

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 13 March 2007 at 10.00 am.

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

COUNCILLORS

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

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| 1. Late Item – Office Upgrade – Executive Wing | (Administration Manager) |
| 2. Late Item – Funding Request – Takitimu Marae | (Chief Executive Officer) |
| 3. Late Item – Ormond Road Playground | (Engineering Manager) |
| 4. Late Item – Transit New Zealand 2007/2008 Land Transport Program | (Engineering Manager) |
| 5. Land Fill Hours | (Councillor Birrell) |
| 6. War Memorial Park | (Councillor Caves) |
| 7. Wairoa Township River Walkway | (Councillor McKinnon) |
| 8. Property Sales | (Councillor Shortt) |
| 9. Clyde Court Car Park | (Councillor Caves) |
| 10. Mayoral Update | (His Worship the Mayor) |

RECEIPT/CONFIRMATION OF MINUTES OF COUNCIL MEETINGS

ORDINARY MEETING OF COUNCIL HELD TUESDAY 13 FEBRUARY 2007

The Minutes of an Ordinary Meeting of Council held on 13 February 2007 were presented.

AMENDMENT:

Under Receipt/Confirmation of Minutes of Council Meetings, remove reference to Special Meeting of the Resource Management Committee Held 11 October 2006.

<u>Resolved:</u> That the Minutes of the Ordinary Meeting of Council held on 13 February 2007 be confirmed as correct. McIntyre/McKinnon

SPECIAL MEETING OF COUNCIL HELD TUESDAY 28 FEBRUARY 2007

The Minutes of a Special Meeting of Council held on 28 February 2007 were presented.

<u>Resolved:</u> That the Minutes of a Special Meeting of Council held on 28 February 2007 be confirmed as correct. Caves/McKinnon

DISCUSSION

Mahia Community Wastewater Scheme – Notice Of Requirement

The Chief Executive Officer informed Councillors that Council's Solicitor had prepared a Notice of Requirement, which would be placed as an advertisement in papers later in the week. The placement of the advertisement would allow Council to receive public comment on its intention to utilise land upon which to implement a Mahia Community Wastewater Scheme.

RECEIPT OF COMMITTEE MINUTES

MAORI COMMITTEE MEETING HELD 30 JANUARY 2007

The Minutes of a Meeting of the Maori Committee held on 30 January 2007 were presented.

AMENDMENT:

Under General Business amend reference to Ormond Road, which should read Ormond Drive.

Resolved:	<i>That the Minutes of a Meeting of the Maori Committee held on 30 January 2007 be received.</i>	Caves/Eaglesome
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DISCUSSION

Meeting – Takitimu Marae

His Worship the Mayor informed Councillors of his, the Deputy Mayor and Council Staff attendance at a Hui held at Takitimu Marae at which local residents raised concerns relating to the discharge of contaminants to air and water by Wairoa Timber Processors Ltd. Any fears of attendees were allayed, in that there had been a misconception as to the type of matter that would be discharged by the Mill.

The Chief Executive Officer informed Councillors that Building Consent had been issued the previous week, which allowed the construction of two kilns to proceed. Council's involvement in the process had been restricted to Building Consent, and consenting the construction of an earth wall around the site.

GENERAL BUSINESS

LATE ITEM – TRANSIT NEW ZEALAND 2007/2008 LAND TRANSPORT PROGRAM **B.03.01.03**

Resolved:	<i>That in accordance with Section 46A (7) of the Local Government Official Information and Meetings Act, the item LATE ITEM – TRANSIT NEW ZEALAND 2007/2008 LAND TRANSPORT PROGRAM 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>	Birrell/Eaglesome
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The Engineering Manager spoke to the report, informing Councillors that he had received Transit New Zealand's 2007/2008 Land Transport Programme, which was open for receipt of submissions until 30th March 2007. This was effectively the first of a ten-year programme that Transit had developed in 2006. The Engineering Manager sought Councillor's guidance as to whether they supported what was scheduled within the 2007/2008 Programme, wished to raise other items for consideration, and whether they wanted to speak to their submission.

Councillor McIntyre advised of his, and others, concerns where Iwitea Road intersected with State Highway Two. The current design allowed no room for turning traffic to pull over when having to give way to on-coming traffic. This resulted in all vehicles having to come to a complete stop. As a number of fatalities and serious accidents had occurred at this intersection over recent years, Councillor McIntyre was of the opinion that it should be considered and included in a works programme.

His Worship the Mayor, and The Engineering Manager stated that there was nothing to stop individuals from making submissions to Transit New Zealand, informing them of localised issues such as Iwitea Road intersecting with State Highway Two. The Engineering Manager was seeking Council's direction on any District wide priorities that Councillors may wish to raise.

Councillor Birrell expressed concern at the number, position, and length of passing bays on State Highway Two. In many instances, particularly when overtaking large trucks, there was barely enough length to complete an overtaking manoeuvre safely.

Resolved:	<i>That the Engineering Manager forward a submission to Transit New Zealand, advising of Council's endorsement of Transit New Zealand's 2007/2008 Land Transport Program, while also advising of Council's concerns for improvements to be made on the Putorino Gorge, State Highway 38, and passing bays on State Highway Two.</i>	Birrell/McKinnon
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LATE ITEM – ORMOND ROAD PLAYGROUND

G.01.02.16

Resolved:	<i>That in accordance with Section 46A (7) of the Local Government Official Information and Meetings Act, the item LATE ITEM – ORMOND ROAD PLAYGROUND 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>	Birrell/Eaglesome
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The Engineering Manager spoke to the report, informing Councillors that following on from their decision in February to close the Ormond Road Playground, the Operation's Manager was seeking Council's direction as to the future placement of existing swings, on an alternative site. A number of options had been presented for Councillor's consideration.

Councillor Eaglesome expressed preference that the swings be erected at an alternative site in North Clyde, as that was the area from which they had been removed. If there was no suitable place for them to be erected at present, then they should be stored for future use. Councillor Caves was not in favour of storage, as parts would be lost overtime, or equipment fall into a state of disrepair.

Councillor McKinnon was of the opinion that the Wairoa Yacht Club would be a preferred location in that there were residences with children immediately opposite, and a number of children frequented the yacht club area. Spooners Point in comparison was more of a passive recreation picnic area, which rarely attracted children.

Resolved:	<i>That the swings from the Ormond Road Playground be re-erected in the vicinity of the Wairoa Yacht Club.</i>	McKinnon/Birrell
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LATE ITEM – FUNDING REQUEST – TAKITIMU MARAE

A.06.14.02

Resolved:	<i>That in accordance with Section 46A (7) of the Local Government Official Information and Meetings Act, the item LATE ITEM – FUNDING REQUEST – TAKITIMU MARAE 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>	Birrell/Eaglesome
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Councillor Eaglesome spoke to the report, reiterating previous comments made in respect of what Takitimu meant to the Community. The Takitimu Marae Committee had raised funds to have a sprinkler system installed, which would reduce the amount of insurance required on the building in future years, and were seeking financial assistance from Council to meet their insurance premium for the current year.

Councillor Eaglesome enquired as to whether it was possible to insure the building with Council as a Building of Interest. The Chief Executive Officer informed Councillors that Council's insurers had advised that Council could not be seen to have an insurable interest in the building, unless Council clearly had some form of ownership of the building. As this was not possible, it did not qualify to be included on Council's insurance schedule.

Councillor Caves expressed disappointment in the manner in which the item had come before Council, and that financial statements were not provided, a previous requirement for all other organisations that came to Council seeking funding. Councillor Caves requested that more information be presented to Council prior to any decision being made. Councillor Eaglesome asked Councillor Caves to qualify the detail of information he required to make a decision. The Takitimu Marae Committee were not running a business, they were merely the caretakers of a Ngati Kahungunu Marae, and as such were unable to forecast what annual requirements for expenditure may be, or potential sources of income. Councillor Caves defended his stance stating that the Lotteries Board had strict guidelines that applicants had to follow, and as such Council should be seen to apply the same criteria in respect to seeking supporting information. Councillor Caves was also of the opinion that as Takitimu was a National Treasure, support should be sought from Maori Organisations and Marae that are affiliated to Kahungunu.

Councillor Birrell stated that while he agreed that Takitimu was a National Treasure, Marae that affiliated with Takitimu should be able to source funding from other avenues. An example given was to approach large Maori Incorporated Blocks. If Takitimu meant as much to the Maori Community as was being stated, it shouldn't be too hard to raise what was a small sum of money from other avenues.

Councillor Shortt was concerned that any provision of funding may set a precedent for applications being made from other community Marae, and as such believed funding should be sourced from other avenues.

Councillor McKinnon, while acknowledging that Takitimu was indeed a National Treasure, and irreplaceable, supported Councillor Caves in his request for more information to be presented. Councillor's had made a point of insisting that a balance sheet and business plan be presented with all applications seeking funding, and as such, it should be enforced. Councillor McKinnon was also concerned that it may set a precedent, as there were Marae in the District that Maori would rate as important as Takitimu. The presentation of a balance sheet would show the support received from tribal institutions thereby showing their support of Takitimu Marae.

Councillor McIntyre stated that it was an emotive issue and that he would support a 50% subsidy being approved, however he would also like to see more information prior to any decision being made.

His Worship the Mayor in addressing Councillors, stated that point raised were valid and that no one doubted the value of Takitimu Marae in the scheme of things. The Mayor was of the position that regardless of the outcome, there was a role for the Mayor to play in encouraging the larger Maori Community to take responsibility for what was a National and Community Treasure.

In reply to all Councillor's, Councillor Eaglesome noted that it was obvious that support would not be forthcoming from Council, and that she was disappointed in what was clearly a lack of understanding of Maori and the Maori community by fellow Councillors, particularly as related to the community value of Takitimu Marae. Councillor Eaglesome strongly refuted any statements made that it would be 'precedent setting' as it was a recommendation made to Council by the Maori Committee, thereby illustrating the endorsement of all other Marae and Hapu in the District.

Resolved: *That the information be received and no funding be provided at this stage.*

Caves/Birrell

AGAINST: Councillors Eaglesome and McIntyre

LATE ITEM – OFFICE UPGRADE – EXECUTIVE WING

H.02.01

Resolved: *That in accordance with Section 46A (7) of the Local Government Official Information and Meetings Act, the item LATE ITEM – OFFICE UPGRADE – EXECUTIVE WING 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.*
Birrell/Eaglesome

The Administration Manager spoke to the report, informing Councillors that poor lighting had been raised as a Health & Safety issue in the offices of the Operations Manager and Utilities Manager. Under sections, eight, nine, and ten, of the Health & Safety in Employment Act 2002, Council were required to eliminate, isolate, or minimise any known hazards. Council had attempted to minimise the hazard by installing fluorescent lights, however an electrician had since advised that this was not possible as there was no cavity within the ceiling in which to place new lights. As the ceiling would have to be lowered to allow the hazard to be remedied, it was thought prudent that funds be sought allow the completion of upgrading of Council Offices, as the difference in cost would be minimal. Council had a legislative requirement to address the hazard, and it was merely a matter of Council determining whether minimal work, that is the lowering of the ceiling and the installation of lights, be carried out, or that there be a complete upgrade of the two offices.

Councillor McIntyre questioned why refurbishment costs in the past had exceeded those budgeted for, as work was completed under contract. The Administration Manager stated that while refurbishment costs were adhered to, unforeseen additional costs such as electrical rewiring, installation of carpet, and additional furnishings, had exceeded funds available. As with all projects, when the budget becomes expended, stages of a project are redefined.

Councillor Caves recalled a number of cost over-runs over the years related specifically to furnishings, and the removal of the podium from Council Chambers. Councillor Caves was of the opinion that more options should have been presented for consideration, as he believed that installing hanging lights would suffice. The Administration Manager informed Councillors that this had been suggested as an option, however the electrician had advised that as there was no ceiling cavity, electrical wires would have to be fixed externally to the ceiling and walls, presenting an additional hazard to employees.

The Chief Executive Officer expressed concern at Council's debating what was a minor issue in that the upgrade of the two remaining offices would have to take place eventually, the only difference would be the increase in cost if it were to be delayed. Funds to undertake the work were provided for in the Depreciation Fund, which were set aside for the purpose of upgrading Administration Building Assets as and when required.

Councillor Shortt stated that he had inspected the two offices, which at best could be described as being scungy. Councillor Shortt also expressed concern at the number of leaks currently within the building, requesting an update of what was happening. The Administration Manager advised that a sum had been included in the 2007/2008 budgets, which would allow for an investigatory report on the condition of the ceiling/roofing iron, and repairs.

Resolved: *That Council approve funding of \$10,359, to be funded from the Depreciation Reserve, to complete the upgrade of the Executive Wing of Council.*
Birrell/McKinnon

WAIROA LANDFILL

B06.03

Councillor Birrell informed Councillors that several residents who had expressed their discontent at the Landfill Opening Hours being 11am – 5pm had approached him. These were primarily people who finished work at 5pm and had taken their rubbish to the Landfill, only to find that the gates were locked. Councillor Birrell asked whether it were possible to change the opening hours, suggesting that Midday to 6pm may be more suitable.

The Engineering Manager advised Councillors that he could do whatever they requested, however to be aware that any changes, or extension to hours, would result in extra costs being imposed on Council, costs which may or may not be recovered from Landfill income. The Engineering Manager was hesitant to move a block of hours, as it would disadvantage the largest users of the landfill, primarily the business community. Councillor McIntyre spoke as a business community user, stating that the opening hours of 11am – 5pm was not suitable in that most business 'tidied up' first thing in the morning, but had to wait until 11am before they could dispose of their rubbish.

The Engineering Manager informed Councillors that the department was embarking on a survey to raise other issues as related to the Landfill, and that given the dissatisfaction in Landfill Hours being expressed, that the survey could be expanded to seek comment from Landfill users on Opening Hours. This would result in a larger sample of people being able to state their concerns.

WAR MEMORIAL PARK

G02.06

Councillor Caves sought an update of what plans were in place for Council's involvement with the Tapuae Sports Club initiative at War Memorial Park. The Chief Executive Officer informed Councillor Caves that by Council resolution, involvement had been restricted to the fencing of the park, which had since been completed and the upgrading and maintenance of existing Council owned facilities. Council had granted an 80 year lease to the Club. Council had resolved that no funding was to be provided to the Tapuae Sports Club towards the project.

WAIROA TOWNSHIP RIVER WALKWAY

B03.02.02.01

Councillor McKinnon informed Councillors that he had walked the Walkway the previous week and was very impressed by the work that had been carried out by Periodic Detention Workers in removing vegetation, and generally cleaning up the riverbank between the walkway and the water's edge. It was Councillor McKinnon's opinion that their efforts had added to a 'positive vision impact' of Wairoa and that Council's appreciation should be expressed for a 'job well done.'

His Worship the Mayor agreed, stating that this would be done by the Walkway Steering Committee. Funding had been obtained for the walkway to be constructed as far as the Gaiety Theatre. The Mayor, Deputy Mayor, and Councillor McIntyre had made a commitment to raise funds to construct the Walkway as far as Spooner's Point. The target date for completion of this stage was the end of September 2007.

The overall impression was that the walkway had been well received by the community at large.

UPDATE - PROPERTY SALES

H01.03

The Finance Manager informed Councillors that under the terms of the lease with Write Price, Council were required to notify the lessee of their intent to sell, and that the lessee had first right of purchase over any agreed price. The Chief Executive Officer had signed off on the Marketing Strategy.

Remaining Council owned properties in Glengarry place had been advertised, with calls for tenders. The Gisborne Milk Company had purchased the two sections adjacent to their current facility and the two sections on River Parade had also been purchased at the price Council had asked for. In referring to the property that the Rod and Custom Club were interested in purchasing, it was likely that Council would have to demolish the building that was on-site, and just sell the section, as the building had been condemned as was not within the sections boundaries. Demolition was seen as the preferred option for all parties concerned.

A number of parties had also expressed interest in the section of the former Ormond Road Playground.

CLYDE COURT CAR PARK

H11.01

Councillor Caves sought an update as to Council's ownership and obligations as related to the sale of the Clyde Court Car Park. The Chief Executive Officer restated earlier comments made to Councillors that sale was not an option as Council had obligations to meet as related to a number of parties with interest in the Car Park.

MAYORAL UPDATE

A06.07.10

The Mayor updated Councillor's on activities he had been involved in, and meetings attended since their meeting in February.

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/Shortt

EXCLUDED FROM: 11:33 AM

READMITTED FROM: 12:01 PM

RELEASE OF CONFIDENTIAL ITEMS

A06.09

NIL

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

MEETING CLOSED: 12:03 PM

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Chair