

WAIROA DISTRICT COUNCIL

ORDINARY MEETING OF COUNCIL

Minutes of an Ordinary Meeting of Council held in the Wairoa District Council Chambers, Coronation Square, Wairoa on Tuesday 9 December 2008 at 10:00 am.

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

COUNCILLORS

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

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

CIVIC PRAYER

Councillor Eaglesome gave the Civic Prayer.

APOLOGIES

An Apology was received from Councillor Petersen.

<u>Resolved:</u>	<i>That the apology from Councillor Petersen be received.</i>	McKinnon/Cairns
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CALLS FOR CONFLICTS OF INTEREST

NIL

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

1. Resource Management Act – Invitation to Submit Comments to Minister (Chief Executive Officer)
2. Land Acquisition – Mahanga (Confidential) (Chief Executive Officer)
3. Consultation – Submissions (Confidential) (Councillor Caves)

PUBLIC FORUM

His Worship the Mayor welcomed Mere Kokiri Tamanui to the meeting, and invited her forward to speak to her submission to the Maori Policy.

Ms Kokiri Tamanui thanked the Mayor and Management for accommodating her request to speak to her submission prior to the hearing date, in that she was not available to attend the hearing on 16th December 2008.

Ms Kokiri Tamanui expressed concern at the racism that had been exhibited by some elected members as related to the Maori Policy, whether they were aware of being racist or not. Comments made by Councillors that members of the Maori Committee were welcome to speak from the floor, rather than from the Council table, belittled Maori and questioned Council's commitment to representation from Maori, of which 60% of the district's population consisted. Regardless of economic and social status, or monetary source, Maori were large contributors to the district financially, and as such their input and representation should hold greater value with Council.

Ms Kokiri Tamanui acknowledged that those who brought greatest pain to Maori were Maori driven, and as such it was a problem that needed to be addressed by Maori. If the Maori Committee were to be watered down, this would not align with the intent of the Local Government Act 2002. To have a successful model, those representing Maori needed to be more assertive, and needed to understand what the needs of hapu and marae are. The question was what formula would best accommodate Maori needs. At the end of the day, elected members would be answerable to Maori for their actions.

GENERAL BUSINESS

MAORI LAND COURT INJUNCTION – KAIWAITAU 7C2B

B.01.08

Resolved: *That the report be received.*

McKinnon/Heron

The Chief Executive Officer spoke to the report informing Councillors that the Court had ruled that Council's submission be upheld and the case dismissed as related to the injunction application made to the Maori Land Court by Alice Wairau, 5th March 2007. The Chief Executive further advised that application had been made to the Courts seeking costs of \$4,000 from the applicant.

REPLACEMENT WATER PUMP

B.08.02.01

Resolved: *That the report be received.*

Cairns/Caves

The Engineering Manager spoke to the report informing Councillors of the need to carry out expensive repairs or replace one of the boundary pump station pumps. In investigating possible alternatives, the Water Treatment Plant Manager was of the opinion that replacement was the best option. As this was unbudgeted expenditure, should Council approve the replacement of the pump, funds could be made available from the Water Treatment Plant Depreciation Reserve.

Resolved: *That Council approve expenditure of up to \$10,000 from the Water Treatment Plant Depreciation Reserve.*

Heron/Caves

LEASE OF TUAI PLAYCENTRE

H.01.04.01

The Chief Executive Officer spoke to the report informing Councillors that he had been approached by a number of organisations with an interest in leasing the Tuai Play Centre. Letters received from each organisation were circulated to Councillors for consideration.

Organisations included; Te Hoe Te Mana Motuhake Mai Waikaremoana, wanting to operate a comprehensive communication strategy from the premises; Haumapuhia FM Working Party, wishing to lease the property to set up a local community radio station, with an offer of providing free advertising slots to Council as part of any lease agreement entered into; and Aileen Himona of the Hauora, expressing interest in seeking additional space for the Trust.

Councillors discussed the value of each request received, determining that the proposed radio station would be a means of providing localised information to the community of Tuai, and that there may be opportunity for the other groups to promote their activities through the radio station, particularly Te Hoe Te mana Motuhake Mai Waikaremoana.

Resolved: *That the Council property known as the Tuai Play Centre be leased to the Haumapuhia FM Working Party, and that the lessee engage in discussion with other lease applicants to determine how they may service those groups.*

Cairns/Eaglesome

GRANT – TE RAKATO SOCIAL SERVICES

F.07.02

The Chief Executive Officer spoke to the report informing Councillor's of receipt of correspondence from Te Rakato Social Services, in which they were seeking a grant from Council to purchase a ride on mower for the purpose of mowing laws at the Opoutama Community Centre.

Resolved: *That Council decline the request for funding*

Cairns/Caves

ACTIVE COMMUNITIES – SPORT HAWKE'S BAY

A.24.01

Resolved: *That the report be received.*

Heron/Eaglesome

The Administration Manager spoke to the report informing Councillors of a request for a letter of support, and financial support sought from Sport Hawke's Bay in their application to SPARC for three year funding toward the Tu Kaha te Wairoa (Stand Strong Wairoa) Project.

Councillors were informed that annual funding of \$21,000 was currently provided to Sport Hawke's Bay and that the request for funding could be achieved either by specifying that \$5,000 of current funding be directed annually toward this project, or alternatively provide an additional \$5,000 for the term of the project, should the application be successful.

Councillor Eaglesome supported the request in that it promoted the engagement of people in activity, which was to the benefit of the district. The provision of funding however should be approved from existing funds in that additional funds were not available. His Worship the Mayor and Councillors supported the initiative and the provision of funding from existing funds.

Councillor Cairns questioned the value of the position in that it seemed to build on the Active Facilitator role that would continue to be delivered through Wairoa College, and that the support of what seemed to be a duplicate role was questionable in term of the value that it would bring.

Resolved:	<i>That His Worship the Mayor provides a letter of support to Sport Hawke's Bay and that \$5,000 of the existing annual grant be directed toward this the Tu Kaha Te Wairoa project.</i>	His Worship the Mayor/Eglesome
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2009 MEETING SCHEDULE **A.06.09.01**

Resolved:	<i>That the report be received.</i>	Eglesome/Cairns
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Councillors were advised that the dates of workshops would be provided under separate cover in 2009.

Resolved:	<i>That Council adopt the 2009 Schedule of Meetings.</i>	Caves/Cairns
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<i>Council (Tuesday)</i>	
<i>January</i>	
<i>February</i>	<i>10</i>
<i>March</i>	<i>10</i>
<i>April</i>	<i>14</i>
<i>May</i>	<i>12</i>
<i>June</i>	<i>9</i>
<i>July</i>	<i>14</i>
<i>August</i>	<i>11</i>
<i>September</i>	<i>8</i>
<i>October</i>	<i>13</i>
<i>November</i>	<i>10</i>
<i>December</i>	<i>8</i>

DELEGATION – WARRANT TO ACT – PRINCIPAL RURAL FIRE OFFICER **C.18.03**

Resolved:	<i>That the report be received.</i>	McKinnon/Eglesome
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The Chief Executive Officer spoke to the report informing Council of their need to consider appointing a suitably qualified person to the role of Principal Rural Fire Officer. While this role was currently held by the Administration Manager, the warrant of appointment for this position would be revoked as of 16th January 2009, as a result of the Administration Manager taking up the position of Regulatory Manager with Central Hawke's Bay District Council.

The Chief Executive Officer of Wairoa District Council had made an approach to the Chief Executive Officer of the Gisborne District Council to ascertain the availability of their Principal Rural Fire Officer

to undertake the role for the duration of the 2009 Fire Season. Approval had since been received for temporary cover, and as such the report was now before Council for their consideration.

In addition, the Chief Executive Officer would be engaging in discussion with neighbouring rural fire authorities to look at rationalisation in the delivery of rural fire services in the region.

Councillor Caves expressed concern in that the Principal Rural Fire Officer to be warranted lived outside of the district, and the impact that this would have on response to fires. In addition, Councillor Caves queried what financial implications may arise.

The Chief Executive Officer and Administration Manager detailed agreements in place with neighbouring rural fire authorities and the New Zealand Fire Service that would result in a business as usual approach as related to response to fires in the district. As such there would be no financial implications other than the normal authorised expenditure required to extinguish fires. The role of the Principal Rural Fire Officer was to take control of an incident and to ensure that it was appropriately resourced with required equipment and personnel. All day-to-day business would continue to be undertaken by Council's Emergency Management Officer.

<u>Resolved:</u> <i>That the delegation of appointment as scheduled below, be approved with immediate effect.</i> Heron/Eaglesome	
<i>Don Scott Principal Rural Fire Officer</i>	<ol style="list-style-type: none"> 1. A "Rural Fire Officer" under Section 13 of the Forest and Rural Fires Act 1977. 2. An "Enforcement Officer" appointed under Section 177 of the Local Government Act 2002 for the enforcement of bylaws and regulations

ROAD NAMING – MAHIA HEIGHTS – MAHIA BEACH

B.01.07.02

<u>Resolved:</u> <i>That the report be received.</i> Caves/McKinnon
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Council's District Planner spoke to the report informing Councillor's that approval was sought, in accordance with Council's Road naming and Numbering Policy, for the naming of two roads to be vested in Council, in the Mahia Heights Subdivision, previously known as Cashmere Heights.

<u>Resolved:</u> <i>That Council agrees to the following road names for the Mahia Heights subdivision: Road 1, from Lochiel Street: Mahia Heights Road 2, off Road 1: Puka Place</i> Eaglesome/Cairns
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PROPOSED NATIONAL POLICY STATEMENT FOR FRESHWATER MANAGEMENT

A.26.04

<u>Resolved:</u> <i>That the report be received.</i> Heron/Eaglesome

Council's District Planner spoke to the report informing Councillors that the 'Proposed National Policy Statement for Freshwater Management' had been publicly notified by the Ministry for the Environment, and that submissions closed 23rd January 2009. Council's Planner then outlined key issues proposed to be addressed should Council wish to make a submission on the proposal.

Councillors expressed concern at the potential impact on the agricultural sector of the district if the standards were to be imposed in their current form. While there was recognition of the need to improve and maintain water quality, Councillor's needed to take account of the environmental and economic impact of any policy or standard implemented. As such, Council should seek the opinion of the rural sector to ensure that their concerns are being expressed either independently through Federated farmers, or as a part of Councils submission.

<u>Resolved:</u> <i>That Councillor McKinnon assist Council's Planner in identifying key issues that impacted on the district's agricultural sector.</i> His Worship the Mayor/Caves

<u>Resolved:</u> <i>That Council agrees to the key issues identified, and that they be included in a submission on the proposed National Policy Statement for Freshwater Management.</i> Heron/Caves

INVESTMENTS AS AT 30 SEPTEMBER 2008

F.02.10.01

Resolved: *That the report be received.*

Caves/McKinnon

The Finance Manager spoke to the report advising Councillors that the Schedule of Investments as at 30 September 2008 was presented for their consideration. Of note had been the ability to lock in higher interest rates on longer term maturities, giving Council some financial security in those investments.

DOCUMENTS SEALED FOR THE PERIOD 3 NOVEMBER TO 11 NOVEMBER 2008

Resolved: *That the report be received.*

Cairns/Eaglesome

Receipt/Confirmation of Minutes of Previous Council Meetings

SPECIAL MEETING OF COUNCIL HELD 30 OCTOBER 2008

The Minutes of an Special Meeting of Council held 30 October 2008 were presented.

Resolved: *That the Minutes of a Special Meeting of Council held on 30 October 2008 be confirmed as correct.*

Caves/McKinnon

SPECIAL MEETING OF THE RESOURCE MANAGEMENT COMMITTEE HELD 30 OCTOBER 2008

The Minutes of a Special Meeting of the Resource Management Committee held 30 October 2008 were presented.

Resolved: *That the Minutes of a Special Meeting of Council held on 30 October 2008 be received.*

Heron/Eaglesome

ORDINARY MEETING OF COUNCIL HELD 11 NOVEMBER 2008

The Minutes of an Ordinary Meeting of Council held 11 November 2008 were presented.

Resolved: *That the Minutes of an Ordinary Meeting of Council held on 11 November 2008 be confirmed as correct.*

Eaglesome/McKinnon

Amendment: Councillor Caves was in attendance at the meeting.

SPECIAL MEETING OF THE RESOURCE MANAGEMENT COMMITTEE HELD 25 NOVEMBER 2008

The Minutes of a Special Meeting of the Resource Management Committee held 25 November 2008 were presented.

Resolved: *That the Minutes of a Special Meeting of Council held on 25 November 2008 be received.*

McKinnon/Heron

Amendment: Remove reference to TW Wilson as being in attendance.

GENERAL BUSINESS

RESOURCE MANAGEMENT ACT REVIEW

D01.09

The Chief Executive Officer circulated correspondence received from the Minister for the Environment, Hon Dr Nick Smith on National's proposed reform of the Resource Management Act, and a Memorandum received from Local Government New Zealand. Both documents were read in their entirety. Councillors agreed to meet on Monday 15th December, following the gateway to Mahia Hearings, to formulate a response for submission to the Minister by 20th December 2008.

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/McKinnon

RELEASE OF CONFIDENTIAL ITEMS

A06.09

NIL

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

MEETING CLOSED: 12:08 PM

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Chair