

WAIROA DISTRICT COUNCIL

**SPECIAL MEETING OF COUNCIL**  
**(Submission Hearing – Gateway to Mahia Road Options)**

Minutes of a Special Meeting of Council to hear submissions on Gateway to Mahia Road Options held in the Council Chambers, Queen Street, Wairoa, on Monday 15<sup>th</sup> December 2008 at 9:00am.

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

**COUNCILLORS**

D Caves, J Heron, D Eaglesome, B Cairns, and B McKinnon.

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

**CIVIC PRAYER:** Councillor Eaglesome gave the Civic Prayer.

His Worship the Mayor welcomed Councillors, attendees and submitters to the meeting and called for a minutes silence to acknowledge the recent passing of Councillor John Petersen.

**APOLOGIES:** NIL

**CALLS FOR CONFLICTS OF INTEREST:** NIL

**General Items**

**SCHEDULE OF SUBMISSIONS**

**B03.02.06.24**

His Worship the Mayor welcomed those in attendance, explaining the procedure for the Hearing of Submissions and subsequent deliberations by Council. The Administration Manager informed Councillors that submitters R Christie, J & B Gemmell, and G Pankhurst had advised that they would not be speaking to their submissions.

Verbal submissions were then heard.

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**SUBMITTER:** Mr Peter McKenzie

Mr McKenzie informed Councillors that he had submitted and was speaking to his submission as a paying rate payer and a member of the Wairoa Community. It was Mr McKenzie's opinion that ratepayers appeared to have a limited say as related to matters that impacted on the community. Attendees at the Mokotahi meeting pertaining to this issue had indicated that they did not want a 'Gateway to Mahia' either for the long or short term. What they wanted was continued legal access through the Opoutama Holdings via Ormond Drive. While he respected the rights of those who were opposed to the continued use of Ormond Drive, it was his opinion that they had to accept that it was the majority that ruled. As such, he did not want the current access interfered with while a new access route was being developed.

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**SUBMITTER: Mr Te Hira Whati**

Mr Whati acknowledged statements made by the previous speaker, however the fact remained that a section of Ormond Drive was private property, and as such he asked that Council make the right decision as pertained to the land in question. As a road through Kaiwaitau already existed, the decision should be to use that until such time that a new road was developed, should that be Council's decision.

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**SUBMITTER: Mr Ray Thompson**

Mr Thompson was of the belief that the base issue appeared to be one of ownership of land, which was impacting upon the decision making of local Maori at Opoutama. Mr Thompson was of the position that any decision of Council must a 100% buy-in by the local community, and in the present environment, this was unlikely to be achieved. Mr Thompson believed that the Trustees of Kaiwaitau 1 were likely to support legalisation of road through the Opoutama Reserve, and that the area of road in dispute should be closed immediately as it would be the catalyst toward ensuring Maori of Kaiwaitau and Opoutama sat down to determine the best solution. Regardless of which option was pursued, it was likely that koiwi would be found. Mr Thompson supported Option 1 – the diversion through Kaiwaitau Road.

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There being no further verbal submissions, His Worship the Mayor thanked those submitters who had attended to speak to their submissions, and invited Councillors to consider all other submissions before them.

In advising of preferred options, a number of submitters indicated their support of the shortest and most cost effective route being considered as a part of Council's decision making process, as against diverting traffic permanently through Kaiwaitau Road. There was also a call from a number of submitters for Councillors to ensure that two access routes to Mahia were maintained, particularly as related to access by Emergency Services, particularly fire and ambulance. The Kaiwaitau Road was known to flood in low lying areas, effectively cutting all access to Mahia Peninsula in the absence of any other route. The impact to local school bus routes was also highlighted.

Submissions relating to funding options, asked that the development of an alternate route be considered as an item of national significance, and that as a minimum, funding towards its development be sought equitable from the whole district, not just Mahia. The funding and cost implications to ratepayers needed to be taken into consideration.

There being no further submission to consider, or speakers to submissions, His Worship the Mayor asked that Councillor's advise of their preferred course of action.

**ADJOURNED: 10:36 AM**

**RECONVENED: 10:50 AM**

A number of Councillors commented that based on submissions received there appeared to be preference for option one – diversion, option two – the dog leg, and option four – plantation reserve. The Engineering Manager advised that there was no clear preference by submitters of a preferred option in that preference and reasons for being in favour of or against presented options were varied. The Engineering Manager also pointed out that there were a number of submissions received that conveyed the preference of groups or community organisations, and as such could not be counted as just one submission.

Councillor Eaglesome stated that the people of Mahia needed to come up with an option that gave the best outcome to the Mahia Community. Council were unable to move forward in developing an alternative route with the knowledge of treaty claims that had been lodged and still needed to be addressed. There was a risk of Council investing funds in the development of an alternative route that may be halted prior to its completion as a result of the outcome of hearing treaty claimants.

His Worship the Mayor was of the opinion that it was rarely possible to achieve 100% consensus from a large group of people. What Council needed to decide was whether the road be closed immediately and traffic diverted through Kaiwaitau, or that the road remain open until August 2009, at which point it had to be closed as agreed with Trustees.

Councillor Caves stated that the current landowners and designation of land was an issue that would continue to impact on proposed routes. In respect to the closure of Ormond Drive, he acknowledged that it would be a means of engaging the larger Maori Community to express their opinions on the matter. Were Council to wait until August to close the road, Councillor Caves asked whether it was fair to assume a period of two years to implement any alternative option as related to acquiring of consent and development.

The Engineering Manager stated that it would be dependent on a number of issues. If people supported the proposal then consent could be acquired within a month. If people made submissions against a proposal, then it could take month, perhaps years.

Councillor Heron asked whether the pursuing of an alternative route was there an ability to seek an agreement from the landowners of the portion of Ormond Drive to be closed, to extend the agreement for use. His Worship the Mayor stated that Council had already agreed with Trustees to close the road by August 2009, and at that point in time, the section of road to be closed would have to be ripped up.

Councillor Cairns stated that Council had asked for consultation with the community, and as a result had got consultation, evidenced by the number of submissions received, and the number of attendees at public meetings. Council now needed to weigh up all aspects of consultation prior to making a decision on any preferred option. As part of that Council needed to be seen to honour the agreement they already had in place with the Urupa Trustees, and as such wished to put a resolution to that effect. Council had to remember that consultation and meetings entered into with the Trustees had purely pertained to the issue of closing the road, and as such they had not addressed the preference of alternative routes that may be supported by Maori.

<p><b><u>Resolved:</u></b>      <i>That Council honour the agreement made between Council and the Ruawharawhara Urupa Trustees, and that the section of road as identified, be closed by August 2009.</i></p>	<p><b>Cairns/Heron</b></p>
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His Worship the Mayor and Councillor Eaglesome agreed that there needed to be more talk with Maori and Trustees with an interest in Kaiwaitau. This would require Tangata Whenua to meet with each other and come back to Council to advise what their preferred option was.

Prior to any alternative route being progressed, Council expressed their desire for a survey of Ormond Drive to be carried out to ensure that any other potential problems were identified. This would provide Council factual information as related to the remainder of Ormond Drive.

<p><b><u>Resolved:</u></b>      <i>That Ormond Drive be re-surveyed.</i></p>	<p><b>McKinnon/Eaglesome</b></p>
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The Engineering Manager stated that while a survey could be carried out, Council also needed to determine how it was to be funded.

<p><b><u>Resolved:</u></b>      <i>That the surveying of Ormond Drive be funded from the District Development Fund.</i></p>	<p><b><i>Heron/McKinnon</i></b></p>
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Councillor Cairns questioned whether there was also a need for Council to have a cultural audit and archaeological survey carried out on Ormond Drive. Councillor Caves reminded Councillors that they already had submissions in hand as related to the Opoutama Reserve Management Plan, some of which referred to cultural and archaeological aspects as determined by submitters and tangata whenua.

<p><b><u>Resolved:</u></b>      <i>That in conjunction with the legal survey of Ormond Drive a cultural audit and archaeological survey be undertaken and that funds be made available from the District Development Fund.</i></p>	<p><b><i>Cairns/Eaglesome</i></b></p>
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Councillors further discussed the need to facilitate consultation with tangata whenua to determine their preferred option in progressing an alternative route to Mahia. It was suggested that Council's newly appointed Maori Liaison Officer contact Mrs Westrupp to look toward progressing a meeting of tangata whenua. While supportive of the intended approach, Councillor Cairns advised that Council needed to ensure that they did not sideline themselves from any discussions that took place. Best discussions were had when people were sitting alongside each other, and as such, where appropriate, Councillor Cairns advised of her availability to assist Council's Maori Liaison Officer, if required.

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

**MEETING CLOSED:    12:05 PM**

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Chair