAGEMENT PLAN	That Council adopt the Rangihoua Pilot Hill Reserve Management Plan and the Wairoa Riverbank Reserve Management Plan with minor amendments for public consultation.	Regulatory	Immediate	In train

**ACTIONS FOR THE ORDINARY MEETING OF Wairoa District Council Held on Tuesday 8 June 2010**

<b>Item</b>	<b>Title</b>	<b>Description</b>	<b>Who</b>	<b>When</b>	<b>Status</b>
42.	WAIROA WASTEWATER TREATMENT PLANT – DESLUDGING	That Council approves \$150,000 from depreciation reserves to fund desludging of the aeration lagoon. These funds to be spent during June and the first couple of months of 2010/11.	Finance Engineering	Immediate	In train

**ACTIONS FOR THE ORDINARY MEETING OF WAIROA DISTRICT COUNCIL HELD ON TUESDAY 13 JULY 2010**

<b>Item</b>	<b>Title</b>	<b>Description</b>	<b>Who</b>	<b>When</b>	<b>Status</b>
<b>42.</b>	DRAFT MAORI POLICY – HEARING PANEL	That six (6) members be appointed to a panel to consider submissions received on the Draft Maori Policy 2010. Three (3) from Council and three (3) from the Maori Standing Committee. That Council's representation on the Hearing Committee for submissions to the Draft Maori Policy be Councillor Benita Cairns, Councillor Jim Heron, Councillor Dave Evans. That the panel be empowered to make a recommendation to the Council regarding the adoption of the final policy.	Administration	Immediate	In train
<b>43.</b>	CEO – PERFORMANCE REVIEW – POLICY GUIDELINES	That the Chief Executive (CEO) Remuneration Policy and CEO Performance Management Policy Guidelines be adopted in principal.	Administration	Immediate	In train
<b>44.</b>	PRUNING FORESTRY BLOCK – GRANT STREET	That Council approves the funding of \$14,000 to high prune and thin this plantation earlier to ensure the maximum net return for logs in the future. That the source of funding be the District Development Fund.	Regulatory	Immediate	In Train
<b>45.</b>	GIS SOFTWARE	That the Information Systems Depreciation Reserve be utilised to fund the \$9,000 additional budget required for Option 2 – that being implement all changes in Year (1) Year 1 (2010 / 2011) DMS Complete Setup / Hosting / Deployment of Internal and External GIS software Year 2 (2011 / 2012) DMS Continuation of Internal and External GIS software under contract Year 3 (2012 / 2013) DMS Continuation of Internal and External GIS software under contract	Finance	Immediate	In train
<b>46.</b>	STORMWATER REPLACEMENT	Council approves the required funding of \$15,000 from the Depreciation Reserve.	Engineering	Immediate	In train

Item	Title	Description	Who	When	Status
48.	RENTAL – LAMBTON SQUARE	That there be no rent charged for this year and that a Policy be introduced to deal with the matter	Finance	Immediate	In train

**WAIROA DISTRICT COUNCIL**

**ORDINARY MEETING OF COUNCIL**

to be held in the Council Chambers,  
Coronation Square, Wairoa

**TUESDAY 13 JULY 2010 AT 9.00 AM**

**PART 1  
A G E N D A**

**Exclusion of the Public**

**Recommended:** 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;

**CHAIRMAN:** His Worship the Mayor Mr L Probert

**COUNCILLORS**

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

CIVIC PRAYER

APOLOGIES

CALLS FOR CONFLICT OF INTEREST

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

Public Forum Wairoa College Students – Wairoa Signage Proposal

General Items

1-11	<b><u>PENSIONER HOUSING POLICY</u></b>	<b><u>H07.03</u></b>
12-19	<b><u>GAMING &amp; TAB POLICY – REVIEW</u></b>	<b><u>I18.01</u></b>
20-22	<b><u>REVISED BUILDING CONTROL FEES &amp; CHARGES</u></b>	<b><u>F01.23</u></b>

Receipt/Confirmation of Minutes of Previous Council Meetings

23-29	<b><u>ORDINARY MEETING OF COUNCIL HELD 13 JULY 2010</u></b>
30-33	<b><u>COUNCIL ACTION SHEET</u></b>

**WAIROA DISTRICT COUNCIL**

**PART OF AN ORDINARY MEETING OF COUNCIL**

to be held in the Wairoa District Council Chambers  
Queen Street, Wairoa

ON TUESDAY 10 AUGUST 2010

**PART 2**  
**A G E N D A**

The Chief Executive Officer has determined, pursuant to Section 46A (8) and Section 46A (9) of the Local Government Official Information and Meetings Act, that the following items are reasonably expected to be dealt with by the Council/Committee with the Public Excluded.

Page

Receipt/Confirmation of Minutes of Previous Council Meetings

- |     |   |
|-----|---|
| 1-2 | <b><u>ORDINARY MEETING OF COUNCIL HELD 13 JULY 2010</u></b> |
| 3   | <b><u>COUNCIL ACTION SHEET</u></b>                          |