



ORDINARY MEETING
Of
COUNCIL

**TUESDAY
13 MARCH 2007**

10.00 A.M.

WAIROA DISTRICT COUNCIL

ORDINARY MEETING OF COUNCIL

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

ON TUESDAY 13 MARCH 2007 AT 10.00AM

PART 1

A G E N D A

CHAIRMAN: His Worship the Mayor Mr L Probert

COUNCILLORS

S Birrell, D A Eaglesome, D Caves, G McIntyre, B McKinnon, B Shortt

CIVIC PRAYER

APOLOGIES

GENERAL BUSINESS

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

Receipt/Confirmation of Minutes of Previous Council Meetings

1-14 **ORDINARY MEETING OF COUNCIL HELD 13 FEBRUARY 2007**

15-16 **SPECIAL MEETING OF COUNCIL HELD 28 FEBRUARY 2007**

Receipt of Committee Minutes

17-19 **MAORI COMMITTEE MEETING HELD 30 JANUARY 2007**

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;

WAIROA DISTRICT COUNCIL

PART OF AN ORDINARY MEETING OF COUNCIL

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

ON TUESDAY 13 MARCH 2007

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

1-5 **ORDINARY MEETING OF COUNCIL HELD ON 13 FEBRUARY 2007**

General Items

6-16 **STATUTE-BARRED RATES 1999-2000** **F09.07.01**

Receipt/Confirmation of Minutes

REPORT TO:	COUNCIL	
DATE:	13 MARCH 2007	
SUBJECT:	CONFIRMATION OF MINUTES OF AN ORDINARY MEETING OF COUNCIL HELD 13 FEBRUARY 2007	FILE REF: Nil
AUTHOR:	T COOK, ADMINISTRATION MANAGER	ATTACHMENTS: Nil
RELATED COMMUNITY OUTCOME: N/A		RELATED COUNCIL ACTIVITY: N/A

PURPOSE:

Attached are the minutes of an Ordinary Meeting of Council held on 13 February 2007.

RECOMMENDATION:

That the minutes of the Minutes of the Ordinary Meeting of Council held on 13 February 2007 be confirmed as correct.

WAIROA DISTRICT COUNCIL

ORDINARY MEETING OF COUNCIL

Minutes of an Ordinary Meeting of Council held in the Wairoa District Council Chambers, Coronation Square, Wairoa on Tuesday 13 February 2007 at 10.00 am.

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

COUNCILLORS

B McKinnon, D Eaglesome, S Birrell, G McIntyre, B Shortt, and D Caves

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

CIVIC PRAYER

Councillor Eaglesome gave the Civic Prayer.

APOLOGIES

NIL

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

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|-----|------------------------------------------------------------------------------|-------------------------------|
| 1. | Late Item – Engineering Options for Diversion of Ormond Drive (Confidential) | (Engineering Manager) |
| 2. | Late Item – Sale of River Parade Properties (Confidential) | (Councillor's Caves & Shortt) |
| 3. | Hawke's Bay Road Safe | (Councillor McIntyre) |
| 4. | Finance Portfolio Report | (Councillor McIntyre) |
| 5. | Rubbish | (Councillor Shortt) |
| 6. | Sustainable Land Management | (Councillor Caves) |
| 7. | Cemetery | (Councillor Eaglesome) |
| 8. | Zone 3 Meeting | (Chief Executive Officer) |
| 9. | West Tec | (Chief Executive Officer) |
| 10. | Waste Water Update | (Engineering Manager) |
| 11. | Wairoa Basketball Association | (Engineering Manager) |

His Worship the Mayor welcomed members of the public and visitors to the Council meeting, who were in attendance to make presentations during the Public Forum.

His Worship the Mayor called upon Council's Maori Liaison Officer to introduce herself to Councillor's, at what was their first meeting for the year.

Joy Scott, introduced herself, explaining her role of Maori Liaison Officer as one charged with the responsibility of providing Council with advice and direction on the Maori perspective of issues, as raised through Council's Maori Committee

PRESENTATION – Mr Tom Hamilton

His Worship the Mayor welcomed Mr Tom Hamilton who was in attendance to make a presentation to Councillors on the East Coast Sheep and Beef Jobs Project. Mr Hamilton thanked Council for the opportunity to make his presentation.

Mr Hamilton explained to Councillors that the initiative was about getting young people back into farming. In October 2006, it had been identified by a working party that there was a reducing number of skilled and/or semi-skilled people in, and entering the agricultural workforce. The overall struggle for the industry was to get young people interested in the prospect of working on farms. Information was not being passed on at secondary schools by careers advisors of Agriculture being a rewarding career path.

The proposed 'vision for the solution' was to 'excite young people about a lifetime in agriculture.' This could be achieved by increasing the overall awareness of opportunities and career paths in agriculture.

The process had begun in Nov/Dec 2006 where parties had agreed that there was a problem, and had agreed to work together toward obtaining funding for the completion of a report, and the subsequent implementation of the project. From January to June 2007, the intent was to come up with a solution that would address the problem, and to obtain funding for the project. Implementation of the plan was to occur end of 2007/beginning of 2008.

His Worship the Mayor thanked Mr Hamilton for his presentation to Council and looked forward to receiving future updates on the projects progress.

PUBLIC FORUM

His Worship the Mayor called upon members of the public in attendance to relay their concerns on items that would be addressed by Council later in the meeting.

Mr John Morrell, owner of the Nuhaka Store, addressed Councillors, expressing his concern at the proposed removal of the Council owned and serviced rubbish bin that was located directly outside his store. Mr Morrell was strongly of the opinion that the removal of the bin would result in rubbish ending up on the streets and roadside. Mr Morrell currently went to the effort of ensuring that the area in front of his shop, and around the Council owned toilets, was kept clean of rubbish, a duty that he carried out voluntarily. If the bin were to be removed, the amount of rubbish would increase, resulting in a personal cost to him to get rid of it.

Mr Lou Armstrong, owner of the Nuhaka Fish & Chip Shop, expressed similar concerns. Mr Armstrong believed that if rubbish bins were removed, people would throw their rubbish everywhere. Mr Armstrong also made a point of cleaning up rubbish left immediately outside the vicinity of his shop by 'grubby' people. Mr Armstrong also pointed out that once items were purchased from his store, those who had purchased goods as a package owned the resulting rubbish. He did not own their rubbish, and as such, shouldn't be expected to pay for its removal, as would be the case if rubbish bins were removed.

His Worship the Mayor thanked Mr Morrell, and Mr Armstrong for conveying their concerns to Councillors, and advised them that the matter would be discussed, taking into account the points they had raised, during the meeting.

His Worship the Mayor then addressed Councillors conveying a gentle reminder of matters that needed to be addressed prior to the elections in October. These included, but were not limited to, the setting of rates and budgets for the 2007/2008 Financial Year, the Mahia Wastewater Scheme, two Plan Changes, the Long Term Council Community Plan, Mahia Stormwater Hearings, and Reserve Management Plan Hearings.

RECEIPT/CONFIRMATION OF MINUTES OF COUNCIL MEETINGS

SPECIAL MEETING OF THE RESOURCE MANAGEMENT COMMITTEE HELD 11 OCTOBER 2006

The Minutes of a Special Meeting of the Resource Management Committee held 11 October 2006 were presented.

ORDINARY MEETING OF COUNCIL HELD TUESDAY 12 DECEMBER 2006

The Minutes of an Ordinary Meeting of Council held on 12 December 2006 were presented.

<u>Resolved:</u>	<i>That the Minutes of the Ordinary Meeting of Council held on 12 December 2006 be confirmed as correct.</i>	<i>Eaglesome/McKinnon</i>
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DISCUSSION

Wairoa Riverbank Walkway

Councillors expressed concern that members of the public were utilising the walkway as a path on which to ride their horses. His Worship the Mayor stated that this type of use was not acceptable, and that where persons responsible could be identified, they would be written to and asked to refrain from riding horses on the walkway

Development Contributions Policy

Councillor Caves asked if any timeframes had been set for the consideration and adoption of a Contributions Policy, as the minutes from the previous meeting only stated that a report would be presented to Council in due course.

The Chief Executive Officer responded stating that the Development Contributions Policy was being hampered by the fact that you couldn't implement a Development Contributions Policy unless you had a Forward Capital Programme, and you couldn't have a Forward Capital Programme, unless Council knew what it was going to do in the District in regards to Development Contributions. Management were working on the matter with a Consultant to enable the presentation of a Forward Capital Programme to Councillors, at which point the Consultant would be in a position to make recommendations on the formalising of a Development Contributions Policy.

2006/2007 Footpath Programme

The Finance Manager was able to clarify that funding for the programme was allocated from the District Development Fund.

Mayoral Challenge – Bike Wise Week

Councillor Eaglesome informed Councillors and Management of the importance of supporting the Mayor in the upcoming Mayoral Challenge that was being held in Wairoa on Sunday 17th February 2007. Councillor Eaglesome, and Council's Policy Analyst, Mr Baty, informed those present of what was required of participants, and the points system that was applied, the five kilometre course to be traversed, and starting times. Everyone was encouraged to get behind the Mayor and support the initiative.

Railway/Ormond Road

The Engineering Manager informed Councillors that the requested work had been undertaken. An invitation to accompany the Engineering Manager on a site visit on Wednesday morning was extended to Councillor Eaglesome, who had raised the matter before Council. Councillor Eaglesome, and the Engineering Manager were to arrange a suitable time.

Ormond Memorial Property - Mahia

It was noted by Councillors that despite assurances given, following the receipt of a two stage plan for project implementation, work had not commenced on site as of this morning's meeting.

Meeting - Raupunga

The Chief Executive Officer informed Councillors that Management were waiting for people at Raupunga to advise them of a meeting date and time. Councillors and Management were genuinely concerned about a number of issues specific to Raupunga and wished to discuss these matters, and others, as soon as people at Raupunga were able to arrange a meeting date.

Kopu Road

The Engineering Manager informed Councillors that he had met with the Hawke's Bay Regional Council, and Land Transport New Zealand, and intended to bring their comments on the situation before Council as a report in the next month or so.

CONSIDERATION OF COMMITTEE RECOMENDATIONS

MAORI COMMITTEE RECOMMENDATIONS – 30 JANUARY 2007

Recommendations from the Maori Committee meeting held 30 January 2007 were presented for Council's consideration.

WHENUA RAHUI

F09.08

The Chief Executive Officer sought clarification as to whether it was the Whenua Rahui Register that the Maori Committee wanted sent out to all Maori Freehold Land Owners, which couldn't be done due to privacy issues, or the Whenua Rahui information pamphlet. The Maori Liaison Officer clarified that it was the pamphlet that was to be sent out, not the rates register.

<u>Resolved:</u>	<i>That the Whenua Rahui information pamphlet be sent out to all Maori Freehold Land owners with the 2006/2007 4th Rates Instalment.</i>	<i>Eaglesome/Caves</i>
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TAKITIMU MARAE

A06.14.02

Councillor Caves expressed concern that the recommendation had been verbally raised from the floor at the Maori Committee Meeting, with no supporting documentation made available. It was his opinion that more information should be submitted prior to Council making any decision on the matter.

Councillor Eaglesome stated that she had raised the item, as Takitimu Marae was struggling to pay the \$7000 insurance on the whare-nui. Councillor Eaglesome believed that Takitimu could not be put in the same light as other Marae, when considering provision of funding, as other Marae were 'hapu' Marae, whereas Takitimu was a Ngati Kahungunu Marae, to which all Marae in the district had an association.

The Chief Executive Officer asked if it were possible for the Committee of Takitimu Marae to make a submission to the Annual Plan process, for consideration of funding. Councillor Eaglesome stated that the insurance levy was due in two months, and that she did not believe that the Committee could wait to submit to the Annual Plan, as funds were not available to ensure that the whare-nui would be fully insured in the interim.

His Worship the Mayor stated that the alternative was for a report to be put before Council at their next meeting in March, allowing the Committee of Takitimu Marae to provide supporting information. Councillor Eaglesome stated that she would provide all necessary information to the Chief Executive Officer.

The Chief Executive Officer informed Councillors that as Takitimu Marae was an extra-ordinary valuable building, being a National Treasure, it was possible that it could be added to Council's Insurance Schedule as a Building of Community Interest and Value, however this would need to be further explored to see if it qualified.

<u>Resolved:</u>	<i>That Councillor Eaglesome present a letter, with supporting documentation, to the Chief Executive Officer, and that a proposal/report be brought before Council for their consideration at their meeting in March.</i>	<i>Caves/McIntyre</i>
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GENERAL BUSINESS

DOCUMENTS SEALED FOR THE PERIOD 26 OCTOBER 2006 TO 23 JANUARY 2007 **A.28.01**

The schedule of documents sealed for the period 26 October 2006 to 23 January 2007 were presented for Council's information.

<u>Resolved:</u>	<i>That the report be received.</i>	<i>Birrell/McIntyre</i>
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THE NEW ZEALAND WAR GRAVES TRUST

A.06.08.02

<u>Resolved:</u>	<i>That the report be received.</i>	<i>Birrell/McKinnon</i>
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The Administration Manager spoke to the report, informing Councillors that it was a matter of their determining whether they supported the project, and whether they wished to provide any funding toward the digital photographing of war graves and memorials in the Wairoa District.

Councillors were of the opinion that there was a growing interest amongst people researching historical family archives, and that it was important for such information to be retained and made accessible to people at little cost.

<u>Resolved:</u>	<i>That Council approve a financial contribution of \$300 towards the New Zealand War Graves Photographic Project.</i>	<i>Birrell/McKinnon</i>
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BYLAWS REVIEW

A.04.07

Council's Policy Analyst spoke to the report, advising Councillors that a review of all Council Bylaws was currently being undertaken in a joint approach with Hauraki, and Matamata-Piako District Councils, allowing for a sharing of knowledge and workloads, and a reduction in costs to engage a consultant to assist with the process of review.

Councillor Caves questioned whether there was a need to work in with other organisations when reviewing bylaws, where there would be no cost incurred by Council. The Chief Executive Officer stated that while Model General Bylaws were being reviewed by Standards New Zealand, they were not all being reviewed within the legislated time frame. Neither did the Model General Bylaws cover all Bylaws currently adopted and enforced by Council. The Bridge Bylaw, preventing people from jumping off the bridge was presented as an example. Police were unable to take action against people jumping off the bridge, putting themselves at risk, until the bylaw was introduced. The first question for Council to consider is 'Why do we have a bylaw?' The second question being, 'Do we need a Bylaw or can the matter be addressed through other means?' Councillors were also advised that for a bylaw to be effective, it had to be policed. If Council could not afford to police a bylaw, then it would ultimately be ineffective, once again questioning, 'Why have a bylaw?'

<u>Resolved:</u>	<i>That the report be received.</i>	<i>McIntyre/Shortt</i>
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ANNUAL REPORT ON DOG CONTROL POLICY AND PRACTICES 2005 - 2006

A.04.04

The Chief Executive Officer spoke to the report stating that it was a legislative requirement under the Dog Control Act 1996, to provide a copy of the Annual Report on Dog Control Policy and Practices 2005-2006 to the Secretary for Local Government within one month of it being formerly adopted by the elected members of Council.

<u>Resolved:</u>	<i>That the report be received.</i>	<i>McIntyre/Shortt</i>
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<u>Resolved:</u>	<p><i>That:</i></p> <ol style="list-style-type: none"> 1. <i>Pursuant to section 10A of the Dog Control Act 1996, Council adopts the Annual Report on Dog Control Policy and Practices 2005-2006.</i> 2. <i>Council give public notice of the Annual Report on Dog Control Policy and Practices 2005-2006 by way of advertisement in the Wairoa Star.</i> 3. <i>Within one month of adopting the Annual Report on Dog Control Policy and Practices 2005-2006, a copy be sent to the Secretary of Local Government.</i> <p style="text-align: right;"><i>Shortt/McIntyre</i></p>
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DELEGATION – WARRANTS TO ACT**C.18.03**

<u>Resolved:</u>	<i>That the report be received.</i>	McKinnon/Caves
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The Chief Executive spoke to the report, informing Councillors that current warrants of appointment for Enforcement Officers of the Resource Management Act had been issued in accordance with section 38 of that Act. Case law and legal advice indicates that all Warranted Officers under the Resource Management Act 1991 should be enforced under Section 38(1) of the Act. In order to ensure authorisation for powers of entry, Section 332(1) should also be added to all schedules and stated on all warrants of appointment.

In addition, Council were asked to consider the listing of other relevant sections of the Resource Management Act 1991, which relate to enforcement procedures.

<u>Resolved:</u>	<i>That all warrants of appointment, and schedules of Council be amended to reflect the recommended sections of the Resource Management Act 1991, with immediate effect.</i>	Shortt/McKinnon
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WAIROA DISTRICT COUNCIL GAMING AND TAB VENUE POLICY - REVIEW**I.18.01**

<u>Resolved:</u>	<i>That the report be received.</i>	Caves/Eaglesome
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Council's Policy Analyst spoke to the report, stating that Council were required to review their Gaming and TAB Policy every three years, in accordance with the special consultative procedure prescribed in the Local Government Act 2002. In reviewing the policy, Council must consider the social impact of gambling within the District.

Council's Policy Analyst informed Councillors that he had completed a separate revised social impact assessment of gambling in the Wairoa District in comparison with the national average.

The total national player loss for the previous year was \$906,000,000, with a total player loss in Wairoa of 3,354,000. This figure only related to gaming machines under the control of the Heretaunga Trust, and did not take into account other forms of gambling such as the TAB. The national average for gaming machines was one machine for 145 adults, the average in Wairoa was 1 machine for every 77 adults in the District. Based on statistics obtained in 2006, this would equate to an average player loss of \$580 for every adult in the Wairoa District. As not all adults in the District use gaming machines, the actual player loss can be assumed to be much higher.

In the last three years there had been a total player loss of 9.9 million in the Wairoa District, with the Heretaunga Trust only able to return one million to the District to qualifying applicants, this despite their policy to return funds to the District from which they were sourced.

In reviewing the policy, Council were presented with a number of options for consideration. These included; placing a cap on the number of machines already in the District, implementing a sinking lid policy, restricting the number of machines at each venue, the establishment of new gaming boards/venues, placing restrictions on gaming venues, or maintaining the status quo.

The Chief Executive Officer was concerned that there was no evidence to suggest that reducing the number of machines would reduce the amount people gambled, as it could not be determined whether there was a gambling problem in the District. Council's current policy does not cap the number of gaming machines in the District. However, the current policy restricts gambling venues to locations within the Town Centre Zone, Industrial and Settlement Zones, Recreation Zones used for organising sporting purposes, and Residential Zone, or Conservation Zones, of which all are subject to certain conditions outlined in the policy. His Worship the Mayor asked that Councillor's consider each of the options before them.

Councillor Birrell believed that capping machines in the District would not prevent people who gambled from gambling. If machines weren't immediately available, people would just wait until one was free. Councillor Caves was concerned that capping the number of machines in the District would prevent rural communities such as Raupunga and Tuai from enhancing business ventures that may occur in the future.

Councillor Eaglesome was of the position that ‘capping of machines’ (option one) or ‘a sinking lid policy’ (option two) should be seriously considered. Council should not be seen to condone gambling, and as such should be proactive in reviewing and amending the current policy.

His Worship the Mayor, and Councillor’s McIntyre and Shortt supported a capping of the number of machines already in the District. Councillor McKinnon also supported a capping of machines, stating that as the policy would be released for public consultation, public reaction would determine whether Council should move even further and introduce a sinking lid policy.

<u>Resolved:</u>	<i>That Gaming Machines within the Wairoa District be capped at the current level of seventy-six (76).</i>	Shortt/McKinnon
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<u>Resolved:</u>	<i>That in accordance with sections 83 and 87 of the Local Government Act 2002, the revised Wairoa District Council Gaming and TAB Venue Policy be adopted as the Statement of Proposal and approved for public consultation and submission.</i>	McIntyre/Shortt
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<u>Resolved:</u>	<p><i>That Council adopt the following special consultative procedure and consultation programme:</i></p> <p style="margin-left: 40px;"><i>a. Public Notice – 15 February 2007</i></p> <p style="margin-left: 40px;"><i>b. Submissions close 15 March 2007</i></p> <p style="margin-left: 40px;"><i>c. Council considers submissions and adopts a final policy on 10 April 2007.</i></p>	Eaglesome/McIntyre
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**WITHDRAWAL OF PLAN CHANGE 1
AND RE-NOTIFICATION OF NEW DOCUMENT AS PLAN CHANGE 1B D.01.25.07**

The Chief Executive Officer informed Councillor’s that on advice received from Consultants, there was a need to withdraw the report in the Agenda, and replace it with an updated report titled ‘Variation to Plan Change 1.’

<u>Resolved:</u>	<i>That the report ‘Withdrawal of Plan Change 1 and Re-notification of New Document Plan Change 1B be withdrawn, and that the report ‘Variation to Plan Change 1’, of be received.</i>	Caves/Birrell
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The Chief Executive Officer informed Councillors that there was a need to amend the proposed Plan Change, as the District Plan and the Regional Plan were misaligned. As the District Plan was not allowed to be inconsistent with the Regional Plan it had been proposed that the Plan Change be withdrawn, and that an amended version be re-notified. Legal advice obtained from Willis, Toomey and Robinson, was that the plan should not be withdrawn and instead varied under Clause 16(A)(2) of the Resource Management Act 1991.

<u>Resolved:</u>	<p><i>That Council:</i></p> <ol style="list-style-type: none"> <i>1. Adopt the variation to Plan Change 1 and notify submitters to Plan Change 1 that should they desire, their submissions can be considered in Plan Change 1B.</i> <i>2. Endorse Plan Change 1B (as attached to the Council Agenda.)</i> <i>3. Recommend the immediate notification of Plan Change 1B.</i> 	McIntyre/Caves
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PLAN CHANGE 2 – INDIGENOUS VEGETATION CLEARANCE

D.01.26

Resolved: *That the report be received.*

Birrell/McKinnon

The Chief Executive Officer, and Council's District Planner, spoke to the report advising Councillors that consultation had commenced with all mediated parties, such as the Department of Conservation, who concerns were being taken into account prior to the Plan Change being notified.

Councillors were further advised that they may wish to consider putting Plan Change 2 on hold due to a number of significant issues currently being addressed by central government and the Ministry for the Environment. The implementation of policies and regulations in relation to climate change, and issues surrounding global warming, could potentially result in the entire document requiring amendment. In addition, the outcome of the Waikatea Land Clearance Case, to be heard in the Environmental Court, may also have implications for the District as related to any future vegetation clearance. While no recommendation was sought, Councillors were asked to consider whether there was any point in pursuing the proposed plan change until the Government had firmed up their policy on 'Climate Change' and the Waikatea Land Clearance case was heard.

BLUE BAY TOILETS

H.03.01

Resolved: *That the report be received.*

McKinnon/Shortt

The Engineering Manager spoke to the report, stating that it was purely to inform Councillor's that in implementing their 'No Graffiti Policy' there would be an increase in costs, particularly in the case of the Blue Bay Toilets, where contractors had maintained the exterior of the toilets, by keeping them free of graffiti, but not the interior, in an bid to keep expenditure down.

His Worship the Mayor stated that graffiti was an on-going problem District wide, costly to both the ratepayer and property owners. There had been an increase in the appearance of graffiti in recent days, and Council needed to take a firm stand on the issue.

While those responsible for defacing public property, and recompense for damage/repair, could be dealt with under the Crimes Act, to be successful, taggers had to be identified while 'in the act.' Councillors were adamant that the 'Graffiti Free Policy' remain in place.

Resolved: *That the Community Portfolio Holders liaise with Police to work towards addressing graffiti and vandalism issues in the District.*

Caves/Shortt

ADJOURNED: 12:05 PM

RECONVENED: 12:45 PM

INTERSECTION CONTROLS

B.02.10.01

Resolved: *That the report be received.*

Birrell/McIntyre

The Engineering Manager spoke to the report, seeking Council's approval for the installation of intersection controls at various locations within the Wairoa District.

Councillor Caves asked if there were any plans to address concerns raised by residents in respect to the safety of the Queen Street/Locke Street and Locke Street/Lucknow Street intersections. The Engineering Manager stated that Police had not raised any concerns to date, however he would look at both intersections to determine whether there was a safety issue.

Resolved: *That Council approve the installation of intersection controls as listed in the report.*

Birrell/McIntyre

LITTER BINS - NUHAKA**B.19.07**

<u>Resolved:</u>	<i>That the report be received.</i>	<i>Birrell/McKinnon</i>
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The Engineering Manager informed Councillor's that in implementing their Litter Bin Placement Policy, he had notified all affected parties of bins that would be removed from outside commercial premises. Most businesses affected and spoken to had not taken issue at the bins being removed. Some business operators at Nuhaka however were against the policy being implemented, and as such, had instigated a petition, since received by Council requesting that all bins remain in place. The Engineering Manager was concerned that if Council started to make exceptions in the way the policy was implemented, then it would no longer be a policy.

Councillor Caves stated that business owners should be given the option of retaining the bins outside of their premises, as long as they met the expense to maintain them. If they were not prepared to meet the cost of doing so, then they should be removed. Councillor McKinnon agreed, expressing concern at statements made earlier in the morning during the public forum 'that rubbish was a Council problem.'

Councillor Eaglesome queried what had been achieved by implementing the policy. His Worship the Mayor stated that the achievement was the transferring of the costs of collecting generated rubbish from the ratepayer, to the producers and users.

Councillor Shortt believed that the policy should be revisited and modified to meet the needs of special case areas such as Nuhaka.

<u>Resolved:</u>	<i>That Council notes their consideration of the petition, but confirms that the Placement of Litter Bins Policy stands.</i>	<i>Caves/Birrell AGAINST: Councillor Shortt</i>
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NUHAKA RIVER BRIDGE**B.10.02/B.10.20**

<u>Resolved:</u>	<i>That the report be received.</i>	<i>Birrell/Shortt</i>
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The Engineering Manager spoke to the report, informing Councillor's that a vehicle fire deliberately set under the Nuhaka River Bridge had caused considerable damage. Opus had been engaged to assess the extent of the damage and as a result, the bridge had been reduced to single lane to ensure loading was kept of the damaged area. The Operations Manager was working with Land Transport New Zealand to see if Council qualifies for a subsidy of up to 93% and sought Council approval to apply for emergency funding.

<u>Resolved:</u>	<i>That Council approve the application to Land Transport New Zealand for the funding required to carry out work required.</i>	<i>Birrell/Shortt</i>
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ORMOND ROAD PLAYGROUND**G.02.16**

<u>Resolved:</u>	<i>That the report be received.</i>	<i>McIntyre/Caves</i>
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The Engineering Manager spoke to the report, stating that the item had arisen during consultation on the Long Term Council Community Plan 2006/2016. Following the instructions of Council, letters had been sent to all seventy-five residents within the vicinity of the playground to determine whether the playground was to be retained and/or upgraded, or that the land be made available for an alternative use. A total of nine submissions were received, with five wanting the playground retained, and four suggesting that the land be returned to Council. The Engineering Manager sought Council's direction on how to proceed with the matter.

Councillors were of the opinion that it was currently a nominal playground and should be removed, allowing land to be put to an alternative use.

<u>Resolved:</u>	<i>That the Ormond Road Playground be removed, and the land be made available for alternative use.</i>	McKinnon/Birrell
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PARKING FOR MOBILITY BUS

A.06.03/B.03.02.11.01

<u>Resolved:</u>	<i>That the report be received.</i>	Birrell/Eaglesome
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The Engineering Manager spoke to the report, stating that a letter had been received from Wairoa Disability Transport Services Inc, advising of their practice to informally use the 'Goods Loading Zone' outside the Clyde Court complex to uplift and drop off passengers. There was a request within the letter for a Mobility Bus Car Park to be established between the hours of 8am – 5pm, Monday – Friday inclusive, for the sole use of the Mobility Bus.

In reviewing the Parking Bylaw, it was the Engineering Managers belief that there was no reason why the Mobility Bus couldn't continue to use the Goods Loading Zone for parking, rather than establish a specific car park that would only be used on occasions.

<u>Resolved:</u>	<i>That Wairoa Disability Transport Services Inc, be advised that they may continue to use the Goods Loading Zone for the parking of the Mobility Bus to drop off and uplift passengers.</i>	Caves/Birrell
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PARKING ON SH2 (PAUL STREET)

B.03.02.11.01 / B.03.01.03

<u>Resolved:</u>	<i>That the report be received.</i>	Shortt/McKinnon
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The Engineering Manager spoke to the report informing Councillors that he had received a proposal from Transit New Zealand, seeking Councils position on the removal of car parking facilities outside the Eastern Institute of Technology Building on Paul Street.

The intersection of Queen Street/Paul Street had been identified as one of Transit's most frequent crash sites in the East Coast region, and while there have been no fatalities to date, both Transit and Council staff are concerned that it may be only a matter of time.

<u>Resolved:</u>	<i>That Council supports the proposal to remove existing parking outside the Eastern Institute of Technology Training Building on Paul Street</i>	Eaglesome/Birrell
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RIVERBANK FISHING WHARF – MARINE PARADE

G.01.02

<u>Resolved:</u>	<i>That the report be received.</i>	McKinnon/McIntyre
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The Engineering Manager spoke to the report stating that the Fishing Wharf had been highlighted as a structure requiring remedial work in structural assessments conducted some years ago, and had recently been brought into a more rigorous structural assessment programmed.

Recent inspections and subsequent reports, recommending that the wharf be demolished, have shown that the wharf requires significant expenditure to bring it up to a standard to allow public access. If the wharf were to be demolished, the cost of replacement was estimated to be \$100,000. The cost for removal was estimated to be in the region of \$10,000. The Engineering Manager sought Council's preference as to whether the wharf was to be demolished and replaced, or removed without replacement.

Councillors were of the opinion that while historically, the wharf was an historic area for the district, having been the main business area for the loading and unloading of goods shipped to and from the district, the amount required to either replace or repair the wharf did not make the structure viable given its level of use.

<u>Resolved:</u>	<i>That Council approve funding of \$10,000 to remove the wharf facility.</i>	Shortt/Birrell
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TUAI SPORTS FIELD – HELICOPTER LANDINGS

G.02.15

Resolved: *That the report be received.*

Shortt/McKinnon

The Engineering Manager spoke to the report stating that a request had been received from the Hawke's Bay Helicopter Trust to utilise the Tuai Sports Field for helicopter landings when responding to emergencies where there was no alternative landing area immediately available. The Trust had also requested permission to utilise the existing floodlights, and to install a strobe light, identifying the landing pad for the pilot. The Trust would meet all installation costs, and were requesting that Council pay the annual power charges. The initial inspection and compliance cost, and annual power charges, was estimated to cost Council \$900.

Resolved: *That Council meet the reconnection costs, and annual power costs for the Tuai Sports field.*

Shott/Birrell

FINANCE PORTFOLIO REPORT

A06.03

Councillor McIntyre reported on a meeting of the Finance Portfolio Holders with ratepayers of Mitchell Road, as a first step in hearing their concerns as related to significant increases in their rates for the 2006/2007 Financial Year.

POLICE – MAHIA

A06.11.09

Councillor Shott wished to publicly compliment the Wairoa Police on the wonderful job they did at the Mokotahi and Pohutukawa Reserves over the Christmas Holiday period. Their management of visitors, and the public in general was outstanding.

Resolved: *That Council write a letter to the Wairoa Police and congratulate them on their efforts at Mahia during the Christmas Holiday period.*

Shott/Caves

RUBBISH – APPROACHES TO WAIROA

B19.07.01

Councillors expressed concern at the amount of rubbish that continually accumulated and often overflowed in bins at the rest area opposite Café 287. Rubbish was continuously been blown into the drains, making approaches unsightly. While Councillors appreciated that it was a Transit problem, they asked that their concerns be raised with Transit, or Transits contractors, as the image reflected badly on Wairoa.

ROAD SAFE – HAWKE'S BAY

B03.01.09

Councillor McIntyre report on a meeting of Road Safe Hawke's Bay. Road Safe Hawke's Bay were no longer an approved funding agency of land Transport New Zealand, but would continue to oversee existing contracts. Due to the change in the application of regional funding, there was a recommendation from the Committee that Road Safe be brought under the umbrella of the Hawke's Bay Regional Council, with employed staff relocating to the Hawke's Bay Regional Council building in Napier.

SUSTAINABLE LAND MANAGEMENT

D02.91

Councillor Caves noted that the next meeting by the Ministry of Forestry on sustainable land management, was to be held in Hastings on Thursday 22nd February 2007 at 7:30 am, and registered his interest in travelling to the meeting with other Councillors, if there was an intention to attend.

CEMETERY**B19.06**

Councillor Eaglesome queried whose responsibility it was to maintain headstones at the Cemetery, as a number were covered in lichen, and were now difficult, if not impossible to read. The Engineering Manager stated that while Council put some effort and funding into managing encroaching vegetation, maintenance of headstones had not been considered. The Chief Executive Officer stated that the maintenance of headstones was the responsibility of family members, although for historic purposes, there may be a need for Council intervention.

ZONE 3 MEETING**A13.03**

The Chief Executive Officer informed Councillors that the next Zone Three Meeting was to be held in Hawera on 16th March 2007. Councillors were to advise the Chief Executive Officer if they wished to attend.

WEST TECH**D01.03.02**

The Chief Executive Officer informed Councillors that West Tech had submitted a consent to recommence drilling on the Kahuroa site and that it was currently being processed. West Tech hoped to commence drilling in March.

MAHIA WASTE WATER SCHEME**B01.08**

The Engineering Manager updated Councillors on meetings facilitated in Napier and Gisborne, and an Open Day held out at Mahia, which was well attended.

Councillors McKinnon, Caves and McIntyre, complimented the Engineering Manager, and in conveying their congratulations, thanks, and gratitude, asked that the same be passed on to Consultants, and all other parties involved in facilitating the open day.

WAIROA BASKETBALL ASSOCIATION**A15.05**

The Engineering Manager circulated a notice advising of the Mighty Hawks and Manawatu Jets Basketball game to be held at the Wairoa Community Centre on Saturday 17th February 2007.

MAYORAL UPDATE**A06.07.10**

The Mayor updated Councillor's on activities he had been involved in, and meetings attended since their last meeting in December 2006

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/McIntyre**EXCLUDED FROM: 1:52 PM****READMITTED FROM: 3:15 PM**

RELEASE OF CONFIDENTIAL ITEMS**A06.09**

The following item was released for public information.

DIRECTOR – QUALITY ROADING AND SERVICES (WAIROA) LIMITED**B.04.01**

<u>Resolved:</u> <i>That Council appoint Mr Guy Gaddum to the Board of Directors of Quality Roading Services (Wairoa) Limited for a term of three years.</i>	<i>Short/Eaglesome</i>
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There being no further General Business, the His Worship the Mayor, declared the meeting closed:

MEETING CLOSED: **3:18 PM**

REPORT TO:	COUNCIL	
DATE:	13 MARCH 2007	
SUBJECT:	CONFIRMATION OF MINUTES OF A SPECIAL MEETING OF COUNCIL HELD ON 28 FEBRUARY 2007	FILE REF: Nil
AUTHOR:	T COOK, ADMINISTRATION MANAGER	ATTACHMENTS: Nil
RELATED COMMUNITY OUTCOME:	N/A	RELATED COUNCIL ACTIVITY: N/A

PURPOSE:

Attached are the minutes of a Special Meeting of Council held on 28 February 2007.

RECOMMENDATION:

That the minutes of the Special Meeting of Council held on 28 February 2007 confirmed as correct.

WAIROA DISTRICT COUNCIL**SPECIAL MEETING OF COUNCIL**

(Mahia Community Wastewater Scheme – Notice of Requirement)

Minutes of a Special Meeting of Council held in the Wairoa District Council Chambers, Coronation Square, Queen Street, Wairoa on Wednesday 28 February 2007 at 12:01 pm.

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

COUNCILLORS

B McKinnon, D Eaglesome, G McIntyre, B Shortt, S Birrell and D Caves

IN ATTENDANCE: P Freeman (Chief Executive Officer)
T Cook (Administration Manager)
N Cook (Engineering Manager)

General Items**MAHIA COMMUNITY WASTEWATER SCHEME – NOTICE OF REQUIREMENT **B.01.08****

The Chief Executive Officer spoke to the report informing Councillors that for some years Council had been in the process of developing a Mahia Community Wastewater Scheme for Mahia Beach, Oraka and Opoutama.

A preferred site on which to locate the Wastewater Scheme had been identified at Kaiwaitau. Having entered into discussion with landowners, a Heads of Agreement had since been signed. Public consultation, including public meetings, hui on Marae, and an Open Day, had also been undertaken.

Council were now in the position where an application needed to be made to the Hawke's Bay Regional Council, for Resource Consent to construct and operate the Treatment Plant to progress the next phase of the Wastewater Scheme Project.

As the Wairoa District Council District Plan holds implications for the work being proposed, it is appropriate to have the land designated as a Wastewater Treatment Plant site. Should, for whatever reason, the project not proceed, then the designation could be withdrawn.

Resolved: *That:*

1. *Pursuant to Section 168(a) of the Resource Management Act 1991, Council notify its intention to designate Kaiwaitau 7C2B BLK IV Mahanga S.D. as a site for Public Works (Wastewater Plant).*
2. *Notification shall be in accordance with Section 93(2) and Section 168 of the Resource Management Act 1991.*

Eaglesome/Birrell

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

MEETING CLOSED: **12:05 PM**

RECEIPT OF COMMITTEE MINUTES

REPORT TO: COUNCIL	
DATE: 13 MARCH 2007	
SUBJECT: RECEIPT OF MINUTES OF THE MAORI COMMITTEE MEETING HELD 30 JANUARY 2007	FILE REF:
AUTHOR: T COOK, ADMINISTRATION MANAGER	ATTACHMENTS: N/A
RELATED COMMUNITY OUTCOME: N/A	RELATED COUNCIL ACTIVITY: N/A

PURPOSE:

Attached are the minutes of the Maori Committee Meeting held 30 January 2007.

RECOMMENDATION:

That the minutes of the Maori Committee Meeting held on 30 January 2007 be received.

WAIROA DISTRICT COUNCIL**MAORI COMMITTEE**

Minutes of the Maori Committee held in the Council Chambers, Coronation Square, Wairoa on Tuesday 30 January 2007 at 10.54am.

PRESENT: Mr T W Wilson Chairman

COUNCILLORS

D S Caves, D A Eaglesome

P Hohipa, H Hiko, C King, F McRoberts, D Niania, H Kapene, K Thompson, T Smith

IN ATTENDANCE: J Scott (Maori Liaison Officer)
G Thompson (Secretary)

A powhiri was held for the new Maori Liaison Officer, Ms Joy Scott.

Mr F McRoberts opened the meeting with a karakia.

APOLOGIES

Apologies were received from His Worship the Mayor, L Probert, B Greening, W Mitchell, K Turipa.

<u>Resolved:</u>	<i>That apologies be received from His Worship the Mayor, L Probert, B Greening, W Mitchell and K Turipa be accepted.</i>	<i>King/Niania</i>
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The Chairman welcomed everybody for the 2007 year and spoke on re-direction of Maori Committee. He also spoke on the Committee not being active with issues relating to Council.

Items of General Business

Agenda Circulation	Councillor Caves
Waikokopu	Councillor Caves
Takitimu Marae	Councillor Eaglesome
Timber Mill	H Hiko
Environment Issues to Lower Wairoa River & Review of Discharge Consent	K Thompson

General Items

FUTURE DIRECTIONS

The Maori Liaison Officer spoke on direction from the Maori Committee and being proactive and active.

Mr P Hohipa asked about the changes the Maori Committee had been involved in. The Maori Liaison Officer reported the Committee contributed to the Whenua Rahui Register and its perceived effectiveness. The Maori Liaison Officer also reported the Whenua Rahui Register was not widely distributed and needs reviewing.

Recommended: That the Whenua Rahui Register be sent out to all Maori Freehold Land owners with the 2006/07 4th Rates Instalment. **McRoberts/Hohipa**

The Chairman also spoke on issues the Maori Committee had been involved in those being the Operative District Plan, Pensioner Flat Policy and Rates.

Councillor Caves spoke a report be written addressing the successes or obstacles of the current Whenua Rahui Register and seek information from the Finance Manager regarding rate arrears on Maori Freehold & Multiply Owned land.

The Chairperson spoke on review of rates arrears on Maori freehold and multiply owned land.

<u>Resolved:</u>	<i>That a review be looked at for the Rating Arrears on Maori Freehold & Multiply Owned Land.</i>	Smith/McRoberts
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General Business

Agenda Circulation – Councillor Caves reported he had not received his agenda until the day before the meeting. Mr Caves had been informed the agendas had been sent out four days before the meeting.

Waikokopu – The Chief Executive Officer, Mr Freeman spoke on the enhancement of the Waikokopu Harbour and the Hawke's Bay Regional Council had had access to funds for care and remedial work of the Harbour.

Ormond Road – The Chief Executive Officer spoke about the potential closure of Ormond Road on Waitangi Day.

The Chief Executive Officer also spoke on the history of Ormond Road.

Takitimu Marae – Councillor D Eaglesome spoke on the insurance of the Whare Tipuna of Takitimu Marae.

Recommended: That the Maori Committee endorse financial assistance to pay for insurance of the Whare Tipuna of Takitimu Marae. **Thompson/Niania**

Wairoa Timber Processors Ltd – Mr H Hiko spoke on the discharge of carbon dioxide and the testing of the water of the Wairoa River.

The Chairman reported on conditions and activities being adhered to within the resource consent.

A public hui will be held at Takitimu Marae on Saturday, 24 February 2007.

CLOSED: A karakia was given by D Niania to close the meeting at 1.11pm.