

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 October 2009 at 10.00am.

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

COUNCILLORS

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

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

CIVIC PRAYER

The civic prayer was given by Councillor Heron.

APOLOGIES: Nil

CALLS FOR CONFLICTS OF INTEREST: Nil

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

1. Tsunami Warnings (Cr Caves/Chief Executive Officer)
2. LATE ITEM – Interim Maori Standing Committee Recommendations (Administration Manager)
3. LATE ITEM – Marine Parade Street Trees (Engineering Manager)
4. LATE ITEM – Oraka Coastal Protection (verbal report) (Engineering Manager)
3. Wandering Stock (Chief Executive Officer)

PUBLIC FORUM

His Worship the Mayor welcomed the public, and in particular members of the Interim Maori Standing Committee, to the meeting and asked if there were any items they wished to bring to Council's attention. There was not, however, a Late Item from the Interim Maori Standing Committee would be presented later during the meeting.

PRESENTATION: BEVAN PICKETT – QV DISTRICT REVALUATION

Mr Pickett provided Council with an overview of the revaluation process. He noted that a detailed market analysis is undertaken across all categories of property. They also incorporate local knowledge and expertise. All sales are inspected by valuers; they then apply values and conduct further inspections. Finally, computerised statistical tests are undertaken for accuracy.

While the rating values are based on market sales they are a 'snapshot' of the market at a single point in time. As real estate tends to fluctuate over time, a rating valuation cannot be expected to represent the market value for an extended period. Rating values also do not include chattels.

The following overall results were noted:

- Total number of properties is 7,166.
- Wairoa District is now worth \$1.869 billion.

- Overall 11.9% decrease in Capital Values.
- Overall 20.2% decrease in Land Values.
- Coastal market values have decreased significantly in recent years while the township has remained relatively steady.
- The rural sector has seen a general reduction in value.
- Most residential property values have trended upwards apart from coastal properties.
- Average house value \$129,941 – down 17.9% (but big variation in values between coast and Wairoa Township).
- Average section value \$59,561 – down 36.3%.
- Rural (dairy/pastoral) \$494,605 – down 13.4%.
- Lifestyle Improved \$275,081 – down 6.2%.

Sector	No. Assts	2009 CV (\$000)	% Change	2009 LV (\$000)	% Change
Farming	1,475	842,503	-13.4	719,828	-15.7
Crop & Specialist	33	18,650	5.6	11,055	-0.5
Forestry	124	158,863	-9.3	151,247	-9.8
Lifestyle	985	213,447	-13.7	145,546	-20.9
Residential	3,674	581,630	-17.9	343,679	-36.3
Commercial	132	32,423	6.3	11,464	-4.8
Industrial	132	21,625	8.6	3,511	33.7
Other	602	252,099	1.5	82,744	-16.5
TOTAL	7,166	2,121,450	-11.9	1,469,238	-20.2

His Worship the Mayor thanked Mr Pickett for this presentation and invited Councillors to ask any questions. Councillors clarified a number of matters.

General Items

LATE ITEM – MARINE PARADE STREET TREES

F01.25

Resolved:	<i>That in accordance with Section 46A (7) of the Local Government Official Information and Meetings Act the item MARINE PARADE STREET TREES be considered given the item had not come to hand at the time of Agenda compilation and consideration of this matter is required now in order to respond within the time frame allowed.</i>
	Eaglesome/Cairns

His Worship the Mayor welcomed Wairoa College student Karlton Karangaroa who has been undertaking work experience with the Engineering Department. The Engineering Manager noted that part of his work was to design and undertake a survey about the street trees and to produce a report with recommendations. He was assisted in his work by staff.

It was noted that a submission was received during consultation on the LTCCP requesting the removal of street trees on the shop side of Marine Parade. The submission cited problems with birds, leaf litter etc as the key reasons for the request. Council determined that nothing should be done without full consultation with all businesses and directed staff to undertake a survey or similar exercise to gauge public opinion.

Karlton presented his findings and noted the options available to Council, which are:

1. Do Nothing
2. Remove some of the trees
3. Remove all of the trees and replace with something else
4. Undertake maintenance on those trees that require it

There is no preferred option although Option 1 is unacceptable from a traffic safety perspective and work would have commenced already on some of the trees had Council not initiated this report through the LTCCP process.

All options except Option 3 could be expected to be funded from existing budgets. Removing a single tree and replacing it with a smaller equivalent would cost in the order of \$200 per tree. For 13 trees would be in the order of \$2,500 - \$3,000 once dump fees are taken into account.

Karlton's report makes a recommendation that Option 4 be adopted. This is sound reasoning based on the survey of businesses and discussion with Council operational staff regarding traffic safety and aesthetics.

His Worship the Mayor on behalf of Council and the wider community thanked Karlton for his work and congratulated him for the professionalism he displayed in carrying out his research.

Resolved:	<i>That the report be received.</i>	Heron/Eaglesome
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Resolved:	<i>That Council undertakes maintenance on those Marine Parade trees that require it.</i>	Heron/Cairns
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Resolved:	<i>That general guidelines regarding trees be investigated.</i>	Cairns/Evans
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LATE ITEM – INTERIM MAORI STANDING COMMITTEE RECOMMENDATIONS	A26.01
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Resolved:	<i>That in accordance with Section 46A (7) of the Local Government Official Information and Meetings Act the item INTERIM MAORI STANDING COMMITTEE RECOMMENDATIONS be considered given the item had not come to hand at the time of Agenda compilation and consideration of this matter is required now in order to respond within the time frame allowed.</i>	Eaglesome/Cairns
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His Worship the Mayor welcomed members of the Interim Maori Standing Committee and invited Chairperson Graeme Symes to speak to the report.

The report made a number of recommendations and Council dealt with each in turn and made resolutions as required.

Resolved:	<i>That the report be received.</i>	Caves/McKinnon
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Resolved:	<i>That Council appoints under Schedule 7, Part 1, Clause 31(4)(a) of the Local Government Act 2002, Councillors Heron and Cairns to the Interim Maori Standing Committee.</i>	Evans/McKinnon
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It was noted that the Interim Maori Standing Committee meetings are public and as such any Councillors are welcome to attend and they were encouraged to do so.

The Interim Maori Standing Committee also requested that their Chairperson be given a voting right at the Council table.

The Chief Executive Officer acknowledged the request, but noted that legislation prevented this from occurring.

In particular, the Chief Executive Officer referred to Section 41(2) of the Local Government Act 2002, namely:

41 Governing bodies

- (2) A territorial authority must have a governing body consisting of members and a mayor elected in accordance with the Local Electoral Act 2001.

For this reason it was not possible for Council to grant this request. The Chief Executive Officer noted the option of establishing Maori Wards.

The Interim Maori Standing Committee also requested that four members be appointed to the Resource Management Committee.

Councillor Cairns enquired as to why four members would be required. It was clarified that this number would ensure there would always be an Interim Maori Standing Committee member available at Resource Management Committee meetings.

A number of training matters were also raised. Councillor McKinnon highlighted the cost and difficulty associated with the RMA training which he noted was getting increasingly more difficult to pass.

<u>Resolved:</u>	<i>That:</i>
	<ol style="list-style-type: none">1. <i>Two members of the Interim Maori Standing Committee be mandated to sit at the Resource Management Committee, preferably with RMA certification.</i>2. <i>All members of the Maori Standing Committee be given the "Good Decision Making" programme as budget allows.</i>3. <i>Training in policy & procedure be initiated for Interim Maori Standing Committee.</i>4. <i>Tiriti O Waitangi training be delivered to the Interim Maori Standing Committee and Councillors.</i>
	Heron/Cairns

In closing, various policy responsibilities were discussed.

<u>Resolved:</u>	<i>That:</i>
	<ol style="list-style-type: none">1. <i>The Interim Maori Standing Committee review the Maori Policy.</i>2. <i>The Road Naming and Numbering Policy be given to Maori Standing Committee to lead.</i>3. <i>Maori Tourism is an issue for the Maori Standing Committee to manage.</i>
	Caves/McKinnon

Exclusion of the Public

<u>Resolved:</u>	<i>That pursuant to Section 48 (1) of the Local Government Information and Meetings Act 1987, the public be excluded on the following grounds:</i>
	<i>That the exclusion of the public from the whole or relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in:</i>
	<i>S7 (2)(b) Protect information where the making available of the information-</i>
	<ol style="list-style-type: none">(i) <i>Would disclose a trade secret; or</i>(ii) <i>Would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information;</i>
	Heron/Evans

ADJOURNED: 11:50 AM
RE-ADMITTED: 1.06 PM

NEW ZEALAND MUTUAL LIABILITY RISKPOOL

A11.01

The Finance Manager spoke to his report. He noted that Riskpool provides public liability and professional indemnity cover for Councils. It is a mutual liability fund governed by a Trust Deed. The Trustee is Local Government Mutual Funds Trustee Limited, a 100% subsidiary of Civic Assurance. Directors are appointed by Civic and Civic also acts as Fund Manager. Riskpool commenced in 1997, and has 78 local authority members.

Riskpool has been involved in a number of claims relating to the Resource Management Act and failure of infrastructure. It is now faced with a shortfall in the mutual pool's funds due to the "leaky" building issue. Riskpool wrote to Council on 30 June 2009 advising that there was a need for a call on funds to cover for the shortfall. We wrote back advising that we were unfairly subsidising the metropolitan centres, that we have not received any substantiation of the claims and due to the timing of the letter, we had not provided financial provision for the additional expense. Council has now received the attached letter and an invoice for \$20,142.00 being a call on funds 6 and 7.

Resolved: That the report be received.	Evans/McKinnon
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Resolved: That Council approves the request to fund the shortfall in Riskpool of \$20,142.	Evans/McKinnon
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FIRE RISK REDUCTION – OPOUTAMA

I05.06

The Chief Executive Officer advised that Councillors are aware of the devastating fire at Opoutama that destroyed several buildings, including one dwelling in February of this year. While the fire became the responsibility of the Department of Conservation because it was within their 1km fire safety margin, it apparently started on Council land and did significant damage to growth on that land.

The remaining saplings both burnt over, and not, still present a potential fire risk. To mitigate this risk to a reasonable level the proposal is to cut and mulch an area of approximately 3.6 ha between the Ruawharawhara Urupa and the access track into the YMCA Camp.

This work could be done at the same time as D.O.C. and the Forest Restoration Trust are undertaking similar work and may also be coincident with work to meet Council's obligations to the Urupa Trustees and also potential roading options in the area.

It should also be noted that D.O.C. have felled most if not all trees in their reserves along YMCA road and propose to do more.

The Chief Executive Officer noted that staff were still firming up quotes with three providers but it seems that we could achieve what is required with \$20,000. While this is not strictly "Disaster Recovery" he proposed that Council utilise some of the \$500,000 available in the Disaster Recovery Reserve on the basis that it is partial recovery from last year's fire and partially prevention of another fire this season.

The various options were then discussed.

Resolved: That Council approve a sum of \$20,000 from the Disaster Relief Fund to form a fire break on plantation reserve YMCA Road, Opoutama between Ruawharawhara Urupa and the YMCA access track.	Caves/Evans
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REPAIRS AND MAINTENANCE – TUAI HALL

H06.02

The Chief Executive Officer spoke to his report. He noted that the Tuai Hall is owned by Council and administered by a local committee. Apparently all funds derived from users are used in cleaning and supplies such as toilet paper etc. The use of the hall is sporadic at best.

The Tuai Hall Committee have written to Council requesting certain work be undertaken before the November Genesis Energy Lake to Lighthouse Challenge to allow the hall to be used as a gallery for local artists.

Council owns the building and therefore has an obligation to maintain it.

A proposal to get things moving might be to:

1. Attend to exit door
2. Pest eradication

These are urgent works which must be done

3. Renew curtain tracks and curtains

Then programme further works for future years in next year's Annual Plan.

Current budget for Repairs and Maintenance is \$2,000 only.

The work has not been costed but a rough order of cost would see about \$10,000 to undertake items 1-3.

Resolved:	<i>Council approve a sum of up to \$10,000 from the Depreciation Fund to attend to urgent work on the Tuai Hall and that a full maintenance programme be prepared for inclusion in future Annual Plans through the LTCCP. Eaglesome/Caves</i>
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MAHIA AVENUE – PHOENIX PALMS

B03.02.03

The Engineering Manager spoke to the report. He noted that Council was well aware of this matter and its associated history. A letter was received from a resident of Mahia Avenue requesting some action be taken with the Phoenix Palms to reduce the problem of starlings nesting in these trees and the perceived health problems created by these birds.

In an attempt to reduce the problem a number of trees in the vicinity of the residents' houses were pruned to restrict the resting area but the resident claims this hasn't fixed the problem.

A further letter was received requesting all the phoenix palms in Mahia Avenue be removed and this and other options were investigated.

Letters were forwarded to 20 residents of Mahia Avenue who were regarded as affected parties to gauge their reaction on removing the palms. Ten letters were returned with six being in support of the removal and four were against.

Pest control companies were contacted to discuss a possible action to remove the birds but it appears there is no long term solution to the problem.

An estimate was obtained for the felling and removal of the palms and this is \$800 per tree and there are 18 trees on Mahia Avenue.

Council is currently trialling plastic owls in some of the pruned trees as a deterrent; these were installed 2-3 days ago.

Council discussed the matter at length.

Resolved: That the report be received. **Evans/McKinnon**

Motion: That the report be deferred to the next Council meeting pending the outcome of the plastic owl trial. **DEFEATED**

Resolved: That Council approves a budget of \$20,000 from the District Development Fund to remove the trees and possibly replant with flowering gums to suit the opposite side of the road. Additionally, that no work be conducted until Council considers the results of the plastic owl trial at its Council Forum in 2 weeks time. **Evans/McKinnon**

ANNUAL REPORT ON DOG CONTROL POLICY AND PRACTICES 2008-2009 A04.04

The Administration Manager noted the salient matters contained in his report.

Section 10A of the DCA requires territorial authorities to publicly report each financial year on:

- the administration of their dog control policy and their dog control practices (Section 10A(1)); and
- a variety of dog control related statistics (Section 10A(2)).

While not explicitly stated in the DCA, one of the primary purposes for preparing this report is to allow communities to see how Council is managing its dog control responsibilities.

Resolved: That the report be received. **Caves/Evans**

Resolved: That:

1. Pursuant to section 10A of the DCA, Council adopts the Annual Report on Dog Control Policy and Practices 2008-2009.
2. Council give public notice of the Annual Report on Dog Control Policy and Practices 2008-2009 by way of advertisement in the Wairoa Star.
3. Within one month of adopting this report a copy of it be sent to the Secretary for Local Government. **Cairns/McKinnon**

DOCUMENTS SEALED FOR THE PERIOD 20 AUGUST 2009 TO 1 OCTOBER 2009

The Schedule of Documents sealed for the period 20 August 2009 to 1 October 2009 was presented.

Resolved: That the report be received. **Cairns/Heron**

Receipt/Confirmation of Minutes of Previous Council Meetings

ORDINARY MEETING OF COUNCIL HELD 8 SEPTEMBER 2009

The minutes of an Ordinary Meeting of Council held on 8 September 2009 were presented.

Resolved: That the minutes of an Ordinary Meeting of Council held on 8 September 2009 be confirmed as correct. **Evans/McKinnon**

General Business

TSUNAMI WARNINGS

A22.02

Councillor Caves queried whether Council would reconsider submissions made during the LTCCP process to install tsunami warning sirens in coastal areas given the recent tsunami scare. He further noted the residents in some areas had indicated a willingness to contribute funding towards any such installation.

The Chief Executive Officer acknowledged the concerns of residents but queried whether the installation of sirens was the best option. The ongoing maintenance required for sirens in coastal environment was a major concern, and their effectiveness is already being questioned in other parts of the country where such installations have been implemented. The Emergency Management Team have been investigating alternative options such as load speaker warnings via helicopter for outlying communities.

LATE ITEM – ORAKA COASTAL PROTECTION

D05.03.09

Resolved:	<i>That in accordance with Section 46A (7) of the Local Government Official Information and Meetings Act the item ORAKA COASTAL PROTECTION be considered given the item had not come to hand at the time of Agenda compilation and consideration of this matter is required now in order to respond within the time frame allowed.</i>
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His Worship the Mayor/Heron

The Engineering Manager apologised for not being able to prepare a written report for this matter, however, the timing was not conducive. Nonetheless, he believed it was prudent to put this matter before Council for consideration.

Local residents have gained resource consent to do coastal protection work at Oraka. Of benefit to Council is that this consent extends beyond the residents houses beside Council road and reserve.

This matter of coastal protection was raised during the LTCCP process so is not a new issue.

Essentially, this work is underway and there is an opportunity for Council to leverage off this initiative and save costs as the contractor is onsite now. The contractors may only be there for another week or so. The Engineering Manager highlighted that if Council were to do this work at a later time the costs will increase as the contractors would need to re-establish onsite.

Council briefly discussed the matter.

Resolved:	<i>That \$25,000 from the District Development Fund be approved for this coastal protection project.</i>
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Evans/Caves

WANDERING STOCK

I10.02

The Chief Executive Officer advised Council that a local farmer had been successfully sued in the Dispute Tribunal for wandering stock causing damage to a vehicle. The claimant was awarded a \$5500 settlement.

The tribunal accepted the farmers' fences were in a reasonable condition, but that is not good enough any longer. The standard has got tougher and they have suggested a list of farming practices needed to improve.

MAYORAL UPDATE

A06.03

His Worship the Mayor provided an overview of the various events and meetings he had attended over the past month.

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

CLOSED: The meeting closed at **1.45pm**

RELEASE OF CONFIDENTIAL ITEMS

A06.09

The following resolutions were approved for release.

KOPU ROAD LINK CONSTRUCTION

B03.01.05 10/10

<u>Resolved:</u>	<i>That Council approve direct negotiation for the construction of the Kopu Road Link.</i>	<i>Heron/McKinnon</i>
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Chair