



ORDINARY MEETING

OF COUNCIL

TUESDAY

9 FEBRUARY 2010

10.00 am

GENERAL ITEMS

REPORT TO: COUNCIL	
DATE: 9 FEBRUARY 2010	
SUBJECT: POLICY – RMA HEARINGS	FILE REF: A06.11
AUTHOR: P J FREEMAN, CHIEF EXECUTIVE OFFICER	ATTACHMENTS:
RELATED COMMUNITY OUTCOME:	RELATED COUNCIL ACTIVITY: Resource Planning

INTRODUCTION:

The University of Auckland, Centre for Continuing Education has released its 2010 programme for Certification Workshops for Making Good Decisions.

This provides Council with the opportunity to assess its training needs.

REPORT:

The Resource Management Act allows Councils to appoint Commissioners or to undertake hearings by a Committee. The Chair of the Committee and at least 50% of the members must hold current certification. Applicants now have the right to choose between Commissioners and Committee.

Council's current policy is to have only certified members on the Committee. Council has approved two members of the Maori Committee to be certified.

Certification is valid for three years.

FINANCIAL:

The cost per member per course is \$1773 net of GST plus travel and accommodation – say \$2,500 total.

In any three year period we would require at least nine people to undertake training.

Given that Councillors and Maori Committee members are subject to reappointment through an electoral process, we may assume that 50% of members may not stand again or if they do, may not be re-elected.

As the electoral three year period and the three year certification do not run concurrently, we could safely assume that a further three might need training.

12 persons @ \$2,500 = \$30,000 over three years

In the last three years Council has held eight hearings:

- 4 – 2007
- 4 – 2008
- 0 – 2009

So the training cost could be \$3,750 per hearing. Obviously if there were more hearings this could be reduced.

Councillors are paid \$60 per hour for hearings; seven Councillors plus one Maori Committee member

8 x 60 = \$480 per hour

Many of the Hearings held over the last three year period have not lasted much more than an hour but some have extended for a full day. Assuming an average of four hours, costs would be:

Training Cost	3,750.00
4 x \$480	<u>1,920.00</u> (assuming all members attend)
	<u>5,670.00</u>

Commissioners vary in cost from \$200 per hour to \$350 and Council may choose to use 1, 2 or 3 Commissioners depending on the complexity of the issues.

Say two Commissioners @ \$275 per hour for four hours	2,200
Travel and accommodation – say	<u>1,000</u>
	<u>3,200</u>

DISCUSSION:

- Councillors may wish to discuss the wisdom of Council's current policy given that this relatively small aspect of Council work is likely to consume most if not all of the available training budget.
- A change of policy may allow Council to recover costs of hearings which currently are considered a "public good" and therefore not charged to applicants.
- Decisions made on RMA applications can only be made in terms of the District Plan and RMA and it may therefore be prudent to provide wider training to allow Councillors and Maori Committee to participate more in the development of the District Plan rather than concentrate on decisions which are at the end of the process.
- The Local Government Elections take place in October this year and there is a high probability that no hearings will occur before then in any case.
- The Maori Committee has instructed the Maori Liaison Officer to arrange and pay for their two members to attend training as soon as possible. I have requested a stay on that decision until after this meeting.

SUMMARY:

There needs to be a considered debate on all aspects of the Council's current policy regarding RMA Hearings.

The Management Team have no particular recommendations to make.

RECOMMENDATION(S): That Council consider the current practice and policy around Resource Management Act decision making and advise.



P J Freeman
CHIEF EXECUTIVE OFFICER

REPORT TO: COUNCIL	
DATE: 9 FEBRUARY 2010	
SUBJECT: COMMUNITY MAX	FILE REF: F01.01.02
AUTHOR: P J FREEMAN, CHIEF EXECUTIVE OFFICER	ATTACHMENTS:
RELATED COMMUNITY OUTCOME: All Community Outcomes	RELATED COUNCIL ACTIVITY: Corporate Services

INTRODUCTION:

Council has had two draft Community Max projects presented to it:

1. Te Rakato Social Services Trust – requests financial support for truck and trailer hire, gloves, rubbish bags, petrol vouchers;
2. Maugaturanga Whanau Trust – no specific request for funding but apparently there is an expectation that Council could act as an umbrella for this organisation.

REPORT:

The writer, His Worship the Mayor and Deputy Mayor met with representatives of the Ministry of Social Development and discussed generally the proposal for Council to act as an umbrella for these schemes.

The following are the impacts on Council:

- Council to be deemed “employer” of all employees
- Council to meet Kiwi Saver contribution for all employees
- Council to meet all ACC levies
- Council to cover all administration costs etc for payroll, banking etc

FINANCIAL:

- Employer – Council would be responsible for all contract documentation, payment of wages, liability as “employer” in any personal grievance. Potential costs unknown but should not be great given the limited term of the project.
 - Kiwi Saver contributions are set at 2% of earnings
6 employees, @ \$12.50 per hour for six months = 58,500 x 2% = 1,170
30 hours per week
 - ACC assuming forestry support rate of \$2.73 per \$100 payroll
58,500 x 2.73% 1,597
- 2,767

So each scheme would be different depending on number and type of work but in essence Council would have the cash cost of 4.73% of payroll plus admin costs plus any liability arising from the role of “employer”.

RECOMMENDATION(S):

That:

1. Council advise whether or not it wishes to become an umbrella organisation for Community Max and if so;
2. Council make a budget available for the provision of umbrella services to Community Max; and
3. Council advise whether or not it wishes to support Te Rakato Social Services project with funding; and if so
4. Council make a budget available for provision of resources to Te Rakato Social Services.



P J Freeman
CHIEF EXECUTIVE OFFICER

REPORT TO: COUNCIL	
DATE: 9th February 2010	
SUBJECT: NUHAKA DOMAIN TREE REMOVAL	FILE REF: G02.10
AUTHOR: N. Cook, Engineering Manager	ATTACHMENTS:
RELATED COMMUNITY OUTCOME: <ul style="list-style-type: none"> • An Environment That is Appreciated, Protected and Sustained For Future Generations • Safe and Accessible Recreational Facilities 	RELATED COUNCIL ACTIVITY: Parks & Reserves

PURPOSE:

The purpose of this report is to advise Council of safety concerns associated with aging trees at the Nuhaka Domain and seek funding for remedial measures.

BACKGROUND:

Representatives of the Nuhaka Domain Board contacted Council to advise that a number of trees at the Domain had fallen over during the winter. This was seen as a significant safety issue and the Domain Board wanted guidance as to how to proceed.

Council staff inspected the site to assess the state of the trees and the potential public safety implications.

CURRENT SITUATION:

Some 53 trees require removal from the Nuhaka Domain as they are in danger of snapping off in moderate to high wind conditions. The ground conditions are such that the work should proceed during the driest time of the year. Ground conditions during February are ideal to facilitate removal without unnecessary damage to the grounds and/or exacerbating safety issues to the operators by having them working on waterlogged slopes.

The issue only came to light late in 2009 and as such there is no existing budget available to cover the estimated \$25,000 cost of removal.

Council's forestry manager recommends the immediate removal of the trees rather than waiting for a whole year until ground conditions come right again.

OPTIONS:

1. Make funds available now
2. Defer funding to the new financial year

DISCUSSION & KEY RISKS:

Normally a 'do nothing' option would be included for consideration. In this case doing nothing would leave the trees to fall at random, creating an unacceptable public safety risk, hence this is not given as an option.

Option 1 is to make funds available for the immediate removal of these trees. The trees would be felled, stacked and left to dry out for burning some time in the future. This is the least risk option.

Option 2 would be to defer the project for a year so that the funds could be allocated through the annual plan process. This would have the benefit of ensuring funds were prioritised alongside all other proposals. The key risk with taking this course of action is that it is very likely that trees will continue to fall over the coming year. Random toppling of trees could potentially result in harm to the general public even if mitigation measures such as warnings and temporary fencing were undertaken. Note that for complete safety the public would have to be kept off the main rugby field as well since trees could feasibly fall onto the field.

For reasons of public safety and Council liability the preferred option is to make funds available for the immediate removal of trees on Nuhaka Domain.

SIGNIFICANCE & CONSULTATION:

The matter is not one of significance and does not require any more consultation than has already been undertaken with representatives of the Nuhaka Domain Board.

FINANCIAL IMPACT:

The cost of doing the work is estimated to be somewhere in the order of \$25,000 including tree felling, removal to stockpiles and reinstatement.

RECOMMENDATION(S): That:

1. The report be received.
2. Council approve \$25,000 from the District Development Fund for the proposed works.



N Cook
ENGINEERING MANAGER

REPORT TO: COUNCIL	
DATE: 9 FEBRUARY 2010	
SUBJECT: MAORI STANDING COMMITTEE REPORT	FILE REF: A28.01
AUTHOR: R AINSLEY, MAORI LIAISON OFFICER	ATTACHMENTS: Nil
RELATED COMMUNITY OUTCOME: A lifetime of good health and wellbeing. An environment that is appreciated, protected and sustained for future generations. Supportive, caring and valued communities. Strong district leadership and a sense of belonging. A community that values and promotes its culture and heritage.	RELATED COUNCIL ACTIVITY: Maori Liaison

PURPOSE:

The purpose of this report is to keep Council informed of progress relating to different issues that the Interim Maori Standing Committee (MSC) are undertaking.

CURRENT SITUATION:

Training:

The MSC is looking at 3 different levels of training for its development:

- 'Good Decision Making' - selection of committee members has been completed. The MSC is awaiting confirmation of the necessary budget to implement this training. Similar training will be undertaken by the rest of the MSC from a Maori Institute of Learning or from AUT. We are also awaiting the outcome of Council's decision on the RMA Hearings process.
- A training brief for the Tiriti O Waitangi (Treaty of Waitangi) Council/MSC combined workshops will be developed by the next monthly meeting of Council. Councillors will have input as to possible speakers and the format of these workshops.
- The third level of training will be based on workshops relating to Annual, District and LTCCP planning knowledge, policy and procedure from both Council staff and organised speakers.

These workshops will be organised over the next 1-2 months by the Maori Liaison Officer (MLO) for implementation in the first half of this year.

Maori Policy:

On Saturday, 23 January 2010, the MSC met to review the draft Maori Policy with the support from the MLO and the Policy Analyst (PA). Over the day the policy was analysed and reworked to reflect a Maori world viewpoint that also meets the Council's statutory responsibilities. It is fair to say, that there are major changes in different sections of the policy that the councillors will need time to digest. It is likely that a new consultation round will be needed. The MSC want to lead this consultation process so as to engage as many of the collective whanau and hapu of the district as possible. The first draft should be ready next week for the MSC to discuss and tweak if needed. The MSC will also be ready to present a draft copy to the next monthly meeting of Council.

Rating and Valuation of Maori Land:

The MSC will be attending the Rating & Valuation of Maori Land Report launch at the Gisborne District Council. This meeting is being held on 12 February 2010 and is being lead by Te Puni Kokiri and the Maori Land Court. The MSC understands that the Council has also been invited to attend. The MSC looks forward to interacting with the Council in a united manner outside of our district.

Waitangi Day:

Post 6 February, councillors should have read, seen or been part of a conversation about the Waitangi initiative that the MSC under took during the Waitangi Day period. The MSC undertook to raise the awareness of Waitangi Day and supply information about the Treaty of Waitangi. This was done by using 3 different strategies:

- A two page spread in the Wairoa Star.
- A static display in the Library and on the main street by MSC members.
- Flying of different flags along the main street.

A public survey was also part of the initiative to gage what the Wairoa community would want to celebrate on Waitangi Day 2011 and beyond. This survey will also be distributed around all primary and secondary schools in the area to gage what can be developed that would encompass the schools and community. This is aligned with the community outcome contained in the 2009-2019 LTCCP namely, "a community that values and promotes its culture and heritage".

SUMMARY:

In summary, the MSC looks forward to working with the Council over the next eight or so months. In finishing I would leave the last word to our ancestors, "*rapua te huarahi kia whakakotahi ai nga iwi e rua*" or "*seek the pathway that unifies the two peoples*". No reira e nga rangatira, tena ra koutou katoa.

Recommended: That the report be received.



R Ainsley
MAORI LIAISON OFFICER

REPORT TO: COUNCIL	
DATE: 9 FEBRUARY 2010	
SUBJECT: REPORT TO 31 DECEMBER 2009	FILE REF: F02.10.01
AUTHOR: SHARYN STALEY, ACCOUNTANT	ATTACHMENTS: Report 31 December 2009
RELATED COMMUNITY OUTCOME: Nil	RELATED COUNCIL ACTIVITY: Corporate Services

PURPOSE:

To report on the performance of Council against the annual budget of 2009-10 as at 31st December 2009.

CURRENT SITUATION:

The Council's Financial Report to 31 December 2009 provides a summary of Council's financial performance and financial position during the past six months. The Statement of Financial Performance discloses a surplus of \$193,357 against a budgeted surplus of \$819,081 projected for the year to 30 June 2010.

The following factors need to be taken into account: -

1. Corporate costs and fees and charges include support services income and expenditure which is allocated at 30 June 2010. Total expenditure \$1,237,304 to 31 December 2009.
2. Dog control income is all received at the start of the year. Expenditure is incurred throughout the year with the net credit steadily reducing throughout the year to 30 June 2010.
3. The financial report includes accruals for the NZTA December claim, water purchases, petrol tax, and interest on Council's call account.
4. The Income Statement includes expenditure on infrastructure assets that is included in the Statement of Financial Position at year-end.
5. Depreciation has been only been processed to the end of November, the charge for December is estimated at \$300,000.

The Balance Sheet discloses total current assets of \$21.653 million and current liabilities of \$1.138 million, working capital of \$20.515 million, and net assets of \$188.017 million.

Attached is the updated Summary of Transactions for the District Development Fund for the six months ended 31 December 2009. All adjustments are made at the end of the financial year in June 2010.

Should any Councillor require further clarification of any matters please contact the Finance Manager.

Recommended: That the report be received.



S M Staley
ACCOUNTANT

WATER SERVICES*Statement of Cost of Service for the period ending 31 December 2009*

BUDGET		COSTS	REVENUE	NET COST
2009/10		2009/10	2009/10	2009/10
841,351	Water Reticulation	429,160	68,974	360,185
134,400	Water Production	518,394	274,276	244,118
269,120	Stormwater and Drainage	119,813	354	119,459
901,410	Sewerage	658,228	3,276	654,952
<u>2,146,281</u>		<u>1,725,595</u>	<u>346,881</u>	<u>1,378,714</u>
	Less internal allocation	<u>107,755</u>	<u>107,755</u>	
		<u>1,617,840</u>	<u>239,126</u>	
	Funded by			
1,519,581	Rates			1,319,763
492,300	Reserves			-
134,400	Depreciation not funded			58,951
<u>2,146,281</u>				<u>1,378,714</u>
	Projects			
185,000	Water Reticulation	-		-
214,100	Water Production	-		-
352,900	Stormwater & Drainage	-		-
4,800	Stormwater & Drainage - Loan Pay	-		-
280,000	Sewerage	-		-
	Sewerage - Loan Pay	-		-
<u>1,036,800</u>		<u>-</u>		<u>-</u>
	Funded by			
4,800	Rates	-		-
729,100	Reserves	-		-
302,900	Loans	-		-
<u>1,036,800</u>		<u>-</u>		<u>-</u>

SOLID WASTE*Statement of Cost of Service for the period ending 31 December 2009*

BUDGET		COSTS	REVENUE	NET COST
2009/10		2009/10	2009/10	2009/10
675,700	Waste Management	467,326	94,778	372,548
<u>675,700</u>		<u>467,326</u>	<u>94,778</u>	<u>372,548</u>
	Funded by			
635,700	Rates			362,744
40,000	Reserves			9,804
	Depreciation not funded			-
<u>675,700</u>				<u>372,548</u>
	Projects			
600,000	Waste Management	-		-
-	Waste Management - loan paymt	-		-
<u>600,000</u>		<u>-</u>		<u>-</u>
	Funded by			
-	Rates	-		-
-	Reserves	-		-
600,000	Loans	-		-
<u>600,000</u>		<u>-</u>		<u>-</u>

TRANSPORT*Statement of Cost of Service for the period ending 31 December 2009*

BUDGET		COSTS	REVENUE	NET COST
2009/10		2009/10	2009/10	2009/10
23,700	Airport	23,162	6,633	16,530
4,395,028	Roading (Transfund assisted)	5,365,436	3,174,753	2,190,683
430,050	Roading (District funded)	179,336	3,961	175,374
49,060	Parking	19,236	-	19,236
<u>4,897,838</u>		<u>5,587,170</u>	<u>3,185,347</u>	<u>2,401,823</u>
	Funded by			
3,458,207	Rates			1,852,664
70,000	Reserves			-
1,369,631	Depreciation not funded			549,159
<u>4,897,838</u>				<u>2,401,823</u>
	Projects			
3,428,337	Roading (Transfund assisted)	-		-
346,000	Roading (District funded)	-		-
-	Airport	-		-
5,000	Parking	-		-
<u>3,779,337</u>		<u>-</u>		<u>-</u>
	Funded by			
5,000	Rates	-		-
1,158,835	Reserves	-		-
2,615,502	Subsidies	-		-
<u>3,779,337</u>		<u>-</u>		<u>-</u>

COMMUNITY FACILITIES*Statement of Cost of Service for the period ending 31 December 2009*

BUDGET		COSTS	REVENUE	NET COST
2009/10		2009/10	2009/10	2009/10
699,270	Parks & Reserves	316,558	22,366	294,193
304,340	Library	152,045	7,364	144,681
87,000	Museum	-	-	-
55,200	Community Support	40,083	75,776	35,693
234,000	Community Centre	119,223	-	119,223
17,800	Community Halls	14,151	-	14,151
74,100	Visitor Information Centre	126,135	73,087	53,048
7,400	Pensioner Housing	70,584	44,172	26,412
81,675	Cemeteries	50,800	14,172	36,628
1,560,785		889,579	236,937	652,642
	Funded by			
1,555,785	Rates			650,271
-	Reserves			-
5,000	Depreciation not funded			2,371
1,560,785				652,642
	Projects			
15,000	Parks & Reserves	-		-
45,000	Library	-		-
33,000	Pensioner Housing	-		-
93,000		-		-
	Funded by			
-	Rates			-
93,000	Reserves	-		-
93,000		-		-

PLANNING & REGULATORY*Statement of Cost of Service for the period ending 31 December 2009*

BUDGET		COSTS	REVENUE	NET COST
2009/10		2009/10	2009/10	2009/10
298,190	Resource Planning	55,884	9,219	46,665
114,240	Environmental Health	55,054	12,233	42,821
79,760	Building Inspection	152,891	90,101	62,790
13,140	Liquor Licensing	13,736	9,836	3,899
108,430	Bylaw Control	140,754	153,047	(12,293)
-	Safer Communities	83,144	222,723	-
319,510	Emergency Management	146,101	16	146,085
<u>933,270</u>		<u>647,564</u>	<u>497,175</u>	<u>150,388</u>

	Funded by		
770,080	Rates		120,431
123,190	Reserves		13,339
40,000	Depreciation not funded		16,617
<u>933,270</u>			<u>150,388</u>

	Projects		
25,000	Regulatory - vehicle ourchase	-	-
-	Regulatory - Sound level meter	-	-
-	Regulatory - dog control	-	-
15,000	Emergency Management	-	-
-			
<u>40,000</u>		<u>-</u>	<u>-</u>

	Funded by		
-	Rates	-	-
30,000	Reserves	-	-
10,000	Asset Sales	-	-
<u>40,000</u>		<u>-</u>	<u>-</u>

LEADERSHIP & GOVERNANCE*Statement of Cost of Service for the period ending 31 December 2009*

BUDGET		COSTS	REVENUE	NET COST
2009/10		2009/10	2009/10	2009/10
1,171,000	Community Representation	553,624	981	552,643
120,300	Maori Liaison	48,648	1,778	46,870
87,450	Economic Development	16,244	-	16,244
<u>1,378,750</u>	Total	<u>618,516</u>	<u>2,759</u>	<u>615,757</u>
	Funded by			
1,378,750	Rates			615,757
-	Reserves			-
-	Depreciation not funded			-
<u>1,378,750</u>				<u>615,757</u>
	Projects			
-		-		-
<u>-</u>		<u>-</u>		<u>-</u>
	Funded by			
-	Rates	-		-
-	Reserves	-		-
<u>-</u>		<u>-</u>		<u>-</u>

INVESTMENTS*Statement of Cost of Service for the period ending 31 December 2009*

BUDGET 2009/10	COSTS 2009/10	REVENUE 2009/10	NET COST 2009/10
37,370 Property	75,601	84,680	(9,079)
(967,335) Funds Management	4,149	832,878	(828,729)
(125,000) Dividends		90,000	(90,000)
(55,300) Corporate	15,861	54,814	(38,954)
<u>(1,110,265)</u>	<u>95,610</u>	<u>1,062,372</u>	<u>(966,762)</u>
Less Internal Reallocation	56,934	56,934	
	<u>38,676</u>	<u>1,005,438</u>	
Funded by			
(652,565) Rates			(652,565)
12,800 Depreciation not funded			5,785
(670,500) Reserves			-
<u>(1,310,265)</u>			<u>(646,780)</u>

Description of Statement

This statement records the operating costs and revenues of Investments owned by the Council

Projects		
- Corporate Property		-
- Commercial Properties		-
26,000 Sundry Property		-
<u>26,000</u>		<u>-</u>
Funded by		
15,400 Reserves		-
10,600 Rates		-
<u>26,000</u>		<u>-</u>

SUPPORT SERVICES*Statement of Cost of Service for the period ending 31 December 2009*

BUDGET 2009/10		COSTS 2009/10	REVENUE 2009/10	NET COST 2009/10
207,860	Management	104,879	105,932	(1,053)
1,627,800	Corporate Services	632,158	847,526	(215,368)
517,352	Information Services	217,592	231,618	(14,026)
594,800	Engineering Services	282,676	290,996	(8,320)
<u>2,947,812</u>		<u>1,237,304</u>	<u>1,476,071</u>	<u>(238,767)</u>
	Funded by			
13,000	Rates			-
55,000	Reserves			-
2,879,812	Overhead Allocation			(238,767)
<u>2,947,812</u>				<u>(238,767)</u>
	Projects			
59,000	Information Services			-
30,000	Engineering			-
25,000	Corporate Services			-
<u>114,000</u>				<u>-</u>
	Funded by			
25,000	Asset Sales			-
89,000	Reserves			-
<u>114,000</u>				<u>-</u>

This statement records the cost of operating Council's administrative and support functions and other costs not directly attributable to any activity. These costs are all allocated via the overhead allocation process to the significant activities so that the net cost of Support Services is nil

FORECAST STATEMENT OF FINANCIAL PERFORMANCE*For the period ending 31 December 2009*

BUDGET 2009/10		BUDGET 2009/10
	REVENUES	
8,698,938	Rates	4,559,700
6,508,214	Subsidies	3,477,214
70,000	Petrol Tax	30,100
1,760,795	Fees and Charges	2,254,981
1,153,835	Investment Income	975,337
<u>18,191,782</u>		<u>11,297,332</u>
-		
<u>18,191,782</u>		<u>11,297,332</u>
	EXPENDITURE	
2,821,111	Water Services	1,617,840
1,005,700	Solid Waste	467,326
8,811,250	Transport	5,587,170
1,851,710	Community Facilities	889,579
1,377,610	Planning & Regulatory	647,564
1,378,750	Leadership & Governance	618,516
73,070	Investments	18,667
53,500	Corporate	1,257,314
<u>17,372,701</u>		<u>11,103,975</u>
819,081	Net Surplus (Deficit) on Operations	193,357

STATEMENT OF FINANCIAL POSITION

For the period ending 31 December 2009

BUDGET 2009/10	Notes	ACTUAL 2009/10
CURRENT ASSETS		
2,729,081	Cash and cash equivalents	7,490,511
38,000	Inventories	3,921
3,300,000	Trade & other receivables	1,477,828
-	Available for sale financial asset	-
12,065,766	Financial assets at fair value	12,680,908
<u>18,132,847</u>	Total Current Assets	<u>21,653,168</u>
LESS CURRENT LIABILITIES		
4,293,539	Trade & other payables	1,137,855
-	Current Portion - Term Liabilities	-
<u>4,293,539</u>	Total Current Liabilities	<u>1,137,855</u>
13,839,308	Working Capital	20,515,313
NON CURRENT ASSETS		
172,726,153	Property, Plant & Equipment	166,990,975
25,040	Loans & other receivables	12,442
1,250,000	Investments in Subsidiary	1,250,000
130,000	Biological asset - forestry	117,947
52,000	Intangible Assets	40,343
22,992	Available for sale financial assets	22,992
188,045,493		188,950,013
LESS TERM LIABILITIES		
1,427,900	Term Debt	-
1,034,196	Provisions for other liabilities	932,645
<u>185,583,397</u>	Net Assets	<u>188,017,368</u>
Represented by		
185,583,397	Equity & Reserves	188,017,368
<u>185,583,397</u>		<u>188,017,368</u>

**Projects committed by Council
from District Development Fund
to 31 December 2009**

	Council Meeting	\$\$\$ Approved	\$\$\$ Spent
District Development Fund Balance 1/7/09		1,078,553.00	1,078,553.00
2009/10 Long Term Council Community Plan		853,695.00	10,079.56
		224,858.00	1,068,473.44
Waste Management - Lake to Lighthouse	Sep-09	6,000.00	0.00
Mahia Wastewater Scheme - to be recovered from project or ratepayers	Sep-09	150,000.00	111,768.21
Riskpool	Oct-09	17,904.00	17,904.00
Erosion Protection Oraka Seawall	Oct-09	25,000.00	
Wairoa A & P Show 2010	Nov-09	5,000.00	
		<u>203,904.00</u>	<u>129,672.21</u>
District Development Fund Balance 31/12/09		<u>20,954.00</u>	<u>938,801.23</u>

Please note, there is also \$124,078 committed
against the DDF in carryovers from 2008/09

REPORT TO: COUNCIL	
DATE: 9 FEBRUARY 2010	
SUBJECT: INVESTMENTS AS AT 31 DECEMBER 2009	FILE REF: F02.10.01
AUTHOR: SHARYN STALEY, ACCOUNTANT	ATTACHMENTS: Schedule of Investments as at 31.12.09
RELATED COMMUNITY OUTCOME: Nil	RELATED COUNCIL ACTIVITY: Corporate Services

PURPOSE:

To report against the quarterly target for funds management.

CURRENT SITUATION:

Attached for Council consideration is the Schedule of Investments as at 31 December 2009.

The focus on shortening the duration of the portfolio has been beneficial so far. It is still expected that rates will move up during 2010, although there are differing views as to when. It is expected that the Overnight Cash Rate will begin to move up from mid year while longer term rates will continue their slow climb upwards.

As there has been minimal new issuance secondary market trading has been more active and this has had the effect of moving rates down as buyers look for product, therefore the quarter has been quiet in portfolio terms.

The focus over the next quarter is to take opportunities as they arise, but at this stage activity may not be great as we wait for maturities so that we can take advantage of predicted increases in rates.

The return on investment is as set out below: -

Yield for six months	7.00%
Benchmark trading bond index	2.34%
Above market yield	4.66%

The maturity profile is detailed as follows: -

	30/12/09	30/09/09
Due within 12 months	2%	1%
Due from 1 – 2 years	15%	16%
Due from 2 – 3 years	16%	7%
Due from 3 – 4 years	14%	17%
Due from 4 – 5 years	21%	19%
Due 5 years and over	<u>32%</u>	<u>40%</u>
	<u>100%</u>	<u>100%</u>

RECOMMENDATION: That the report be received.



S M Staley
ACCOUNTANT

SCHEDULE OF INVESTMENTS DECEMBER 2009					
NAME	MATURITY DATE	COUPON	BALANCE		
BANK OF NEW ZEALAND	15.09.10	7.50%	\$ 105,000.00		
TRANSPower NZ LTD	15.12.10	7.00%	\$ 100,000.00	\$ 205,000.00	2%
ANZ NATIONAL BANK LTD	17.02.11	6.80%	\$ 47,000.00		
TELECOM FINANCE NEW ZEALAND LTD	15.04.11	7.75%	\$ 31,000.00		
TELECOM FINANCE NZ LTD	15.04.11	8.15%	\$ 13,000.00		
WESTPAC INVESTMENTS LTD	18.04.11	8.87%	\$ 194,000.00		
FONterra CO-OP GROUP LTD	21.04.11	6.64%	\$ 350,000.00		
ASB BANK LTD	15.06.11	7.03%	\$ 330,000.00		
TOYOTA FINANCE NZ	05.08.11	7.34%	\$ 150,000.00		
ANZ NATIONAL BANK	15.09.11	7.16%	\$ 750,000.00		
WESTPAC NZ INVESTMENTS LTD 19.12.11	19.12.11	7.24%	\$ 14,000.00	\$ 1,879,000.00	15%
ANZ NATIONAL BANK LTD	02.03.12	7.60%	\$ 50,000.00		
TELECOM NZ FINANCE LTD	15.04.12	0.00%	\$ 17,908.00		
RABOBANK NEDERLAND	03.05.12	7.68%	\$ 250,000.00		
ANZ NATIONAL BANK LTD	23.07.12	8.23%	\$ 103,000.00		
BANK OF NEW ZEALAND	15.09.12	7.50%	\$ 400,000.00		
ANZ NATIONAL BANK LTD	18.09.12	5.63%	\$ 500,000.00		
ASB BANK LTD	15.11.12	8.77%	\$ 750,000.00	\$ 2,070,908.00	16%
ANZ NATIONAL BANK	18.04.13	9.66%	\$ 1,180,000.00		
KIWIBANK LTD	30.09.13	8.75%	\$ 102,000.00		
WESTPAC NZ LTD	28.11.13	7.05%	\$ 500,000.00	\$ 1,782,000.00	14%
HOROWHENUA DISTRICT COUNCIL	15.04.14	7.80%	\$ 1,000,000.00		
FONterra CO-OP GROUP LTD	21.04.14	6.86%	\$ 580,000.00		
DEUTSCHE BANK AG	16.06.14	3.63%	\$ 76,000.00		
TELSTRA CORPORATION LTD	24.11.14	7.15%	\$ 250,000.00		
HOROWHENUA DISTRICT COUNCIL	15.12.14	7.05%	\$ 750,000.00	\$ 2,656,000.00	21%
TELECOM NZ	15.04.15	8.30%	\$ 130,000.00		
BANK OF NEW ZEALAND	27.05.15	8.68%	\$ 115,000.00		
CENTRAL HAWKES BAY DISTRICT COUNCIL	15.08.16	7.00%	\$ 667,000.00		
CREDIT AGRICOLE	19.12.17	10.04%	\$ 1,994,000.00		
RABOBANK PERPETUAL BOND	8.10.37	9.48%	\$ 1,182,000.00	\$ 4,088,000.00	32%
			\$ 12,680,908.00	\$ 12,680,908.00	

REPORT TO: COUNCIL	
DATE: 9 FEBRUARY 2010	
SUBJECT: DOCUMENTS SEALED FOR THE PERIOD FROM 5 NOVEMBER 2009 TO 26 JANUARY 2010	FILE REF:
AUTHOR: J BATY, ADMINISTRATION MANAGER	ATTACHMENTS: Nil
RELATED COMMUNITY OUTCOME: All Community Outcomes	RELATED COUNCIL ACTIVITY: Community Representation

PURPOSE:

Presented for Council's information is the following Schedule of documents sealed for the period from 5 November 2009 to 26 January 2010.

05.11.09

Tenancy Agreement

Wairoa District Council & Alice Buchanan
Tunnerflint Flats, Lucknow Street

08.12.09

Contract

Wairoa District Council & Eastech Ltd
10/08 - Street Lighting Maintenance and Operations

14.12.09

Contract

Wairoa District Council & Quality Roding and Services (Wairoa) Limited
10/06 - Regional Development Project 2009/2010

17.12.09

Contract

Wairoa District Council & WP & JM Halkett
Contract - Mahia Reserves Maintenance - 10/09

11.01.2010

Contract

Wairoa District Council & Quality Roding and Services (Wairoa) Limited
10/06 - Regional Development Project 2009/2010

11.01.2010

Contract

Wairoa District Council & WP & JM Halkett Partnership
10/09 - Mahia Reserves Maintenance

18.01.10

Bond Document

Ocean View Estate Ltd & Wairoa District Council
Bond

18.01.10

Tenancy Agreement

Wairoa District Council & Bidy Matekino Tipuna
Hillneath Flats, 49-53 Black Street

26.01.10

Contract

Wairoa District Council & Downer EDI Works Ltd
10/18 - Wairoa Landfill - Western Cell Construction 2009/2010

RECOMMENDATION:

That the report be received.



J Baty

ADMINISTRATION MANAGER

Receipt/Confirmation of Minutes

REPORT TO: COUNCIL		
DATE: 9 FEBRUARY 2010		
SUBJECT: CONFIRMATION OF MINUTES OF AN ORDINARY MEETING OF COUNCIL HELD 12 DECEMBER 2009	FILE REF:	
AUTHOR: J BATY, ADMINISTRATION OFFICER	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 12 December 2009.

RECOMMENDATION:

That the minutes of the Ordinary Meeting of Council held on 12 December 2009 be confirmed as correct.

WAIROA DISTRICT COUNCIL

ORDINARY MEETING OF COUNCIL

Minutes of an Ordinary Meeting of Council held in the Council Chambers, Coronation Square, Wairoa on Tuesday, 8 December 2009 at 10.00am.

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)
N Cook (Engineering Manager)
J Baty (Administration Manager)
G Symes (Chairperson – Interim Maori Standing Committee)

CIVIC PRAYER

The civic prayer was given by Councillor Eaglesome.

APOLOGIES: Nil

CALLS FOR CONFLICTS OF INTEREST: Nil

His Worship the Mayor welcomed the public to the final Council meeting of the year.

URGENT GENERAL BUSINESS NOT INCLUDED IN THE AGENDA AND NOTICES:

1. Rate Payer Funded Promotion/Information Centre Business Promotion (Cr Caves/Cr McKinnon)
2. Community Max Applications (Cr Eaglesome/Chief Executive Officer)
3. Gang Insignia Legislation (Chief Executive Officer)
4. Abandoned Land (Chief Executive Officer)
5. Kopuawhara Anniversary (Chief Executive Officer)
6. Maori Committee Meeting (Chairperson – Interim Maori Standing Committee)
7. Mayoral Update (His Worship the Mayor)

General Items

EASTEND CAFÉ – EXEMPTION FROM COUNCIL BYLAW

I06.03

His Worship the Mayor welcomed Ms Whitworth, Proprietor of EastEnd Café, to the meeting and asked her to ask to speak to her letter.

Ms Whitworth spoke to her letter outlining the reasons for her request to have an exemption to the liquor ban contained in the Wairoa District Council Consolidated Bylaw Part 3 – Public Safety Bylaw.

She noted that she understood the reasons for the bylaw but wondered if they were now historical.

She highlighted the responsibility of the liquor licence holder and Manager of the premises. In this regard, she had discussed the matter with Senior Sergeant Tony Bates of Wairoa Police who had also received a copy of her letter.

She was keen to increase tourism in Wairoa and believed it was reasonable for clients to have a class of wine or beer with their meal outside on the path (alfresco), especially during the summer months when the river is at its most beautiful. Tourists often assume this is the case and Ms Whitworth often finds herself having to disappoint people because of the liquor ban. Many licensed cafés in New Zealand offer this service and it is becoming commonplace in the café scene.

Councillor Heron enquired as to the opinion of Senior Sergeant Tony Bates. Ms Whitworth indicated that he was generally positive about an exemption for licensed cafés provided there were monitoring and control conditions in place, for example, that customers be seated, that there is a defined area and perhaps a trial period to begin with.

Councillor Caves was concerned with the number and positioning of tables on the public footpath. Additionally, he suggested a 6 month trial period apply to the exemption if granted.

Councillors Eaglesome and Cairns both supported a trial of the exemption.

The Chief Executive Officer advised that there were a number of concerns, he noted complaints regarding the number of tables on the footpath, the changes required in terms of the liquor licence if the exemption were granted, changes required to the bylaw, equity issues where other licensed premises were concerned, etc.

There was some work required if Council wanted the exemption to be permanent. However, if Council considered the trial period to be a special event, granting the exemption could likely proceed.

Resolved:

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.

His Worship the Mayor/Eaglesome

MEMORANDUM OF UNDERSTANDING – WAIROA COMMUNITY CENTRE

D03.100

The Chief Executive Officer spoke briefly to his report.

Since Council discussed the Draft Memorandum of Understanding at its meeting of 11 August 2009, Sport Hawke's Bay through the Wairoa Community Centre Trust has indicated that it is not profitable to open on statutory holidays.

Sport Hawke's Bay report losses averaging \$600+ per statutory holiday. The Chief Executive Officer noted the days on which it is proposed that the centre close.

Council has the option of accepting or not the proposed hours.

General discussion followed.

<u>Resolved:</u>	That the report be received.	Eaglesome/Evans
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<u>Resolved:</u>	That Council approve the Memorandum of Understanding between the Wairoa District Council and Wairoa Community Centre Trust noting that the Community Centre will not be open on statutory holidays.	Heron/McKinnon
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SURPLUS PROPERTIES TO BE INCLUDED AS PART OF NGATI PAHAUWERA SETTLEMENT

H01.03

The Chief Executive Officer spoke to his report which asked Council to consider whether it wished to declare properties specified in the report as surplus and to be returned to the Crown.

Council provided the details of properties that could be considered as part of the Treaty settlement with Ngati Pahauwera. The Office of Treaty Settlement's land team has investigated these properties and the results of their investigations are set out in the schedule below.

Wairoa District Council Sites Potentially Available to Ngati Pahauwera

Legal Description	Area	Location	Val Ref	Capital Value	Gazette Ref	Title Ref	Purpose	PWA Considerations	Core AOI
Section 17 Blk XIII Waihua SD	0.2176	Mohaka	8820/20100	\$1,500	NZGZ 1971 p491 K2529921	HB30/162	Held in trust by WDC as a reserve for a public pound	Former Land Act land	Yes
Section 18 Blk X Mohaka SD	2.085	SH2 Kotemaori	8820/2100	\$23,000	NZGZ 1933 p2559		Likely to be held in trust by WDC as a reserve/resting place for travelling stock	Former Land Act land	Yes
Section 11 Blk X Mohaka SD	0.8501	Raupunga	8820/18900	\$14,000	NZGZ 1963 p243 K177084		Held in trust by WDC as a reserve for a resting place for travelling stock	Former Land Act land	Yes

Notes: Several of the sites are reserves held in trust by Wairoa District Council for a particular purpose. If the land is no longer held for that purpose, in other words it is no longer required or declared surplus, then the land will revert back to its previous owners. In the case of the former land Act land the ownership will revert back to the Crown (LINZ).

The properties appear to be Land Act land that, should the Wairoa District Council declare as surplus, would revert to the Crown. Such Crown land could then be included in the settlement.

If Council is of the opinion to declare the properties surplus, then a resolution to that effect needs to be passed.

The Chief Executive outlined the options available to Council.

Councillor Caves asked if the land would be rateable if returned. The Chief Executive Officer confirmed that the land would be rateable.

<u>Resolved:</u>	<i>That the report be received.</i>	Evans/McKinnon
<u>Resolved:</u>	<i>That Council declares the properties detailed in the above schedule surplus to requirements, and that these be returned to the Crown to form part of the settlement package with Ngati Pahauwera.</i>	Eaglesome/Heron

TUAI VILLAGE FOOTPATHS

B03.02.02

The Engineering Manager noted that the report identifies remedial work required within the Tuai Village on reserves that had not been identified when budgets were prepared and that funding is now sought to undertake the work.

Following reports of a collapsed fence along the footpath through the bush reserve in the Village and of deterioration of the footpath in the lake edge reserve, inspections showed urgent work is required.

In the 2006/2007 financial year a budget of \$40,000 for footpath renewal was approved but never used as at that time no work was necessary.

Both of these sites have become potential hazard sites for pedestrians and as such require urgent attention.

The fence is beyond the point of repair and the footpath requires upgrading work to eliminate the hazards and to prevent on-going maintenance costs.

It is possible the cost could be reduced slightly by using local labour rather than a contractor but the OSH requirements would need to be considered first.

The Engineering Manger outlined the options available to Council, namely:

1. Option 1 – Undertake the required work to avoid the possibility of pedestrian accidents.
2. Option 2 – Replace the fence and continue maintaining the footpath.

Council discussed the matter at length.

Councillor Caves enquired as to the length of the fence and was advised by the Engineering Manager the fence was approximately 100 metres long.

For this work to proceed Council are requested to approve the carry-over of the \$40,000 budget from the 2006/07 financial year to allow upgrading of the footpath.

Funding would also need to be made available for an additional \$7,000 for the fence replacement.

<u>Resolved:</u>	<i>That the report be received.</i>	Caves/Evans
<u>Resolved:</u>	<i>That Council approve the carry-over of \$40,000 depreciation funds from the 2006/07 budget.</i>	Caves/Eaglesome
<u>Resolved:</u>	<i>That Council approve an additional amount of \$7,000 depreciation funds for the fence replacement.</i>	Caves/Eaglesome

WATER MAIN UPGRADING

B08.03.04

The report from Council's Operations Manager outlined the requests for improved water supply to properties in the Iwitea/Ohuia areas and the request for financial assistance to upgrade the supply.

Under the former Wairoa County Council a 50 mm water supply reticulation was installed along State Highway 2 from the ex Clyde Orchards to a point on Ngamotu Road. This supply was installed and paid for by the users of this supply and then handed over to the County Council to maintain.

Approximately 15 years ago residents in the Kihitu area approached Council for approval to connect a 50 mm supply to the existing one to enable the properties in that area to be supplied.

Approval was given and that section of main installed by the residents remains in private control but is metered by Council.

Housing New Zealand require a water connection to enable water to be supplied to the Iwitea settlement. Originally this was to be supplied through the Ohuia Station property but it has now been determined the station is unable to supply the water due to their own increased demand due to a change in operation.

A model of the existing supply confirmed the only way to increase the supply to meet the needs of the users is to replace the Council owned section of 50 mm main (approx 2km) with a 100 mm diameter main.

This would also give a benefit to consumers include the marae along this section of main as fire hydrants could be installed as this is something not available at present.

An estimate for the work has been obtained and this could be provided at a cost of \$200,000. However if the project went ahead tenders would be sought to obtain the best price.

The Engineering Manager speaking on behalf of the Operations Manager noted the option available to Council, specifically:

1. Option 1 is to replace the existing main as detailed in the report.
2. Option 2 is retain the existing main.

Option 1 is the preferred option.

In terms of financial impact it was noted that Housing New Zealand has available \$60,000 to commit to this project and the administrators of Ohuia Station and the Kahungunu Executive are prepared to contribute a further \$20,000.

The depreciation reserve for the existing supply has been advised as being \$48,000 giving a total of \$148,000 leaving a shortfall of \$72,000 based on the estimate provided.

The report provided that should Council approve this project proceed then a total of \$100,000 would need to be made available from depreciation to fund this work.

The Chief Executive Officer noted that the additional \$100,000 required for this project could not be funded out of depreciation as this portion of the project is new and therefore new capital and not a renewal. The Engineering Manager concurred. As such the funding, if granted, would have to come out of the District Development Fund.

Councillor McKinnon emphasised Council's current financial position in terms of the District Development Fund, commenting that this fund was not bottomless. He suggested that it be deferred to the 2010-2011 Annual Plan process.

General discussion on the matter followed.

Resolved:

That the report be received.

Eaglesome/Cairns

<u>Resolved:</u>	That the matter of the Iwitea/Ohuia Water Main Upgrade be referred to the 2010-2011 Annual process for consideration.	Caves/Eaglesome
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2010 MEETING SCHEDULE

A06.09.01

The Administration Manager presented the 2010 Meeting Schedule for Council consideration.

With the exception of January, Council meets on the second Tuesday of each month. The meeting agenda closes on the last day of the preceding month, allowing time for compilation of reports, copying, and dispatch to Councillors within statutory timeframes.

Any additional meetings of Council, such as special meetings, resource consent hearings, or hearing of submissions to Council plans, will be scheduled throughout the year as required.

<u>Resolved:</u>	That the report be received.	Cairns/Evans
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<u>Resolved:</u>	That Council adopts the 2010 Schedule of Meetings below subject to minor alterations, namely, December Ordinary Council Meeting to be on the 14 th and Maori Committee meeting in February is to be confirmed.	Caves/Eaglesome
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	Council (Tuesday)	Forum (Tuesday)	Maori Committee * Meeting to be held on a Marae
January			22*
February	19	23	12
March	9	23	12*
April	13	27	16
May	11	25	14*
June	8	22	11
July	13	27	16*
August	10	24	13
September	14	28	17*
October		2010 Local Body Elections	
November	9	23	12
December	14		10*

MAHIA RESERVES – GROUPED RESERVES MANAGEMENT PLAN

G01.01.06

Council's consultant Sue Dick of Eastern Earth Landscape Architects presented the draft plan for Council consideration.

A Draft Reserve Management Plan for the final group of Mahia reserves includes the following areas:

ESPLANADE, RECREATION, HISTORIC RESERVES

- #20 Mahanga Reserves
- #22-23 Oraka Reserves
- #25-27 Kaiuku Reserves
- #28 Tokaroa Reef Reserve
- #31 Coronation Reserve
- #33 Kinikini Esplanade Reserves
- #34 Mokotahi Hill Reserve
- #36 Ormond Memorial Reserve
- #39 Waikokpu Plantation
- #40 Waikokopu Harbour Reserves

ROAD RESERVES WITH AMENITIES

- #21 Kaiwaitau Beach Access
- #24 Road Reserve, Oraka Road
- #29 Road Reserve, Mahia East Coast Road
- #30 Road Reserve, Whangawehi Boat Ramp
- #32 Te Auroa Road Reserve (Crusher Point)
- #35 Road Reserve, Taylors Bay
- #37 Road Reserve, Ormond Drive
- #38 Road Reserve, Moana Drive

Council discussed each of the areas in turn noting the various options for each reserve area.

Council also noted the number of core value, objective and policies, specifically:

RESERVE VALUES

Much of the Mahia coast is assessed as being outstanding in quality with high natural character values.

OBJECTIVES AND POLICIES

- To develop, manage, promote and maintain the Mahia reserves as esplanade, recreation, historic and road reserves under the Reserves Act 1977.
- To preserve, protect, maintain and enhance the natural character and landscape values associated with the Mahia reserves coastal margin, recognising the diverse reserve coastal landforms present: sandy dunes/beach, rocky foreshore, coastal escarpments, grassed foreshore, small harbours, stream mouths etc.
- To preserve, protect and enhance the native vegetation within reserves in keeping with ecological habitat.
- To recognise the important recreational values associated with these reserves used by local and visiting community.
- To recognise the reserves for their cultural, archaeological and historical values.
- To provide public pedestrian access to the foreshore through the reserves creating, where appropriate, formed structures to enhance safe access.
- To ensure a high level of design and maintenance of facilities provided on reserves.

CULTURAL HERITAGE

- Several Mahia reserves were recorded as the location for the landing of Maori waka: the Takitimu and the Kurahaupo.
- The coastal margins are steeped in history associated with former Maori habitation and the collecting of kaimoana or fishing.

Council discussed the matters relating to freedom camping and Council's current policy regarding this.

As regards R40 Whangawehi Coronation Reserve, Mahia East Coast Road, Mahia Peninsula, Councillor Caves asked what protection can be given to the significant rock and bible recess in this location.

The reserve is noted as an historic site, commemorating the coronation of Queen Victoria. More significantly it is associated with the early Maori baptisms, performed by Anglican missionary William Williams in 1842. These took place here in a naturally formed font in a rock outcrop. There is a New Zealand Historic Places Trust plaque describing this history. A small rock recess is located in the bank on the opposite side of the road from the reserve. This was the place where a bible was stowed by the missionaries.

It was highlighted that many of the reserves have great historical value and that it would be ideal to organise a site visit to the reserves for Council.

<u>Resolved:</u>	<i>That the report be received.</i>	<i>McKinnon/Evans</i>
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<u>Resolved:</u>	<i>That Council adopt the Mahia Reserves – Grouped Reserves Management Plan for public consultation.</i>	<i>Evans/McKinnon</i>
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Receipt/Confirmation of Minutes of Previous Council Meetings

ORDINARY MEETING OF COUNCIL HELD 10 NOVEMBER 2009

The minutes of an Ordinary Meeting of Council held on 10 November 2009 were presented.

<u>Resolved:</u>	<i>That the minutes of an Ordinary Meeting of Council held on 10 November 2009 be confirmed as correct.</i>	Caves/Eaglesome
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General Business

RATE PAYER FUNDED PROMOTION/INFORMATION CENTRE BUSINESS PROMOTION

H11.03.03

Councillors enquired as to an email that was sent out from the Wairoa iSITE Visitor Information Centre regarding the availability of a shuttle service for people to go out of town shopping etc.

The Chief Executive Officer noted the background to the situation and acknowledged that there may have been some unawareness as to the effect the email would have on the retail sector in particular.

There have been several enquiries over the last year and many in the last fortnight about the availability of transport for people (including ratepayers) who cannot drive to go to either Gisborne or Napier for shopping and appointments which cannot be carried out in Wairoa.

The response has always been that we are unaware of any person offering this service. However, a new resident has recently arrived, bought a house in Wairoa and has various passenger licences. She wants to offer this service to others.

Some of the reasons people have enquired about a service of this nature are (as provided by them):

- Not all shopping and appointments can be carried out in Wairoa, e.g. buying footwear.
- Not everyone has a car or is able to join other organised trips out of town (e.g. Intercity Bus Service, etc).
- Not everyone has other family members who are able to take them out of town as required.

On the one hand Council has an obligation to the retail sector in terms of encouraging people to "buy local". This obligation must also be balanced with public choice and need about where they shop and the services they require.

One of the primary functions of the Wairoa iSITE Visitor Information Centre is to provide information to the public about available services; this is done across a whole range of services and activities most of which, for obvious reasons, promote Wairoa. However, there are some that promote the wider Hawke's Bay, Eastland and National scene.

It was noted that Council has obligations to a broad base of ratepayers in terms of the information we provide and this service has been met with both enthusiasm (locals wanting to use a service of this nature) and concern (locals wanting people not to use this service).

His Worship the Mayor emphasised that the email was not in any way intended to cause offence. He noted that the matter was not a governance issue and management would need to deal with it as appropriate.

COMMUNITY MAX APPLICATIONS

A24

Councillor Eaglesome noted a number of Community Max projects being undertaken by various Councils and noted that she did not want Wairoa to miss out. She was waiting on some information from Gisborne District Council about the scheme they are hoping to run.

Community Max provides a wage subsidy for six months for young people helping complete community-based projects. Projects could include initiatives such as renovating public buildings such as marae or public spaces, or improving access to local environment such as parks and reserves. It

provides an opportunity for young people to build skills and work experience while contributing to the community.

Community Max subsidies are paid for up to six months, and are targeted to help prepare young people for further opportunities in the workforce.

To qualify for Community Max funding, your project must:

- be of benefit to the community or the environment
- not displace existing staff or contractors
- be additional to the normal work of the organisation (e.g. a teacher aide position is generally not additional to the normal work of a school)
- be non-commercial
- be at least 26 weeks in duration and
- provide 30 hours work per week.

Two Wairoa proposals have come to Council and the Chief Executive Officer spoke to these.

The Chief Executive Officer noted some concerns around becoming an umbrella organisation for Community Max schemes as in effect Council would be an employer in the process. As such, it would need to cover KiwiSaver, ACC levies, Health & Safety requirements etc. He suggested that he and Councillors Eaglesome and Cairns meet as soon as possible with Chrissie Hape from the Ministry of Social to discuss the matter further.

Councillor Eaglesome left the meeting at 12 NOON

ADJOURNED: 12:05 PM
RE-ADMITTED: 12.30 PM

GANG INSIGNIA LEGISLATION

A23.03

The Chief Executive Officer received correspondence from Local Government New Zealand about the prohibition of gang insignia legislation that Wanganui have in place. They are seeking support to investigate the possibility of having this legislation extending more broadly.

Council discussed the matter at length.

Council supported this move.

Resolved: *Wairoa District Council support Local Government New Zealand's investigations into having the prohibition of gang insignia legislation that Wanganui have in place broadly extended to cover other local authority areas.* **Caves/Heron**

ABANDONED LAND

H01.01

The Chief Executive Officer noted that in future it may be necessary to refer abandoned land to the Maori Committee for assessment before passing to Council for ratification. A number of properties are classified as Maori Land.

The Chairperson of the Interim Maori Committee, in concurring with the Chief Executive Officer, noted some ideas that the Maori Committee had regarding the current process, for example, using its networks to establish communication with land owners. He noted that many people are not aware of what occurs in this process until it is too late.

The Chief Executive Officer is meeting with Te Puni Kokiri and the Maori Land Court about this process.

KOPUAWHARA ANNIVERSARY

A15.08

The Chief Executive noted that the Historic Places Trust were keen to organise a 75th Anniversary in 2013 for the Kopuawhara Disaster.

Twenty-one people were killed in the Kopuawhara flood of 1938 – the largest number of fatalities from a 20th-century flood in New Zealand.

In 1938, workers building the Wairoa to Gisborne railway near Mahia lived in huts and tents in public works camps along the banks of Kopuawhara Stream. No. 4 camp was in a river valley, but appeared to be safely above the level of the tiny stream. In the early hours of 19 February, a cloudburst caused a flood that sent a wall of water nearly 5 metres high down the stream.

MAORI COMMITTEE MEETING

A28.01

The Chairperson of Interim Maori Standing Committee informed Council of matters raised at the most recent meeting of the Interim Maori Standing Committee.

The Chief Executive Officer noted his concerns about Friday night meetings, but at the same time was sure the committee had discussed the matter amongst themselves to find what day and time would suit its members.

MAHIA COMMUNITY WASTEWATER SCHEME

B01.08 & F01.25

OPOUTAMA COMMUNITY WASTEWATER SCHEME

B01.08

The Engineering Manager provided Council with a progress update on the Mahia and Opoutama Community Wastewater Scheme. Both are tracking well and he expects resource consents to be filed before Christmas.

MAYORAL UPDATE

A06.03

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

Exclusion of the Public

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;*

Heron/Evans

ADJOURNED: 1:21 PM

RE-ADMITTED: 1.53 PM

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 **1.55 PM**

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

Item	Title	Description	Who	When	Status
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	In train
3.	COUNCIL APPOINTMENT TO INTERIM MAORI STANDING COMMITTEE	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.	Administration	Immediate	Completed
4.	RESOURCE MANAGEMENT COMMITTEE APPOINTMENT	Two members of the Interim Maori Standing Committee be mandated to sit at the Resource Management Committee, preferably with RMA certification.	Regulatory	ASAP	Completed
5.	TRAINING - INTERIM MAORI STANDING COMMITTEE	<ol style="list-style-type: none"> All members of the Maori Standing Committee be given the "Good Decision Making" programme as budget allows. Training in policy & procedure be initiated for Interim Maori Standing Committee. Tiriti O Waitangi training be delivered to the Interim Maori Standing Committee and Councillors. 	Administration	ASAP	In train
6.	POLICY RESPONSIBILITIES - INTERIM MAORI STANDING COMMITTEE	<ol style="list-style-type: none"> The Interim Maori Standing Committee review the Maori Policy. The Road Naming and Numbering Policy be given to Maori Standing Committee to lead. Maori Tourism is an issue for the Maori Standing Committee to manage. 	Administration	ASAP	In train
7.	KOPU ROAD LINK CONSTRUCTION	That Council approve direct negotiation for the construction of the Kopu Road Link.	Engineering	Immediate	Completed
8.	NEW ZEALAND MUTUAL LIABILITY RISKPOOL	That Council approves the request to fund the shortfall in Riskpool of \$20,142.00.	Finance	Immediate	Completed
9.	FIRE RISK REDUCTION – OPOUTAMA	That Council approve a sum of \$20,000 from the Disaster Relief Fund to form a fire break on plantation reserve YMCA Road, Oputama between Ruawharawhara Urupa and the YMCA access track.	Regulatory	ASAP	Completed

Item	Title	Description	Who	When	Status
10.	REPAIRS AND MAINTENANCE – TUAI HALL	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.	Engineering	Immediate	Completed
11.	MAHIA AVENUE – PHOENIX PALMS	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.	Engineering	Immediate	In train
12.	ANNUAL REPORT ON DOG CONTROL POLICY AND PRACTICES 2008-2009	<ol style="list-style-type: none"> Pursuant to section 10A of the DCA, Council adopts the Annual Report on Dog Control Policy and Practices 2008-2009. Council give public notice of the Annual Report on Dog Control Policy and Practices 2008-2009 by way of advertisement in the Wairoa Star. Within one month of adopting this report a copy of it be sent to the Secretary for Local Government. 	Regulatory Administration	Immediate	Completed
13.	ORAKA COASTAL PROTECTION	That \$25,000 from the District Development Fund be approved for this coastal protection project.	Engineering	Immediate	Completed

ACTIONS FOR THE ORDINARY MEETING OF WAIROA DISTRICT COUNCIL HELD ON TUESDAY 10 NOVEMBER 2009

Item	Title	Description	Who	When	Status
14.	QUALITY ROADING AND SERVICES (WAIROA) LIMITED APPOINTMENT OF DIRECTORS	That Council advertise positions of QRS Directorship and appoint His Worship the Mayor, Councillors Heron and McKinnon, P J Freeman and D Munro as a Sub-Committee to explore all options regarding the two vacant positions and report back to Council.	Regulatory Administration	Immediate	Completed

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

Item	Title	Description	Who	When	Status
15.	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	Completed
16.	MEMORANDUM OF UNDERSTANDING – WAIROA COMMUNITY CENTRE	That Council approve the Memorandum of Understanding between the Wairoa District Council and Wairoa Community Centre Trust noting that the Community Centre will not be open on statutory holidays.	Regulatory	Immediate	Completed
17.	SURPLUS PROPERTIES TO BE INCLUDED AS PART OF NGATI PAHAUWERA SETTLEMENT	That Council declares the following properties surplus to requirements, and that these be returned to the Crown to form part of the settlement package with Ngati Pahauwera: Section 17 Blk XIII Waihua SD Section 18 Blk X Mohaka SD Section 11 Blk X Mohaka SD Section 15 Block XII Mohaka SD Section 1 Blk IV Mohaka SD	Regulatory	Immediate	In train
18.	TUAI VILLAGE FOOTPATHS	That Council approve the carry-over of \$40,000 depreciation funds from the 2006/07 budget. That Council approve an additional amount of \$7,000 depreciation funds for the fence replacement.	Engineering	Immediate	In train
19.	WATER MAIN UPGRADING	That the matter of the Iwitea/Ohuia Water Main Upgrade be referred to the 2010-2011 Annual process for consideration.	Engineering	Immediate	Completed
20.	2010 MEETING SCHEDULE	That Council adopts the 2010 Schedule of Meetings with minor alterations, namely, December Ordinary Council Meeting to be on the 14th and Maori Committee meeting in February is to be confirmed.	Administration	Immediate	Completed
21.	MAHIA RESERVES – GROUPED RESERVES MANAGEMENT PLAN	That Council adopt the Mahia Reserves – Grouped Reserves Management Plan for public consultation.	Regulatory	Immediate	Completed
22.	GANG INSIGNIA LEGISLATION	Wairoa District Council support Local Government New Zealand's investigations into having the prohibition of gang insignia legislation that Wanganui have in place broadly extended to cover other local authority areas.	Regulatory	Immediate	Completed

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:

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WAIROA DISTRICT COUNCIL

ORDINARY MEETING OF COUNCIL

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

TUESDAY 10 NOVEMBER 2009 AT 10.00 AM

PART 1 A G E N D A

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

General Items

1-3	<u>QUALITY ROADING AND SERVICES (WAIROA) LIMITED APPOINTMENT OF DIRECTORS</u>	<u>B04.01</u>
4-15	<u>REPORT TO 30 SEPTEMBER 2009</u>	<u>F02.10.01</u>
16-17	<u>INVESTMENTS AS AT 30 SEPTEMBER 2009</u>	<u>F02.10.01</u>
18	<u>DOCUMENTS SEALED FOR THE PERIOD 6 OCTOBER TO 22 OCTOBER 2009</u>	

Receipt/Confirmation of Minutes of Previous Council Meetings

19-27	<u>ORDINARY MEETING OF COUNCIL HELD 13 OCTOBER 2009</u>
28-29	<u>SPECIAL MEETING OF COUNCIL HELD 30 OCTOBER 2009</u>
30-31	<u>COUNCIL ACTION SHEET</u>

WAIROA DISTRICT COUNCIL

PART OF AN ORDINARY MEETING OF COUNCIL

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

ON TUESDAY 9 FEBRUARY 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

1-17 ORDINARY MEETING OF COUNCIL HELD 12 DECEMBER 2009

18-19 COUNCIL ACTION SHEET