

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 12 August 2008 at 10:00 am.

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

COUNCILLORS

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

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 for lateness was received from Councillor Cairns (arrived 11:28 am).

<u>Resolved:</u> <i>That the apology for lateness from Councillor Cairns be received.</i> <i>Eaglesome/Heron</i>
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CALLS FOR CONFLICTS OF INTEREST

NIL

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

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|---|---------------------------|
| 1. LATE ITEM – Plan Change 1B – Mediation | (Chief Executive Officer) |
| 2. LATE ITEM - Civil Defence Activation | (Administration Manager) |
| 3. Public Health Organisation (PHO) Meeting | (Councillor Cairns) |
| 4. Funding Support | (Councillor Caves) |
| 5. Starlings – Mahia Avenue | (Chief Executive Officer) |
| 6. Sections for Sale | (Councillor Petersen) |

PUBLIC FORUM

NIL

GENERAL BUSINESS

NUHAKA TENNIS CLUB FUNDING REQUEST **G.02.10**

<u>Resolved:</u> <i>That the report be received.</i> <i>Petersen/Caves</i>
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The Engineering Manager and Councillor Eaglesome spoke to the report, informing Councillors that the applicants were seeking guidance on how they might develop and fund a comprehensive work plan for the Nuhaka Domain. This had eventuated from a meeting attended by His Worship the Mayor, Councillor Eaglesome, and the Engineering Manager. Correspondence had since been received from the Nuhaka Tennis Club seeking funding for the construction of a tennis practice wall. Quotations for the pouring of concrete and an invoice for the construction were included in the report for Council's consideration. Councillors were advised that the Tennis Club had the backing of the Domain Committee for the project to be considered a priority.

Councillors were informed that while Council administered a fund on behalf of the Nuhaka Domain Committee, the Committee were responsible for deciding how those funds were to be expended. Currently they were utilised for power expenses and general repairs and maintenance to buildings on the Domain.

Resolved: That the request for funding of \$3,769.62 be approved **Eaglesome/Petersen**

Resolved: That the approved funding be made available from the District Development Fund.
Eaglesome/Petersen
AGAINST: Councillors Caves & McKinnon

Councillor McKinnon expressed concern at the project being funded from the District Development Fund in that it was a reserve that was becoming depleted. If Council continued to approve the funding of projects from this fund, other projects included in the Long Term Council Community Plan for future years, would not be able to be undertaken.

Resolved: That a Policy be developed as related to funding requests and the allocation of funds from the District Development Fund. **Petersen/Heron**

FINANCIAL POLICIES

F.01.25.01

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

The Finance Manager spoke to the report advising Councillors that the policies were presented for adoption, following the review and amendment to, and inclusion of additional sections in policies. Of particular note was the inclusion of 3.9 *Internal Borrowings*, to the Liability Management Policy.

Motion: That Council adopt the Significance Policy, Treasury Management Policy, Liability, Investment Management Policy, and the Policy on Partnerships between Wairoa District Council and the Private Sector for inclusion in the 2009/19 Long Term Council Plan, and for submission to Council's Auditors.
McKinnon/Cairns

INVESTMENTS AS AT 30 JUNE 2008-08-27

F.02.10.01

The Finance Manager spoke to the report informing Councillors that Council had improved its market position, with investments over three years increasing from 54% in June 2007 to 65% in June 2008.

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

2008/2009 FOOTPATH PROGRAMME

B.03.03.02

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

Councillor Petersen expressed concern as to the availability of funds to undertake and complete scheduled works, given the decision of Council in March to allocate funds from the annual footpath programme toward the completion of the riverbank walkway. Councillor McKinnon advised that he had a similar understanding to that of Councillor Petersen. Councillor Caves stated that it would be disappointing if the annual programme were unable to progress due to the 11 March decision of Council.

The Chief Executive Officer informed Councillors that it was his understanding funding approved for the riverbank walkway had been allocated from the District Development Fund, in that it was additional funding sought to that already approved for the 2007/08 footpath programme. The Engineering Manager confirmed that the decision made in March had no bearing on Council's annual footpath programme.

Resolved: That Council adopt the proposed footpath programme, being Scott Street (Kitchener to Grant), Apatu Street (Outram to Rose), and Queen Street (Apatu to Mansfield).
His Worship the Mayor/Caves

2008/2009 OPEN DRAINS POLICY

B.02.01.01

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

The Engineering Manager spoke to the report, informing Councillors that two sites had been identified for piping, being Sutton Street (Frasertown) in that the drain was beginning to undermine the existing footpath, and Queen Street (Wairoa – Mansfield to Apatu).

Resolved: That Council adopt the proposed open drain piping-in programme.
Caves/Petersen

ANNUAL REPORT ON DOG CONTROL POLICY AND PRACTICES 2007/2008

A.04.04

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

The Chief Executive Officer spoke to the report informing Councillors that in addition to information contained within the report, a significant number of infringement notices had since been issued to owners with unregistered dogs.

Resolved: That:

1. Pursuant to section 10A of the Dog Control Act, Council adopts the Annual Report on Dog Control Policy and Practices 2007/2008.
2. Council give public notice of the Annual report on Dog Control Policy and Practices 2007/2008 by way of advertisement in the Wairoa Star.
3. Within one month of adopting this report a copy be sent to the Secretary of Local Government.

Eaglesome/Heron

DOCUMENTS SEALED FOR THE PERIOD 14 JULY 2008

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

Receipt/Confirmation of Minutes of Previous Council Meetings

ORDINARY MEETING OF COUNCIL HELD 8 JULY 2008

The Minutes of an Ordinary Meeting of Council held 8 July 2008 were presented.

Amendment: Remove word DEFEATED from motion under Pensioner Housing.

Resolved: That the Minutes of an Ordinary Meeting of Council held on 8 July 2008, subject to amendment, be confirmed as correct.
Caves/Eaglesome

Councillor McKinnon expressed his concern and disappointment in the way that his comments, when referring to Mahia, were reported in that while he had said that it was tempting for Mahia to be left to deal with its problems on its own, this was not a position that could, or should be taken by Council. Council acknowledged Councillor McKinnon's statement, however also emphasised that they had no control over what was reported by the media, and the context in which statements may be published.

National Youth Forum

Councillor Eaglesome informed Councillors that two local youth had been approached, and had since advised of their desire to attend as representatives of the Wairoa District at the National Youth Forum to be held in Manukau later in the month.

GENERAL BUSINESS

LATE ITEM: PLAN CHANGE 1B MEDIATION

DO.125.07

Resolved: *That in accordance with Section 46A (7) of the Local Government Official Information and Meetings Act, the item LATE ITEM – PLAN CHANGE 1B – MEDIATION be considered given the item had not come to hand at the time of Agenda compilation and consideration of this item is required now in order to respond within the timeframe allowed.*
Eaglesome/Heron

Council's Planner and the Chief Executive Officer spoke to the report recounting meetings and discussions that had taken place with appellants on changes to boundaries and their seeking a reduction on section sizes, currently 5000m². Council needed to advise the Chief Executive Officer as to whether they wished further mediation to be entered into, or to go to the Environment Court with conditions already applied to Plan Change 1B.

Councillors reconfirmed that the intention for section sizes to be 5000m² was supported in that it enabled the protection of the Dune system.

Resolved: *That Council reconfirm that minimum lot size within Coastal Mahanga Policy Area be 5000m² to ensure maintenance of amenity and landscape values (Performance Standard 27.10.1)*
Caves/McKinnon

In considering the request for the building allocation to increase from 10% to 15%, Councillors determined that the 10% restriction continue to apply in that individuals could make an application to Council for consent for deviation.

Resolved: *That Council reconfirm that minimum the upper limit of Building Coverage remain at 10%. (Performance Standard 15A.8.1B)*
Eaglesome/McKinnon

LATE ITEM: CIVIL DEFENCE ACTIVATION

DO.125.07

Resolved: *That in accordance with Section 46A (7) of the Local Government Official Information and Meetings Act, the item LATE ITEM – CIVIL DEFENCE ACTIVATION be considered given the item had not come to hand at the time of Agenda compilation and consideration of this item is required now in order to respond within the timeframe allowed.*
His Worship the Mayor/Eaglesome

The Administration Manager spoke to the report, informing Councillors that it was presented to advise them of actions undertaken following the recent storm event that impacted most heavily on the Nuhaka, Mahanga, Opoutama and Mahia communities.

The Chief Executive Officer advised Councillors that concern had been raised as to the impact of the silting of drains and bridges in Opoutama in that the former Opoutama School was threatened by flooding, with water just stopping short of inundating buildings on the site.

The Engineering Manager informed Councillors that of the roads mentioned within the report, the one of greatest concern was the Nuhaka/Opoutama Road, in that there were two significant dropouts along Black's Beach, reducing the road to single lane. There was no more room available to move the road further in and Regional Council restrictions on constructing hardwall protection, limited the repair options open to Council. Given the enormously high energy experienced through wave action and storms on this part of the coast at this time of the year, it was a case of 'watch this space.'

STARLINGS – MAHIA AVENUE

F02.09

The Chief Executive Officer informed Councillors that a submission had been received from residents in the vicinity of Mahia Avenue that were being immediately affected by the large flock of Starlings that roosted in the Phoenix Palms at dusk. Council acknowledged that it was a serious problem and a noise issue to those affected. While residents sought the removal of the phoenix palms (estimated to cost \$2,500 - \$3,000/tree) this would only result in the starlings shifting to the next available tree. Poisoning the birds was also not considered a favourable option.

PHO MEETING

A20.03

Councillor Caves informed Councillors of his attendance at a recent meeting on the insulating of homes, advising that Council Pensioner Flats would qualify for up to 60% subsidy, applied on a first in first served basis.

SECTIONS FOR SALE

H01.03

Councillor Petersen sought information as related to sections on Hunter Brown Street, and whether the resource consent process for the proposed activity to be undertaken on these sections would be notified, or non-notified. The Chief Executive Officer informed Council that the application would be assessed on its merits at the time that it was received. If the decision was for the consent to be non-notified, then there would not be an opportunity for persons to object to the consent.

SAFETY-RAIL RIVERBANK WALKWAY

B03.02.02.01

Councillor Petersen was informed that the safety rail installed along the river bank walkway had been paid for by Council.

MAYORAL UPDATE

A06.03

His Worship the Mayor briefed Councillors on the Local Government Conference recently attended in Rotorua. He emphasised the quality of presentations and presenters, and the relevance of many of the topics covered to the Wairoa District.

ADJOURNED: 11:28 AM

RECONVENED: 11:40 AM

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;*

McKinnon/Eaglesome

RELEASE OF CONFIDENTIAL ITEMS

A06.09

NIL

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

MEETING CLOSED: 11:40 AM