



## Minutes of an Ordinary Meeting of Council

3.00pm Tuesday 27 September 2016 held in the Council Chamber, Wairoa District Council, Coronation Square, Wairoa.

**Present:** His Worship the Mayor Mr C Little (Chairman)

Councillors: M Bird, B Cairns, D Eaglesome-Karekare, J Harker, M Johansen, H Flood.

P Kelly (Māori Standing Committee Representative)  
F Power (Chief Executive Officer)  
H Montgomery (Chief Operating Officer)  
J Cox (Engineering Manager)  
J Baty (Corporate Services Manager)  
A Morton (Chief Financial Officer)  
K Tipuna (Communications Strategist)  
C Knight (Governance Advisor & Policy Strategist)

### Procedural Items

**1. Karakia**

The karakia was given by Mr P Kelly.

**2. Apologies for absence**

Councillor Cairns (for lateness).

**3. Declarations of Conflict of Interest**

Councillor Harker:

- Item 10 – Other disclosable interest: owner of a property in the area
- Item 8 – Other disclosable interest: employee of QRS

**4. Chairman's Announcements**

None.

**5. Items of Urgent Business not on the Agenda**

Confidential item – Chief Executive Performance Review 2015/16

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## 6. Public Participation

Mr C Hart requested to speak when Item 11 was addressed by Council rather than in this section.

## 7. Confirmation of Minutes of the Previous Meeting

**Resolved:** *That the minutes of the Ordinary Meeting of Council held on 23 August 2016 be confirmed as a correct record of the proceedings.*

***Eaglesome-Karekare/Flood***

## 8. CEO Monthly Report

The Chief Executive Officer presented his report.

Councillor Cairns entered the meeting at 3.05pm

**Resolved:** *That the report be received.*

***Harker/ Eaglesome-Karekare***

## 11. Phoenix Palm Stock

The Engineering Manager presented the report.

Mr C Hart addressed the Council regarding his concerns about Phoenix Palm Trees.

Councillors discussed:

- Mahia Avenue case and the outcome of that
- Tree Policy
- Health and safety issues regarding vermin etc.
- Quality of life of ratepayers living near these trees
- Replacement of trees when they are cut down with more amenable species
- Care and maintenance of replacement trees as they are growing

**Resolved:** *That Council:*

- *Receives this report*
- *Resolves to allow replacement of Phoenix palms where public opinion and local context indicate this to be appropriate*

***Harker/Flood***

## 12. Rural Fire Plan Review

The Chief Operating Officer presented the report.

**Resolved:** *That Council adopt the Wairoa District Council Rural Fire Plan dated 27 September 2016.*

*Harker/Cairns*

## **8. QRS End of Year Report (Verbal Update)**

Mr C Torrie (Chair of QRS Board) and Mr M Browne (CEO of QRS) presented an update on the 2015/2016 financial year and outcomes. Financial statements were finalised on the 26<sup>th</sup> September and would be forwarded to Council for receipt at their inaugural meeting in October.

Councillor Flood left the meeting at 3.30pm

Councillor Flood re-entered the meeting at 3.33pm

Councillors discussed:

- Return on equity
- Current vacancies

## **9. S17a Service Delivery Review**

The Governance Advisor & Policy Strategist presented the report.

Councillors discussed:

- Possible penalties for non-compliance
- Timing of proposed full s17a reviews

**Resolved:** *That Council:*

- a) Receive the Stage 1 Report attached as Appendix 1;*
- b) \$20,000 be allocated from general reserves for costs of 2016/17 reviews; and,*
- c) Endorse the following stage 2 s17a review programme:*
  - i. Rooding – to be reviewed 2019/20*
  - ii. Three waters – to be reviewed 2020/2021*
  - iii. Waste Management – to be reviewed 2016/17*

*Little/Eaglesome-Karekare*

## **10. Mahanga non-potable water supply and Happy Jacks Road Referendum**

The Corporate Services Manager presented the report.

Councillors discussed:

- Anomaly in the legislation regarding voter eligibility and writing to responsible government department about this matter
- Ensuring information is readily available to those participants

**Resolved:**      *That Council:*

a) *Receive the report; and,*

b) *Follows Option 1: Under section 138A LEA, if the Electoral Officer receives a notice to hold a poll (referendum) in the period that begins on 28 September 2016 and ends with the close of 20 November 2016, then the earliest date the poll can be held is Friday, 17 February 2017. A referendum timetable under this scenario would be:*

- *Roll open for inspection - 24 November 2016*
- *Roll closes - 22 December 2016*
- *Delivery voting packs - 26 January 2017*
- *Close of voting - 17 February 2017 (noon)*

*This option will be good for bach owners able to vote over the Christmas/New Year period.*

***Eaglesome-Karekare/Johansen***

Councillor Cairns left the meeting at 4.27pm

#### **Receipt of Minutes from Committees/Action Sheets**

##### **13. Economic Development Committee**

Councillors discussed the use of “Wairoa” in food branding from non-Wairoa companies.

**Resolved:**      *That Council receives the unconfirmed minutes of the meeting of the Economic Development Committee on the 1<sup>st</sup> August 2016.*

***Eaglesome-Karekare/Harker***

##### **14. Finance, Audit & Risk Committee**

**Resolved:**      *That Council receives the unconfirmed minutes of the meeting of the Finance, Audit & Risk Committee on the 6<sup>th</sup> September 2016.*

***Harker/Eaglesome-Karekare***

##### **15. Council Action Sheet**

No queries

#### **Public-excluded items**

##### **16. Resolution to exclude the public**

ADJOURNED: 4.37pm

RECONVENED: 4.47pm

**Resolved:** That the public be excluded from the following parts of the proceedings of this meeting, namely:

1. Confidential Minutes of Previous Council Meeting
2. Confidential Minutes of Finance, Audit & Risk Committee 6<sup>th</sup> September 2016
3. Late item - Chief Executive Performance Review 2015/16

The general subject of each matter to be considered while the public is excluded; the reasons for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48(1) to the passing of this resolution</b>
Confidential Minutes of Previous Council Meeting	Section 7 (2) (a) protect the privacy of natural persons, including that of deceased natural persons (h) enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities (i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	(i) where the local authority is named or specified in the Schedule 1 to this Act, under section 6 or section 7 (except section 7(2)(f)(i)) [of the Local Government Official Information and Meetings Act 1987]
Confidential Minutes of Finance, Audit & Risk Committee 6 <sup>th</sup> September	Section 7 (2) (a) protect the privacy of natural persons, including that of deceased natural persons; (b) protect information	(i) where the local authority is named or specified in the Schedule 1 to this Act, under section 6 or section 7 (except section 7(2)(f)(i))

	2016	<p>where the making available of the information – (ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information;</p> <p>(c) protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information—</p> <p>(i) would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied;</p> <p>or</p> <p>(ii) would be likely otherwise to damage the public interest; or</p> <p>(h) enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities;</p> <p>(i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p>	[of the Local Government Official Information and Meetings Act 1987]
	Chief Executive Performance	Section 7 (2) (a) protect the privacy of	(i) where the local authority is named or

	Review 2015/16	natural persons, including that of deceased natural persons	specified in the Schedule 1 to this Act, under section 6 or section 7 (except section 7(2)(f)(i)) [of the Local Government Official Information and Meetings Act 1987]
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***Flood/Harker***

**PUBLIC EXCLUDED: 4.47pm**

**RE-ADMITTED: 4.58pm**

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

**CLOSED:** The meeting closed at **4.58pm.**

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Chair