

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 10 July 2007 at 10.00 am.

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

COUNCILLORS

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

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

CIVIC PRAYER

Councillor Eaglesome gave the Civic Prayer.

APOLOGIES

NIL

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

NIL

PUBLIC FORUM

His Worship the Mayor welcomed members of the public who were in attendance to speak to submissions on Pohutukawa Reserve – Boat Parking. The Chief Executive Officer explained the process and that Council had called for submissions under the Reserves Management Act, which provided an opportunity for affected parties to be consulted with prior to Council making any formal decision. Once Council made their decision, there was no right of appeal on that decision under the Reserves Management Act.

His Worship the Mayor then called speakers forward.

Mr William Clark

Mr Clark strongly objected to twenty-four hour parking being permitted on Mokotahi Reserve, stating that by doing so only shifted the current problem along the beach, blocking what was currently a clear view to residing residents. Mr Clark also called for access to the frontage of the beach foreshore by picnickers.

Mr John Williams

Mr Williams advised Councillors that he had covered many points in his previous submission to the Pohutukawa Reserve Management Plan, and therefore assumed that Council were still aware of the issues he raised as related to twenty-four hour parking of commercial fishing boats. Mr Williams expressed concern that the proposal for provision for parking of large fishing boats on Mokotahi Reserve would open the parking to anyone, not just specific operators. The inability of large vessels to park in that area as a result, would most likely see vessels reverting to their current parking place. As 100% of people directly affected were against the proposal, Mr Williams was adamant that Mokotahi Reserve be kept as a 'Green Area' for the benefit of future generations.

Mr Noel Davey

Mr Davey stated that it was likely that all speakers would be reiterating the same points, and for fear of repeating what had already been said posed a question to Councillors. 'Where do we stand with the twenty year vision proposed for the Pohutukawa Reserve and Mahia Beach? As all state reserves are for the use of the public, does the public's right of use disappear in designating the area for boat parking? Is there a need to change the District Plan to accommodate a change in use of the resource?

His Worship the Mayor advised Mr Davey that the Chief Executive Officer would answer questions raised once all speakers had been heard.

Mrs Sue Brownlie

Mrs Brownlie was opposed to the Mokotahi Reserve being used for parking. Mrs Brownlie stated that it was a lovely picnic area and one of the few sheltered areas remaining for family recreational activities. Allowing a parking area would exclude the public from using a reserve that was well utilised.

Mr Ralph Brownlie

Mr Brownlie appealed to Councillors of the importance of retaining a 'Green Area' that in the future would become precious to the district as the population grew at Mahia. The development of any activity on the reserve would compromise the recreational activities that were presently catered for.

Mrs Doi Ormond

Mrs Ormond informed Councillor's that she had lived adjacent to the Mokotahi Reserve for the past sixty years, and was strongly opposed to twenty-four hour parking in front of her home. Mrs Ormond did not need an alarm clock at 4:00 am (being the boats being launched daily) and was extremely angry that consideration was being given to allowing parking in the area. If parking were to be permitted and the drain filled in and culverts installed, the retention of floodwaters during storm surges, which would not be able to drain away freely, would result in serious flooding problems.

Mr Frank Ormond

Mr Ormond endorsed comments already made by his wife and restated his strong opposition to the proposal. In support of flooding concerns raised by Mrs Ormond, Mr Ormond circulated photographs showing the recent impact of flooding and rainfall events, coupled with coastal debris that blocked the drain. Mr Ormond was adamant that filling the drain would prevent the flow of receding floodwaters, and as such was strongly opposed to the filling of the drain and commercial and/or private parking on Mokotahi Reserve.

Mrs Alison McKay

Mrs McKay questioned why Council feels so obliged to make a permanent parking area for boats, stating that it was setting precedence for future commercial activities to be permitted. Why did parking become separate from the initial round of consultation? Mrs McKay believed that Mokotahi Reserve should be excluded as a 'safe place' and passive reserve, a view that had been supported by Council's consultant. Mrs McKay believed that the Mokotahi Reserve was an erosion and hazard area, citing the degree of erosion that had occurred over the years. As there were plenty of other reserves available for parking in the Mahia area, why have permanent parking on the waterfront?

Mr Murray Tonks

Mr Tonks circulated a paper to Councillor's from which he read in its entirety. Mr Tonks believed that Council were beholden to make a decision given their previous resolutions on the matter. Mr Tonks addressed a number of concerns raised by previous speakers. Mr Tonks maintained that Mokotahi Landing Reserve was the best area to designate for the parking of large boats, stating that it would not visually impact upon residents of Newcastle Street. Mr Tonks reiterated that the reserve was specifically designated as a Landing Reserve, and that the proposed parking would be consistent with historical use. In response to consideration of alternative reserves, Mr Tonks advised of the negatives of each. Mr Tonks also addressed matters raised in the Engineering Manager's report to Council.

Mr Michael Rangi

Mr Rangi stated that whilst he had heard reasons for opposing twenty-four hour parking on Mokotahi Reserve, he hadn't heard anyone put alternatives forward such as Waikokopu, or reserve land available at the far end of Pohutukawa Reserve, where there was plenty of space available for the parking of large boats out of the public eye. Mokotahi Reserve was one of the most beautiful reserves remaining on the coast, not just at Mahia, but the breadth of the East Coast, which he travelled on a regular basis. Mr Rangi believed that there were alternatives, and as such, they should be considered.

There being no further speakers, His Worship the Mayor asked the Chief Executive Officer to respond to questions raised.

In response to questions raised by Mr Davey, the Chief Executive Officer advised that a change of use did not impact on the District Plan, however Ministerial Approval may be required for change of use to the reserve.

In response to Mrs McKay, the Chief Executive Officer advised that Council did not feel obliged to provide parking, which is why they were going through the consultation process. Council were merely asking the question, and as such were not obligated to provide anything. Consultation had been undertaken as it was an issue identified as being separate to matters already consulted on under the Draft Pohutukawa Reserves Management Plan. Whilst it had been designated as a Landing Reserve since 1944, this did not denote any legal right to park there.

In response to Mr Tonks, the Chief Executive Officer advised that the Pohutukawa Reserve Management Plan was still in draft form, and as such, Council could rescind any previous decision they had made if they so wished. Any proposal on alternative parking areas would affect a different set of people, requiring further consultation.

His Worship the Mayor thanked those in attendance, advising that Council would consider their comments, and all submissions received later in the meeting, at which point they would make a decision on the future use of Mokotahi Reserve. Those in attendance were invited to stay for the duration of the meeting if they so desired.

ADJOURNED: 10:47 AM

RECONVENED: 10:56 AM

PRESENTATION

MR COLIN GOBLE – LAND TRANSPORT SAFETY MANAGEMENT SYSTEM

His Worship the Mayor welcomed Mr Goble to the meeting and invited him to make his presentation to Council.

Mr Goble thanked Council for allowing him the opportunity to present the Safety Management System, introducing Craig Daley (Opus – Napier), Benita Cairns (Road Safety Co-ordinator) and William Lewis (Council's Operations Manager) all of whom had been involved in developing and promoting various aspects of the Safety Management System.

Mr Goble then provided a general overview of the Safety Management System, which had eventuated through the introduction of a requirement by Land Transport New Zealand for all roading authorities to complete a Safety Management System as a method of managing the road network to improve safety.

Councillors raised general concerns as related to national speed limits that were not reflective of the communities desire, particularly in areas such as Raupunga, Nuhaka, and Morere, and the need to install more passing bays on the Wairoa to Napier Road. Concern was also expressed as related to the Achilles and Queen Street intersection, particularly given the fact that it was the most common black spot for accidents. Pedestrians and motorists alike were constantly at risk of being involved in an accident.

Councillors acknowledged that the presentation was intended to support a recommendation to within the agenda to adopt the Safety Management System, however in light of Council not having had the opportunity to view the proposed policy put forward for adoption, the consensus was that any adoption be deferred to Council's meeting in August.

His Worship the Mayor thanked Mr Goble for his presentation and asked that report 'Safety Management System' be received and deferred.

SAFETY MANAGEMENT SYSTEM

B.03.02.24

Resolved: *That the report be received.*

McIntyre/Birrell

Resolved: *That the report 'Safety Management System' and its adoption, be deferred to the August meeting of Council.*

Caves/McIntyre

RECEIPT/CONFIRMATION OF MINUTES OF COUNCIL MEETINGS

SPECIAL MEETING OF COUNCIL HELD WEDNESDAY 30 MAY 2007

The Minutes of a Special Meeting of Council held on 30 May 2007 were presented.

Resolved: *That the Minutes of the Special Meeting of Council held on 30 May 2007 be confirmed as correct.*

Eaglesome/Shortt

ORDINARY MEETING OF COUNCIL HELD TUESDAY 12 JUNE 2007

The Minutes of an Ordinary Meeting of Council held on 12 June 2007 were presented.

Resolved: *That the Minutes of the Ordinary Meeting of Council held on 12 June 2007 be confirmed as correct.*

Caves/McIntyre

RECEIPT OF COMMITTEE MINUTES

MAORI COMMITTEE MEETING HELD 5 JUNE 2007

The Minutes of a Meeting of the Maori Committee held on 5 June 2007 were presented.

Resolved: *That the Minutes of a Meeting of the Maori Committee held on 5 June 2007 be received.*

Eaglesome/Caves

GENERAL BUSINESS

QUALITY ROADING SERVICES (WAIROA) LIMITED

B.04.01

The Chief Executive Officer spoke to the report advising that it was merely the actioning of an administrative request of Council to execute a Share Transfer.

Resolved: *That Council execute a Share Transfer Form and Deed of Agreement transferring one share in Quality Roding Services (Wairoa) limited from Peter John Freeman to Wairoa District Council as beneficiary of the Trust upon which the share was held.*

McIntyre/McKinnon

COMMORATIVE PLAQUE – C.J. OWEN – WAIROA RIVERBANK WALKWAY

B.03.02.02.01

Resolved: *That the report be received.*

Birrell/McKinnon

His Worship the Mayor spoke to the report, informing Councillors that the matter had been raised at a previous meeting of Council, with the report and recommendation being submitted for formal consideration.

Councillors unanimously agreed that former Mayor, Mr C.J. Owen had completed significant projects to the benefit of the Wairoa District during his term of office, including the rebuilding of the Wairoa Bridge in its original location following Cyclone Bola, and securing a visit from Queen Elizabeth II to formerly open the new bridge.

Resolved: *That \$6,300 be provided to sponsor a 'Site of Significance' to erect a memorial plaque to former Mayor, Mr C.J. Owen.*

Eaglesome/Birrell

Councillor McKinnon informed Councilors and Management that the plaque commemorating the official opening of the bridge was in a state of disrepair, requiring remedial work. The granite on which it was fixed was also cracked. The Chief Executive Officer advised that staff would look into the matter and have the plaque repaired.

GEMMELL'S ROAD – ROHEPOTAE

F.01.23.01/B.03.02.13

Resolved: *That the report be received.*

Shortt/McKinnon

The Engineering Manager spoke to the report stating that it had been re-submitted for Council's consideration due to the writer (Mr Arthur Gemmell) having been unavailable to attend the hearing of submissions to the Annual Plan to speak to the item. The Engineering Manager had been in contact with Mr Gemmell, who had provided greater detail as to the history behind the request for Council to continue to maintain what was a private road.

At some time in the past, while no formal agreement was in place, Council had maintained the road when undertaking routine works, however this had not occurred now for a considerable number of years. The Gemmell's were requesting that Council continue to maintain the road, as they had done in the past.

While Councilors were sympathetic to the request, the consensus was that private roads were to be maintained by the people they served.

Resolved: *That the request for funding to maintain the private road leading to the Gemmell property be declined.*

McIntyre/McKinnon

ORMOND DOMAIN - MAHIA

B.02.09

Resolved: *That the report be received.*

Shortt/McIntyre

The Engineering Manager spoke to the report advising that it had come about following receipt of complaints from neighbours as to the derelict state of the ablution block on Ormond Domain, Mahia. A structural inspection had since been carried out on the building to determine the extent of disrepair and dilapidation. Council needed to determine whether they wished to commit funds towards the repair of the facility, or to have the facility demolished.

Resolved: *That the ablution block on Ormond Domain, Mahia, be demolished.*

Shortt/McIntyre

It was noted that in the advent of Council requesting that the facility be demolished, that an approach had been made by a local resident to undertake the required work, and remove the debris at little, or no cost to Council. The Engineering Manager was tasked with the responsibility to identify means by which the facility was to be demolished and resulting debris removed

RIVERBANK EROSION

B.09.01.02

Resolved: *That the report be received.* **McIntyre/Birrell**

The Engineering Manager spoke to the report which had been submitted as a follow up to an item raised in August 2006 at which time Council had endorsed the proposed approach to investigate and report on options to address the erosion of the riverbank of the southern end of Kopu Road.

The Engineering Manager sought direction from Council as to whether they wished to do something on a specific site now in addressing erosion, or preferred to wait until a full erosion plan had been developed that would identify existing and potential areas of erosion from the Ski Club to Spooner's Point, and Kopu Road to Pilot's Hill.

The Hawke's Bay Regional Council had advised that they had little funds available to contribute to the required work, however staff would be made available to provide advise and technical support.

Councillors were of the opinion that the Hawke's Bay Regional Council should contribute funds as it was effectively a waterway problem, and that a further approach should be made. Whilst the Hawke's Bay Regional Council may not have funds to assist in preventing further erosion, funds should be forthcoming to meet the cost of conducting an erosion assessment of the river from the Wairoa Ski Club to Pilot's Hill.

Councillor Birrell asked whether it was possible for river stones to be placed along the banks of the river to prevent further erosion, as it was the lapping motion that was eroding the bank, and stones would provide a barrier to reduce the effect of wave action. The Engineering Manager advised that any remedy was possible, subject to application for, and approval of, resource consent to undertake any chosen activity.

Councillors asked that a trial area be identified for protection works to be carried out through the placement of stones, and that an erosion assessment be conducted concurrently on the riverbank from the Wairoa Ski Club to Pilot's Hill.

Resolved: *That a trial area of twenty metres on Kopu Road be selected for immediate protection works.* **Eaglesome/Birrell**

Resolved: *That the Engineering Manager make an approach to the Hawke's Bay Regional Council to conduct and fund an erosion assessment of the Wairoa River riverbank from the Wairoa Ski Club to Pilot's Hill.* **McKinnon/Caves**

RESERVE MANAGEMENT PLAN - POHUTUKAWA RESERVE

G.01.01

In excusing herself from the remainder of the meeting, Councillor Eaglesome made comment as to her position on the above item. While supportive of economic development within the district, and sympathetic to what was happening to the Dickson's as related to the twenty-four hour parking of their fishing boats, having listened to speakers at the beginning of the meeting, her preferred position was not to pursue allowing parking on Mokotahi Reserve. Councillor Eaglesome would support consideration of provision of parking at an alternative site if this was the consensus of other Councillors.

ADJOURNED: 12:12 PM

RECONVENED: 12:48 PM

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

The Chief Executive Officer spoke to the report, recounting previous consultation undertaken on the Draft Reserve Management Plan for Pohutukawa Reserve. Council and submitters, following the hearing of submissions, had rejected the proposed parking within that draft plan. The Dickson family had submitted an alternative proposal for Council's consideration. Council resolved to extend consultation to include their proposal for twenty-four hour parking to be established on Mokotahi Reserve. Having now heard from submitters to the extended consultation, Council need to decide on their preferred course of action.

Councillor Birrell likened the proposal to discussions already had on whether to fund the Gaiety Theatre. Councillor Birrell was concerned that Council was going through the process of allowing parking for commercial fishing boats, when commercial operators should in fact be left to manage their own business requirements without Council assistance.

Councillor Caves was of the opinion that Council had made concessions in the past to those who could also be defined as commercial operators through the provision of parking facilities for taxis and buses, and as such may be bound to make some provision for the parking of fishing vessels. Councillor Caves supported the proposal to develop part of Mokotahi Reserve as a parking area, however if the proposal was declined, provision would need to be made to resolve the parking of larger boats.

Councillor McIntyre emphasised the need to give consideration to the heavy weighting of opposition to the proposal.

Councillor McKinnon supported submitter's comments on the importance in maintaining Mokotahi Reserve as a 'Green Area' and that it should be further developed and enhanced as a picnic area. While the issue of twenty-four hour parking needed to be resolved, there was also a need to shift boats away from what was a passive recreational area. Councillor McKinnon supported the investigation of alternative sites such as Waikokopu Harbour to be developed for the parking and launching of large fishing vessels.

Councillor Shortt was of the opinion that the establishment of twenty-four hour parking on Mokotahi Reserve would be a direct insult to the Ormond family, who were long standing residents who would be directly impacted upon by the proposal if it were approved.

<u>Resolved:</u>	<i>That the proposal to designate Mokotahi Landing Reserve as a parking area for large fishing vessels be declined.</i>	Birrell/McIntyre
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<u>Resolved:</u>	<i>That a report be prepared identifying alternative sites for potential twenty-four hour parking of large fishing vessels at Mahia.</i>	Birrell/McIntyre
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Councillors expressed concern at the tone and content of some submissions received as part of the extended consultation and questioned why they had not been removed from consideration. The Engineering Manager apologised for the inclusion of the submission being referred to, advising that a number had been excluded, and that this particular submission was also meant to be excluded.

His Worship the Mayor advised that in future submitters needed to be made aware that objectionable submissions would not be received during the consultation process.

STANDRING PARK

G02.04

Councillor Birrell expressed concern at the number of hoons that were doing wheelies on Standing Park. Given the recent wet weather, while not major at this stage, reinstatement could become costly if the behaviour was to continue.

TAHAENUI BRIDGE

B03.01.03

His Worship the Mayor informed Councillor's that Councillor Rex McIntyre of the Hawke's Bay Regional Council was to provide a copy of the latest minutes as related to Tahaenui Bridge. No agreement had been reached to date between Transit and Manutai Marae on a land swap, or land take.

CHARTERED ACCOUNTANT

C19.01.02

The Chief Executive officer informed Councillors that Council's Accountant, Sharyn Staley, had achieved Associate Chartered Accountant Status.

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;*

McIntyre/McKinnon

EXCLUDED FROM: 1:28 PM

READMITTED FROM: 1:54 PM

RELEASE OF CONFIDENTIAL ITEMS

A06.09

NIL

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

MEETING CLOSED: 2:00 PM

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Chair