

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 September 2008 at 10:00 am.

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**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 was received from Councillor Cairns.

<b><u>Resolved:</u></b>	<i>That the apology from Councillor Cairns be received.</i>	<b><i>Eaglesome/Heron</i></b>
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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 – Delegation – Warrant to Act | (Administration Manager) |
| 2. Register of Interest                    | (Councillor Caves)       |
| 3. Council Newsletter                      | (Councillor Caves)       |
| 4. Youth Council                           | (Councillor Eaglesome)   |
| 5. Little Elms                             | (Councillor Eaglesome)   |
| 6. Hereheretau Road                        | (Councillor McKinnon)    |
| 7. Ruawharawhara                           | (Engineering Manager)    |

PUBLIC FORUM

NIL

GENERAL BUSINESS

**LTCCP 2009/19 FINANCIAL POLICIES**

**F.01.25.01**

<b><u>Resolved:</u></b>	<i>That the report be received.</i>	<b><i>Caves/Heron</i></b>
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The Finance Manager spoke to the report informing Councillors of amendments made to the Revenue and Financing Policy following its review at a Councillor Workshop. Further amendments were required within the policy to Library Services, where the charging mechanism should have stated 'public benefits funded from 100% Uniform Annual General Charge' and reference to the General Rate, deleted. The activity of 'Community Co-ordinator' also needed to be added, being of 100% public benefit, and funded 100% from the Uniform Annual General Charge.

In considering the adoption and implementation of a Development Contributions Policy, the Finance Manager informed Council that it had been determined that there was not sufficient growth to justify the adoption of such a policy, but rather to reconfirm Council's current policy on financial contributions, which states that 'Council policy is not to charge development contributions to developers, to encourage more development in the district.' Councillors were further informed that while a draft policy had been prepared, it should not be adopted until Council were in a position to justify any contributions sought from developers.

<b>Resolved:</b>	<i>That Council adopt the Revenue and Financing Policy, Funding Policy, and Policy on Financial Contributions Policy, for submission to Council Auditors, and for inclusion in the 2009/19 LTCCP.</i>	<b>Heron/McKinnon</b>
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#### **REVIEW OF ELECTORAL SYSTEM**

**A.10.13**

<b>Resolved:</b>	<i>That the report be received.</i>	<b>Caves/McKinnon</b>
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The Chief Executive Officer spoke to the report informing Councillors of election processes as related to First Past the Post, and Standard Transferable Vote, electoral systems.

<b>Resolved:</b>	<i>That:</i>	
	<i>1 The First Past the Post (FPP) electoral system be retained for the next triennial election in 20120.</i>	
	<i>2. Public notification of the right to demand a poll on the electoral system is made by 19<sup>th</sup> September 2008.</i>	<b>Caves/Heron</b>

#### **ELECTION HOARDINGS POLICY**

**A.10.01**

<b>Resolved:</b>	<i>That the report be received.</i>	<b>Eaglesome/Heron</b>
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The Chief Executive Officer and Council's Planner spoke to the report explaining that the intent was to address the temporary erection of Election Hoardings throughout the District, to enable control over location, size, and quality. The primary concern was to ensure that no signs were erected within Council reserves, including road reserves, and that signs deemed to be unsafe, could be removed. Where signs were deemed to be unsafe, the authority to remove them would rest with Council's Engineering Manager. The proposed policy would be amended to reflect this.

<b>Resolved:</b>	<i>That the Election Hoardings Policy be adopted.</i>	<b>Petersen/McKinnon</b>
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#### **PROPOSED NATIONAL ENVIRONMENTAL STANDARD**

**B.01.11**

<b>Resolved:</b>	<i>That the report be received.</i>	<b>Petersen/Caves</b>
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Council's Planner spoke to the report advising that she was seeking Councillor's comment for inclusion in a submission to the Ministry for the Environment on the proposed National Environment Standard Discussion Document, provided to Councillors prior to this meeting. Council's Planner had attended a workshop in Napier where key issues were identified and further developed for consideration for inclusion within a submission. Councillors discussed the key issues for inclusion.

In referring to administration of the standard, there was consensus that Council would be better placed as the administrative body with Independently Qualified Persons who carried out warrant of fitness checks on systems, remaining independent of Council. Council also preferred that fees be allowed to be set by Council, as against being predetermined by legislation or a standard, so that they could be adjusted when required.

Councillors also requested that reference be made within the standard as related to systems that had been identified as failing, despite being within the warranty period of warrant of fitness checks on systems. Once a system had failed, the warrant should be null and void, with an inspection being required prior to a new warrant of fitness being issued.

Discussion was had as to the right to discharge to land for those who already hold consent for existing systems, but were required to install anew system. Would a new consent be required or could the existing consent be modified. The discussion document in its current form did not address this.

In recognising that the standard would not be mandatory, although likely to be adopted by the Hawke's Bay Regional Council, the need for consistency in identifying hot spots was discussed. Councillors believed that hot spots should be identified through direct consultation with district councils and site visits, as against analysing historic data. The need for a consistent approach nationally needed to be included within the document.

In referring to levels of affordability, Council supported the provision of targeted subsidies toward installation costs. There was also consensus in the need to review and apply realistic figures for the cost of inspection against those included in the discussion document, as Council did not support the transference of costs to other ratepayers.

<b>Resolved:</b>	<i>That the Chief Executive Officer and Council's Planner submit a submission to the Ministry for the Environment as relates to the proposed National Environmental Standard – On-Site Wastewater Systems.</i>	<b>Caves/Heron</b>
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## **ROAD CLOSURES**

**B.03.02.10.03**

<b>Resolved:</b>	<i>That the report be received.</i>	<b>Petersen/McKinnon</b>
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The Engineering Manager spoke to the report, informing Councillors that there was an addendum to the report in that closure was also sought for Special Purpose Road 38, from Aniwaniwa Bridge to Hopuruahine Landing Turn-off from 6am - 10am on Friday 21<sup>st</sup> November 2008. The remainder of the report sought Council approval for road closures as required by organisers of the Lake to Lighthouse Event.

The Event Manager, Mr Chris Joblin, informed Councillors that the closure of Marine Parade would provide an opportunity for businesses to utilise the main street in that the intention was to allow what would be the equivalent of a Boulevard Day, whereby business operators could have stalls and tables for patrons out in the street. With this in mind, it was hoped that business operators would support the requested closure of Marine Parade.

<b>Resolved:</b>	<i>That subject to consultation being undertaken that road closures as requested below, and the addendum to the report, be approved.</i>
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**ROTTEN ROW, TUAI** – From Piripaua Road to Tuai Main Road – Friday 21 November 2008 between 6.30am to 8.00am and Saturday 22 November 2008 between 6.30am and 8.30am.

**TUAI MAIN ROAD** – From Rotten Row to State Highway 38 – Friday 21 November 2008 between 6.30am and 8.00am.

**PIRIPAUA ROAD, TUAI** - From Rotten Row to State Highway 38 and including Renga Road – Saturday 22 November 2008 between 6.30am and 8.30am.

**MARINE PARADE** – From State Highway 2 to Murrae Street – Saturday 22 November 2008 between 7.00am and 10.00pm.

**SPECIAL PURPOSE ROAD 38**, from Aniwaniwa Bridge to Hopuruahine Landing Turn-off from 6am - 10am on Friday 21<sup>st</sup> November 2008.

**Heron/Caves**

**GENESIS ENERGY LAKE TO LIGHTHOUSE CHALLENGE REQUEST FOR SERVICES A.24.01.04**

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

The Chief Executive Officer spoke to the report informing Councillors that the purpose was to bring to their attention a request for services which had been received from the Event Director, Mr Chris Joblin, to enable the running of the Genesis Energy Lake to Lighthouse Challenge. Councillors were advised that the cost associated in approving the request was estimated to be \$7,000. This could be funded from unexpended funds in the 2007/08 Economic Development budget if Council wished to approve the roll over of these funds.

Mr Joblin informed Councillors that he was seeking Council's endorsement of the Lake to Lighthouse event, and was in attendance to answer any questions that may be forthcoming. The request included; the use of the entire river bank from Lockwood Point to Pilots Hill, the use of Council owned reserves and facilities at Tuai, allowing temporary use of the A&P Show Grounds as a camping facility, assistance in waste management activities, and road closures, which had been approved under a previous report.

Councillor Petersen expressed concern that there could be additional costs required to upgrade facilities at Tuai that were known to be in a state of disrepair. As such he believed it would be more appropriate for Council to consider making the full \$12,000 available for expenditure in the event that it was required.

**Resolved:** *That Council approve a \$12,000 contingency toward the request for services as outlined within the report, and that said funds are rolled over from the 2007/2008 Economic Development budget.* **Petersen/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 12 AUGUST 2008**

The Minutes of an Ordinary Meeting of Council held 12 August 2008 were presented.

**Resolved:** *That the Minutes of an Ordinary Meeting of Council held on 8 July 2008 be confirmed as correct.* **Eaglesome/Heron**

**RESOURCE MANAGEMENT COMMITTEE MEETING HELD 12 AUGUST 2008**

The Minutes of a Resource Management Committee Meeting held 12 August 2008 were presented.

**Amendments: Remove reference to W Wilson as he was not present at the meeting.  
Make reference to L Probert as being (His Worship the Mayor)**

**Resolved:** *That the Minutes of the Resource Management Committee held on 12 August 2008, subject to amendment, be received.* **Heron/McKinnon**

## GENERAL BUSINESS

### **LATE ITEM: DELEGATION – WARRANT TO ACT – RURAL FIRE OFFICER**

**C.18.03**

<b>Resolved:</b>	<i>That in accordance with Section 46A (7) of the Local Government Official Information and Meetings Act, the item LATE ITEM – DELEGATION – WARRANT TO ACT – RURAL FIRE OFFICER 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.</i>
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**Caves/Heron**

The Administration Manager spoke to the report, informing Councillors that Mr Tim Allan had been appointed to the position of Emergency Management Officer and that to enable him to undertake required duties with authority of Council, he needed to be a warranted officer.

<b>Resolved:</b>	<i>That the delegation of appointment as scheduled below, be approved with immediate effect.</i>
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**Caves/McKinnon**

Timothy Allan Rural Fire Officer	<ol style="list-style-type: none"><li>1. A "Rural Fire Officer" under Section 13(1) of the Forest and Rural Fires Act 1977.</li><li>2. An "Enforcement Officer" appointed under Section 177 of the Local Government Act 2002 for the enforcement of bylaws and regulations</li></ol>
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### **REGISTER OF INTEREST**

**A06.03**

Councillor Caves sought Council approval for a Register of Interest to be compiled annually as a means of identifying potential conflicts of interest, and that it be made available to the public. Councillor Caves requested that such a register be finalised prior to the October meeting of Council.

### **COUNCIL NEWSLETTER**

**A01.02**

Councillor Caves expressed concern that despite having a Councillor's newsletter, no opportunity had been made available for Councillors to contribute to the Newsletter to have topics of importance included. Councillor Caves was informed that it was not a Councillor's Newsletter, but rather a Council Newsletter, as agreed to in their adoption of the Communications Strategy. Councillors were encouraged to advise Management of suggestions for inclusion by sending an e-mail to the councillor e-mail address, which in turn would be passed on to Tamsyn Morunga, who had been engaged by Council to address aspects of Council's Communications Policy. Mrs Morunga endorsed this request advising that she welcomed any suggestions that may be forthcoming.

### **YOUTH COUNCIL**

**A23.04.08.01**

Councillor Eaglesome informed Councillors that she was seeking their approval to bring a scoping report to the October Meeting of Council with the intent of developing a Youth Council, and in due course a Youth Policy. Councillors expressed their support of this initiative and look forward to receiving the report.

### **LITTLE ELMS PROJECT**

**A24.14.03**

Councillor Eaglesome update Councillors on activities being undertaken as related to the Little Elms Project which would take place during the week of 6<sup>th</sup> – 12<sup>th</sup> October 2008.

### **AGRICULTURAL TRAINING PROPOSAL**

**A24.14.03**

His Worship the Mayor and Councillor Eaglesome informed Councillors of a meeting which had taken place at Wairoa College with parties involved in the rural sector. The intent was to have an agricultural academy established at Wairoa College by the commencement of term one, 2009.

**HEREHERETAU ROAD**

**B03.02.03**

Councillor McKinnon informed Councillor's and Management of complaints that had been received as to the condition of the Hereheretau Road, following its use for the Car Rally. While the road had been graded following the event, this had not removed the ruts. Road closures relied on the goodwill of people who lived on and used these roads daily, and as such they should not have to be impeded upon beyond the actual time of closure.

The Engineering Manager informed Councillors that there was a mechanism in place to source funds from the operator's of events, to repair any damage deemed to be caused by their activity, particular where the damage was deemed to be excessive. The initial inspection undertaken by contractors immediately following the event had not resulted in the identification of excessive damage.

**ROAD DEVIATION – RUAWHARAWHARA**

**B03.02.06.15**

The Engineering Manager informed Councillor's that there was a need to put together a Statement of Proposal based on the decision of Council as to their preferred option following the closure of part Ormond Drive. The Statement of Proposal would be brought to the October meeting of Council, and then taken out to the public for consultation. The Engineering Manager then explained the consultation, submission, and hearing process to be undertaken.

**ECONOMIC DEVELOPMENT SUMMIT**

**A30.02**

The Chief Executive Officer updated Councillors on matters relating to the Economic Development Summit to be held 9<sup>th</sup> and 10<sup>th</sup> October 2008 in the War memorial Hall. He requested that Councillor's confirm their attendance with him, or the Executive Secretary at the conclusion of the meeting so that invitations could be sent out to other identified parties.

**MIRRA**

**B01.08.01**

The Chief Executive Officer informed Councillors of a meeting that had taken place at Mahia with MIRRA (Mahia Isthmus Residents and Ratepayers Association) and concerns that were raised and discussed as related to the Mahia Wastewater Management Scheme.

**ADJOURNED: 11:52 AM**

**RECONVENED: 12:30 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;*

**Heron/Caves**

**RELEASE OF CONFIDENTIAL ITEMS**

**A06.09**

The following resolutions were approved for release.

**MAHIA WASTEWATER SCHEME**

**B.01.08.01**

**Resolved:** *That Council approve \$50,000 toward the undertaking of a feasibility study on alternative sites for a wastewater scheme at Mahia* **Caves/Heron**

**Resolved:** *That the Chief Executive Officer prepare a statement for release advising of Council's intention to undertake a feasibility study on alternative sites for a wastewater scheme at Mahia.* **His Worship the Mayor/Heron**

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

**MEETING CLOSED: 1:35 PM**