

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 8 July 2008 at 10:00 am.

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

COUNCILLORS

D Eaglesome, D Caves, C Cairns, 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

NIL

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. Council Workshop Timetable | (Councillor Cairns) |
| 2. Infringements – Dogs | (Councillor Caves) |
| 3. Economic Development | (Councillor Caves) |
| 4. Sections for Sale | (Councillor Petersen) |
| 5. Dog Registrations | (Chief Executive Officer) |
| 6. National Youth Forum | (Chief Executive Officer) |
| 7. CACTUS – Longest Day | (Councillor Eaglesome) |

PUBLIC FORUM

NIL

GENERAL BUSINESS

ORMOND DRIVE – RUAWHARAWHARA URUPA

B.03.02.06.15

<u>Resolved:</u> <i>That the report be received.</i>	<u>Cairns/Heron</u>
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The Engineering Manager spoke to the report, recounting activities that had been undertaken to date regarding the identification of five options for consideration as related to the diversion of traffic upon the closure of a section of Opoutama Drive that crossed the Ruawharawhara Urupa. The Engineering Manager also presented a detailed risk analysis in relation to each of the options. As a result of the analysis, the Engineering Manager was recommending that Options 2 'Dog Leg' and Options 4 'Plantation Reserve' be considered for progression.

Councillor Petersen stated that he did not support the expending of additional funds to create a new road when the diversion of traffic through the Mahanga and Kaiwaitau Road (Option 1) could be achieved at the least cost to ratepayers. Statements had been made that the road was prone to flooding, resulting in closure, which would prevent access to the Mahia Peninsula in that there would be no alternative route. Councillor Petersen stated that many other roads in the country required

closure on occasions, such as the Desert Road, but this did not require additional roads to be constructed to manage the risk.

Councillor Eaglesome also supported the utilisation of the Mahanga and Kaiwaitau Roads as an interim measure. This would allow Council time to determine the preference of Mahia residents, and whether a new road was warranted. Councillor Eaglesome acknowledged that there was no guarantee that the road would not flood on occasions, however this was something that would have to be 'taken as it comes.' Councillor Eaglesome was of the opinion that the Dogs Leg was a dangerous option, she was also concerned at the cost to ratepayers in implementing Options 2 or 4, particularly if the cost was to be borne by Mahia ratepayers alone. Any expenditure in diverting traffic should be spread across all ratepayers of the district.

Councillor Caves supporting previous speakers, queried whether there was value in waiting until 03rd August 2009 before settling on a preferred option. There was a possibility that future Trustees may have a change of heart as related to the closure of the road, allowing Council to enter into discussions on the matter. The Chief Executive Officer responded stating that the agreement signed by Council and Trustees of the Ruawharawhara Urupa was made in good faith that the road would be closed and the Trustees compensated. There was no intent within the document 'to wait and see if the Trustees changed their mind.'

Councillor Heron disagreed with comments made by fellow Councillors, stating that they were being 'penny wise and pound foolish.' The predicted increase in logging traffic in the near future would result in additional costs being expended on Option 1 to bring the road up to a standard that could withstand loadings associated with such traffic. The Mahia community was likely to be impacted upon negatively in that commercial operators that serviced Mahia, and local residents and visitors alike, would be required to travel a greater distance than at present, resulting in additional expenditure to meet associated costs in doing so. Councillor Heron preferred Option 4, Plantation Reserve, and while acknowledging that this was the most expensive option initially, believed it to be the most affordable in the long term in that a high quality road would be built to withstand all traffic flows, requiring little maintenance, as against continual patch-up maintenance that was likely to be required with Option 1.

Councillor McKinnon stated that there was the temptation to let Mahia live with their problem, however in acknowledging statements made by Councillor Heron, he believed that the problem was more than Mahia's alone. Councillor McKinnon did not support Option 2 in the absence of a roundabout and encouraged fellow Councillors to think about how to achieve a permanent fix, rather than apply a temporary measure.

Councillor Cairns was of the opinion that a temporary closure of the existing road should be considered in that it may not have the huge negative impact on road users, as was being assumed by Councillors. There could be positives for the district in that people would consider 'car pooling' to reduce costs. Councillor Cairns also opposed the Dog Leg, even more so in that Council's Consultants also had concerns with this option. If Council were to create any new road, then it should be constructed in a manner to meet standards, rather than a general need.

His Worship the Mayor recounted statements made by all Councillors, acknowledging their preferences, His Worship then reminded Councillors of their commitment at the Council Retreat to Tuai, where they acknowledged the need to look to the impact on future generations while taking account of long-term sustainability. With this in mind, his preference was for Council to proceed with Option 4, Plantation Reserve.

In responding to a question from the Mayor as related to any issues associated with the proposed diversions, the Chief Executive Officer informed Councillors that in supporting Options 2 or 4, Council would first be required to seek Ministerial approval to acquire Crown Land on which the roads would have to be constructed.

Councillor Petersen expressed concern that Council could spend the whole day debating which option to pursue, particularly given that it was evident that there was no obvious preference. As such, for the sake of debate, he wished to put forward a motion for Option 1 to be progressed. Councillor Caves supported the motion.

Councillor Eaglesome supported Councillor Cairns suggestion that the existing road be temporarily closed to allow Council to ascertain the public's perception in having to use the Mahanga and Kaiwaitau Road diversion. More information on road use and road users was required prior to Council making a formal decision as to how to progress.

Councillor Heron did not support the motion, being of the opinion that 'car pooling' was not the saving grace, and further expressed concern that anything 'temporary' often drifted to permanency, leaving Council with a shambles.

Councillor Cairns, while supportive of a temporary closure, was concerned that were option 1 to become the preferred option, that an extra 4.5 kilometres, twice a day, on someone's journey, particularly for those who started shift work early in the morning and finished late in the afternoon, would be huge on a day-to-day basis. Council also need to consider the risk to residents of Mahia should the Kaiwaitau Road become closed for long periods in that the peninsula would be inaccessible to emergency services.

Councillor Caves was of the opinion that Council should obtain some signal from the Mahia Community as to their preference, as they were the greater users.

His Worship the Mayor sought confirmation as to whether the Mahia Community would be given an opportunity to express their opinions as related to any decision made by Council. The Chief Executive Officer informed Councillors that with the exclusion of option 1, all other options would trigger a resource consent process, which in turn would require Council to consult with affected communities. Council would be required to consult on their preferred option, while also providing information that related to all other options, and their reason for discarding the same. Should option one be preferred, Council would not need to obtain resource consent as the road already existed, however they would still be required to consult under the Local Government Act 2002, in that their decision was of a 'significant' nature.

With confirmation obtained that supporting the resolution would still allow consultation to take place with affected communities, His Worship the Mayor supported the recommendation.

<u>Resolved:</u>	<i>That Option 1, the diversion of traffic through Mahanga and Kaiwaitau Roads, be the preferred option.</i>	Petersen/Caves
<i>AGAINST: Councillors Heron, Cairns, McKinnon</i>		

The Chief Executive Officer informed Councillors that Council would now go out to the public with a proposal based on option one, being the diversion of traffic through the Mahanga and Kaiwaitau Roads, while also presenting information on other options that had been presented for consideration.

His Worship the Mayor thanked Council for their deliberations in that it now gave the community of Mahia and the Wairoa District as a whole, the opportunity to become involved in a decision of Council.

HEAT PUMPS - PENSIONER HOUSING **H.07.03**

<u>Resolved:</u>	<i>That the report be received.</i>	Eaglesome/Cairns
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The Administration Manager spoke to the report, informing Councillors that the proposed project had been brought forward from the first year of the 2009/19 LTCCP for Council's consideration following a request from Council's Portfolio Holders to do so at a workshop of Council in June.

Councillor Eaglesome stated that the project had been brought forward for consideration as the issue of sub-standard heating, and general poor affordable alternatives to heating, had been raised as an issue that impacted on the aged of the Wairoa District at a recent Age Concern meeting on Elder Abuse. Following that meeting, Council's Community Portfolio Holders had visited a number of Council owned pensioner flats to view conditions, finding flats to be poorly insulated and extremely cold. While a number of pensioners utilised gas heaters, these created other problems in that there were high levels of condensation, resulting in the growth of mildew, and flats being continually damp.

Councillor's Eaglesome and Cairns sought Council support to install heat pumps in all Council owned flats as soon as possible and put a motion forward for consideration.

Motion: *That Council approve the installation of heat pumps in Council owned pensioner flats, and that the project be funded from the District Development Fund.*
Eaglesome/Cairns

Councillor Caves queried Council's process in the obtainment of quotes in that only one quote had been presented within the report. The Administration Manager informed Councillor Caves that the report clearly stated that the quote presented had been obtained for inclusion in the 2009/19 LTCCP and as such only one quote was required. As Council had requested that the item be brought forward, the report also clearly stated that the intent was to seek additional quotes should the project find favour with Council. The Chief Executive Officer supported the statement that it had been made clear that additional quotes would be obtained, providing local installers an opportunity to forward an installation proposal.

Councillor McKinnon queried whether other forms of electrical heating had been considered, and as such sought an amendment to the motion being debated to include consideration of the installation of alternative forms of heating. Councillor Cairns stated that no comparison had been made, however Econo-Heat may be considered as an alternative.

Resolved: *That Council approve the installation of heat pumps, or an alternative source of heating, in Council owned pensioner flats, and that the project be funded from the District Development Fund.*
McKinnon/Caves
AGAINST: Councillor Petersen

Councillor Petersen voted against the amendment to the first motion in that Council was duty bound to make the home environment as comfortable as possible, and the installation of heats pumps as against other forms of electrical heating, was the most efficient.

LTCCP 2009/19 RATE REMISSION POLICIES

F.01.25.01

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

The Finance Manager spoke to the report, informing Councillors that following a review of Rates Remission Policies at a Council Workshop, and subsequent amendments and additions, that they were now presented for Council approval for inclusion in the 2009/19 Long Term Council Community Plan. The Finance Manager drew particular Council attention to Part Nine, Remission of Rates on Land Affected by Natural Calamities, and Part 10, Remission of Excess Water Rates. Discussion ensued, with no further amendments required.

Resolved: *That the amended rates remission policies be adopted for submission to Council's auditors, for inclusion in the 2009/19 Long Term Council Community Plan.*
Heron/Eaglesome

DELEGATION – WARRANT TO ACT – RURAL FIRE OFFICER

C.18.03

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

The Administration Manager spoke to the report advising that it was an administrative matter that needed to be addressed to allow Mrs Nissen to undertake the roles of a Rural Fire Officer of Council with legislated authority.

Resolved: That the Delegations and Appointment as scheduled in the 'Schedule of Delegations and Appointments July 2008' be approved with immediate effect.
Heron/Cairns

NAME	DELEGATION/AUTHORITY
Here Nissen Rural Fire Officer	1. A 'Rural Fire Officer' under Section 13(1) of the Forest and Rural Fires Act 1977.

MOKOTAHU HALL SOCIETY INC.

F.07.02

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

The Chief Executive Officer informed Councillors that in making a decision as related to the request, should they be in favour, the sum requested would need to be made as a grant, not a refund, so as not to impact directly upon the income of the activity of Building Control.

Resolved: That Council approve a grant of \$2,581 to the Mokotahi Hall Society, to be funded from the District Development Fund.
Petersen/Caves

ENVIRONMENT COURT MEDIATION PLAN CHANGE B

D.01.22

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

The Chief Executive Officer spoke to the report stating that its purpose was to seek Council approval to empower the Chief Executive Officer to represent Council at mediation, and to make decisions subject to Council's final approval.

Resolved: That Council authorise the Chief Executive Officer to act on its behalf in conjunction with Council's Solicitor to undertake mediation with appellants to the District Plan Change 1B.
Eaglesome/Heron

DOCUMENTS SEALED FOR THE PERIOD 04th JUNE to 26th JUNE 2008

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

Receipt/Confirmation of Minutes of Previous Council Meetings

ORDINARY MEETING OF COUNCIL HELD 10 JUNE 2008

The Minutes of an Ordinary Meeting of Council held 10 June 2008 were presented.

Resolved: That the Minutes of an Ordinary Meeting of Council held on 10 June 2008, be confirmed as correct.
Eaglesome/Cairns

GENERAL BUSINESS

COUNCILLOR WORKSHOP - TIMETABLE

A06.09

Councillor Cairns sought Councillors' opinion as to their preferred time of commencement of Councillor Workshops.

Resolved: That the monthly Councillor Workshops commence at 9am. **Cairns/Eaglesome**

INFRINGEMENT NOTICES – DOGS

I09.03

Councillor Caves expressed concern that the average citizen in the district may not be aware of the \$300 penalties that they could face for having unregistered dogs. He believed that the penalties should be emphasised so that people were aware of their responsibilities.

ECONOMIC DEVELOPMENT

A30.01

Councillor Caves, in referring to the Economic Development Officer's report, within Council's Information Pack, queried whether it was possible to obtain information as to funding and sponsorship that had been secured as related to economic development activities, as this was why the position was approved by Council. The Chief Executive Officer and His Worship the Mayor corrected Councillor Caves, reminding him that the submission to appoint an Economic Development Officer had been rejected by Council. This had resulted in a .75 position being created from existing budgets under the control of the Chief Executive Officer and Administration Manager, where the position holder carried out economic development related activities and managed the Information Centre.

SECTIONS FOR SALE

H01.03

In response to a question raised by Councillor Petersen, the Chief Executive Officer informed Councillors that sections advertised for sale at Frasertown were a result of unpaid rates. Council had the right to sell the land in question as a means of securing outstanding payments.

DOG REGISTRATION INFRINGEMENT NOTICES

I09.03

The Chief Executive Officer informed Councillors that 150 Infringement Notices had been sent to people with a \$300 fine for their failure to register dogs in their ownership for the previous financial year. There would be another run of Infringement Notices in August/September for those who had failed to register dogs with Council for the current year, with fees due 31st July 2008. The responsibility was upon dog owners to notify Council of the death of a dog, change of ownership details, or a change of address.

CACTUS – LONGEST DAY

A24.14.03

Councillor Eaglesome advised Councillors of the latest graduation of CACTUS participants. There was an overwhelming increase in support from parents, family members, and members of the community. The NZ Police and Army also continued to offer valued support in delivering the programme. Funding had been secured to continue to run the programme throughout 2009.

NATIONAL YOUTH FORUM

The Chief Executive Officer informed Councillors that an invitation had been received from the Manukau City Council to support two youth from Wairoa to attend a National Youth Forum in Auckland from 24th - 26th August 2008. Representatives had to be between the age of 15 and 25. Council would be required to meet return travel costs, and \$100 per person towards additional cost. Councillors advised that they supported the request, and placed the responsibility for selection of representatives in the hands of Council's Community Portfolio Holders.

ADJOURNED: 11:58 PM

RECONVENED: 12:34 PM

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;*

Petersen/Caves

RELEASE OF CONFIDENTIAL ITEMS

A06.09

NIL

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

MEETING CLOSED: 1:43 PM

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Chair