

CHATHAM ISLANDS COUNCIL

Minutes of the Ordinary Monthly Meeting of the Chatham Islands Council, held in the Council Chambers, Tuku Road, Waitangi, on Thursday, 21 August 2008, commencing at 1.55 p.m.

PRESENT: Deputy Mayor, A W M Preece (Acting Chairman), and Councillors P R Christiansen, M Croon, B J Mills, N C Ryan, E C Tuck and N J Whaitiri.

IN ATTENDANCE: General Manager, Owen Pickles
Finance Manager, Deborah Goomes
Council Secretary, Lynette Pickles
Jamie Preston, Hospital Manager (2.15 - 3.15 p.m.)

APOLOGIES: Apologies were received from His Worship the Mayor, P F Smith, and Councillor A M Gregory-Hunt.

RESOLVED THAT the apologies from His Worship the Mayor and Councillor Gregory-Hunt be received.
M Croon / E C Tuck CARRIED

MINUTES: **2.1 Ordinary Meeting, 10 July 2008**

RESOLVED THAT the Minutes of the Ordinary Meeting of the Chatham Islands Council, held on Thursday, 10 July 2008, be confirmed and adopted as a true and correct record.
B J Mills / E C Tuck CARRIED

FINANCE: **3.1 Council Dues Report June 2008**

The Council Dues Received Report for the period ending 30 June 2008 was presented to Council.

RESOLVED THAT the Council Dues Report for the period ending 30 June 2008 be received.
N J Whaitiri / M Croon CARRIED

3.2 Rate Arrears, June 2008

The Rate Arrears Report for the period ending 30 June 2008 was presented to Council.

The General Manager noted that the arrears outstanding for the year were under \$10,000 for the first time.

RESOLVED THAT the Rate Arrears Report for the period ending 30 June 2008 be received.

M Croon / E C Tuck CARRIED

3.3 Debtor Report, June 2008

The Debtor Report for the period ending 30 June 2008, showing a balance outstanding of \$11,917, was presented to Council.

The General Manager noted that the debtor situation had improved immensely, with only \$8,320 owed going back more than two months. Those debtors were being pursued through the normal debt collection procedures.

RESOLVED THAT the Debtor Report for the period ending 30 June 2008 be received.

N J Whaitiri / N C Ryan CARRIED

3.4 Term Investment Schedule

The Term Investment Schedule as at 30 June 2008 was presented to Council.

RESOLVED THAT the Term Investment Schedule as at 30 June 2008 be received.

E C Tuck / M Croon CARRIED

3.5 Proposal to Abolish Council Dues

A letter was received from Chatham Islands Federated Farmers seeking the abolishment of the Council Dues System and asking to open dialogue with Council on the issue.

The General Manager stated that he had made some recommendations to Council, but he was not 'attached' to them. He advised that Council's budgets for the next four years had already been set, and were based on collecting Dues during that period. To suspend the Dues System would mean Council would have to substantially reduce its financial commitments.

Cr Mills stated that he was in favour of the recommendations made by the General Manager. He thought that it was fine for people to have their say on the matter, but in the end it was Council that makes the

decisions. The people would have to come up with a very good alternative. He suggested that the Working Party have a few meetings and if a sensible option could not be agreed on, then the whole issue should be dropped.

Cr Croon stated that she did not agree with the recommendations. She felt that the Dues System was a broader way of collecting from the community and thus fairer as it collected from more than just the ratepayer. If the Dues were abolished, then the rates would have to rise.

Cr Preece agreed that if the Dues were abolished, then many in the community would not pay anything at all, and questioned what the Due could be replaced with. He thought it a good idea that the issue be discussed through a Working Party.

The General Manager stated that the Annual Plan was presented to the community every year seeking submissions on what Council was planning. Very few submissions were received.

Cr Tuck suggested that a study be undertaken to prove to the farmers that if the Due was dropped their rates would rise. She would like to see some public consultation after the Working Party had completed its review.

Cr Ryan suggested that the Working Party should only be the Council as it was only the Council that could make a decision on the Dues System.

Cr Whaitiri stated that the membership of those who would be invited to be on the Working Party was already represented around the Council table.

Cr Croon moved that Federated Farmers should be invited to make a submission about Council Dues to the Annual Plan and the Long Term Council Community Plan with status quo remaining until then. Cr Whaitiri seconded the motion. The motion was lost.

Cr Mills stated that the reason why he would like to see the General Manager's recommendations adopted is that there would be representatives from all parts of the community on the Working Party, therefore there would be no need to go through more public consultation. The

Working Party would need to be made aware that ultimately any decision would be the Councils.

Cr Preece agreed, stating that the setting up of a Working Party to look at the Dues System would send a message out to the public that Council was doing something.

RESOLVED THAT

1. Council establish a Working Party with the view to reviewing the future of the Dues System.
2. Membership of the Working Party include representatives from the Council, Chatham Islands Federated Farmers, the Fishing Industry, Hokotehi Moriori Trust and Ngati Mutunga O Wharekauri Iwi Trust.
3. The Working Party be required to report back before 13 February 2009.

B J Mills / N C Ryan CARRIED

WORKS & SERVICES: 4.1 Downer EDi Works Report, June 2008

RESOLVED THAT the Downer EDi Works Report for June 2008 be received.

N J Whaitiri / E C Tuck CARRIED

Cr Preece stated that the new reports were far more informative and easier to read. Everyone agreed.

4.2 Downer EDi Works Report, July 2008

RESOLVED THAT the Downer EDi Works Report for July 2008 be received.

N C Ryan / B J Mills CARRIED

There was some discussion on the road sealing to be undertaken through Owenga Village and where it would begin and end.

4.3 Engineer's June 2008 Report

The monthly report for June 2008 from Council's Roothing Engineer was enclosed with the Agenda.

Cr Preece asked if there had been any progress on the Owenga Wharf. The General Manager advised that he was waiting for the New Zealand Transport Agency to pass its coastal funding policy before there would be any further progress.

RESOLVED THAT the June 2008 Progress Report from Council's Roading Engineer be received.
E C Tuck / N J Whaitiri CARRIED

4.4 Engineer's July 2008 Report

The monthly report for July 2008 from Council's Roading Engineer was enclosed with the Agenda.

Cr Croon asked if the work at the General Manager's residence had been completed. The General Manager advised that the men were due back the following week to complete the project.

RESOLVED THAT the July 2008 Progress Report from Council's Roading Engineer be received.
M Croon / N C Ryan CARRIED

4.5 Air Base Road & North Road Seal Extension Feasibility

The engineering report on the seal extension feasibility for Air Base Road and North Road was presented to Council. The total cost of the seal extension project is in excess of \$13m.

The General Manager advised that as all of the engineering design work had been completed, it was important that the project was put onto the New Zealand Transport Agency's programme.

Cr Preece stated that the volume of metal that would be needed for the project was mind-boggling. The General Manager agreed, but also advised that because of the size of the project, more resources would be required on the Island before commencement in possibly five years time, pending approval of the New Zealand Transport Agency.

RESOLVED THAT the findings in the Air Base Road and North Road Seal Extension Feasibility Report be discussed with the New Zealand Transport Agency to gauge their support.
E C Tuck / N C Ryan CARRIED

4.6 Wharf Road, Waitangi – Cliff Face Remedies

The engineering report on the geotechnical assessment of the stability of the cliff face above the Wharf Road at Waitangi was presented to Council.

The General Manager advised that funding for the remedial works is in the Land Transport New Zealand programme as a Category 2 project. With the completion of the report, it was now necessary to seek Land Transport New Zealand's support to have the works listed as a Category 1 project.

Cr Mills noted from the Executive Summary of the report "... that further instability of the cliff face ... would continue as a function of the geologic nature of the formation exposed in this area".

Cr Preece stated that it was still necessary for the remedies to be undertaken as there was a public safety issue involved.

RESOLVED THAT

1. Funding support for the following remedies be sought from Land Transport New Zealand:
 - a) Aggressively scaling loose materials on the exposed sections of the slope (the entire length of the roughly 130m more-problematic south-east facing cliff) to reduce the immediate risk of rockfall and root-zone failures from the upper slopes. This effort would remove potentially loose materials from the overall slope, and eliminate the potential rockfall hazards for the immediate future by knocking off the existing isolated knobs and promontories that currently exist on many of the upper sections of the slope. It will also eliminate the possibility of large root-zone failures from the top of the slope which have been observed in several locations. However, it will also remove the existing vegetation mat that currently protects the upper portion of the slope.
 - b) Close inspection of the scaled cliff surface should be made (by appropriately trained high-scale personnel) to effectively monitor the success of the scaling operation and determine when scaling operations have successfully removed all the loose materials on the slope and exposed fresh competent materials across the exposed cliff face.
 - c) Since the current erosion patterns will likely quickly redevelop over time as a function of the geologic nature of the bedrock materials, it is recommended that hydroseeding should be utilised to re-establish vegetation on the upper

portion and flatter portions of the exposed cliff face as quickly as possible after scaling efforts are completed to stabilise the slopes and reduce the subsequent erosion of the fresh surface.

- d) Accumulated debris along the road surface and roadside channels should be removed back to firm formation, and conventional debris catch area (safe buffer zone) should be created between the roadway surface and the cliff face, especially below the potentially worst portions of the slope (as space allows). Approval of disposal of excavated materials will likely involve transporting to a location approved by Chatham Islands Council.
- e) A roadside drainage channel should be constructed along the inside edge of the road to prevent ponding or flooding along the toe of the existing cliff face. Existing pipe outlets should be cleaned out, and robust debris screens (trash racks) should be constructed over the inlets to prevent future blockage of the drainage culvert inlets.
- f) Diversion channels or berms should be constructed along the perimeter of the top of the cliff face to intercept and divert surface runoff away from the top of the cliff to reduce the potential for progressing the headward erosion along the top of the cliff. Depending on the capacity of the present outfall, this may also require the design and construction of a new outlet channel, or modification of the existing outlet channel. This new channel may also require the construction of a new energy dissipation structure to protect the road surface at the base of the cliff where the diverted flows are directed to the existing drainage culvert on the north side of the cliff face. The extent of what will be required for the outfall should be determined during the proposed remedial actions when the appropriate personnel and equipment are mobilised.
- g) Frequency of future inspections and regular maintenance should be increased to remove debris from the toe of the slope along the roadway (as required), and to ensure roadside drainage channel and pipe outlets are maintained free and clear, and do not become blocked. A surveillance programme should be established to closely monitor the cliff face following remedial actions and determine

whether additional mitigation may be required if existing slips continue to spread laterally.

- h) Existing rockfall warning signs located on left hand side of the road along the downhill approach and near the entrance to the wharf hardstand area can be obscured by vegetation. Consider moving the existing signs to seaward side of the road to make it more prominent and closer to the exposed cliff face, or adding additional signs. Also recommend that the speed should be reduced to 30 kph (or less) for this short stretch of road.
 - i) Consideration should be given to installing a geosynthetic netting commonly used to improve the success of hydroseeding revegetation efforts, and to reduce the potential for bounce and roll of frittering materials. However, limited access along the steep high slopes may make this option cost-prohibitive.
 - j) Further consideration should be given to recommending to the pedestrian traffic that they should walk along the outside edge of the road to avoid potential future rockfalls and create a practical buffer zone.
 - k) Further consideration should be given to installing a guardrail along the outside edge of the road on the top of the existing seawall to prevent vehicles from slipping or driving off the road into the sea.
 - l) Further consideration should be given to installing a Jersey barrier wall or equivalent to create some form of debris rock catch fence along the inside edge of the road.
2. MWH Limited be authorised to action the remedies, subject to funding being confirmed.

E C Tuck / N C Ryan CARRIED

COMMUNITY SERVICES:

5.1 Morgue Facility

Two letters were received from concerned residents about the condition of the morgue during a recent bereavement. George Hough had fixed the problems, and with regular maintenance, such things happening again should be avoided.

The General Manager reported that the letters and some verbal concerns that he had received, highlighted that all was not well with the way that the Island dealt with its deceased persons. He had also received concerns

about where some deceased were being buried, and respectfully requested that it might be time to put some formalities in place.

Jamie Preston, the Manager of the Chatham Islands Hospital, attended the meeting to talk about the issue from the Hawkes Bay District Health Board's perspective.

The General Manager advised that the Council was being exposed more frequently over the handling of deceased persons. Most burials were not compliant with the relevant legislation and this was of concern. He stated that there needed to be more talk in the future with the community about setting up protocols for bereavements.

The General Manager also advised that in the past he had attempted to get Hawkes Bay District Health Board to take over the running of the morgue, but without success.

Jamie Preston advised that he held a meeting with His Worship the Mayor and John Thomson from New Zealand Police. It had been noted that there was a need for some extra equipment for the morgue and for the handling of deceased persons. There was also the need for an accredited person to regularly check the morgue.

He suggested that due to lack of funds, volunteers would be needed for the safe running of the morgue. Those people could take responsibility for the checking of facilities, and when signing off, could let us (hospital) know if there as anything needed.

Cr Preece stated that there needed to be policies and procedures established for the running of the morgue with sign-offs on all actions.

The General Manager advised that the problems at the morgue could be easily fixed and he and Jamie would deal with that, but there was a wider issue to be dealt with. Embalming training needed to be undertaken by those who would be dealing with deceased persons and this could not just be done in a week. There was also an issue with where some deceased were being buried and the General Manager believed that, after consultation with the community, there needed to be some formalities introduced.

The General Manager advised that George Hough and Bob Weston were doing some work on plotting the three main cemeteries on the Island at Kapeto, Te One and Owenga, to try to get an accurate record of burials. Some liaison with families who have private cemeteries also needed to be undertaken with the view to having them all registered.

Cr Tuck advised that Thomson Refrigeration came to the Island every six months and they could be contracted to check the morgue chiller each visit.

Jamie Preston advised that he would attend the next Council Meeting in October to give an update on morgue issues. He also advised Council that the Chief Executive Officer of the Hawkes Bay District Health Board was coming to the Island in December and he would like to arrange a public meeting.

RESOLVED THAT

1. The letters be received.
2. Council apologise for any offence taken by the community during recent events.
3. His Worship the Mayor convene a meeting of community leaders to discuss an appropriate protocol for future bereavements.

P R Christiansen / N C Ryan CARRIED

REGULATORY:

6.1 Update from Environment Canterbury

The report for July 2008 from Environment Canterbury was presented, covering the progress of the various activities being undertaken on behalf of the Chatham Islands Council. The Chatham Islands Border Quarantine and Biosecurity Progress Report was attached.

Cr Croon suggested that Chatham Islands Federated Farmers be included in the liaison group for the coordination of surveillance under the Pest Management Strategy. The General Manager advised that he would be sending a copy of the report to Chatham Islands Federated Farmers. He had also requested that the report go on Council's website and he would be advertising in the Chatham Islander that the report was available at the office.

RESOLVED THAT the July 2008 report on the various activities undertaken by Environment Canterbury be received.

N J Whaitiri / B J Mills CARRIED

6.2 Dog Control Report 2007/08

The Dog Control Report 2007/08, prepared by the Dog Control Administrator, Tania Whaitiri, was presented to Council.

RESOLVED THAT the 2007/08 Dog Control Report be received.

N C Ryan / E C Tuck CARRIED

6.3 District Licensing Agency Annual Report

The Chatham Islands District Licensing Agency Annual Report for the period ending 30 June 2008 was presented to Council.

RESOLVED THAT the Chatham Islands District Licensing Agency Annual Report be received.

M Croon / B J Mills CARRIED

6.4 Biosecurity Controls

A letter was received from Chatham Islands Federated Farmers making enquiries about biosecurity responsibilities on the Islands.

The General Manager stated that, even after all the publicity Council had undertaken, there was still confusion throughout the community about who was responsible for biosecurity on the Islands. He reiterated again that the Council was the authority, with service delivery being undertaken by the Canterbury Regional Council under its contract.

RESOLVED THAT the letter from Chatham Islands Federated Farmers about biosecurity on the Islands be received.

E C Tuck / N J Whaitiri CARRIED

EMERGENCY MANAGEMENT:

7.1 Earth Hour 2009

An invitation was received from the World Wildlife Foundation for the Chatham Islands to sign up as a

partner for Earth Hour 2009, to be held on Saturday, 28 March 2009, between 8 and 9 p.m.

Crs Mills and Tuck thought it was a good idea and that it should be suggested to the organisers that because the Chatham Islands were the most easterly in the world, they should be given some prominence as the first to switch off the lights.

RESOLVED THAT the World Wildlife Foundation be advised that the Chatham Islands would be a partner to Earth Hour 2009.

N C Ryan / E C Tuck CARRIED

GOVERNMENT:

8.1 2008 Local Government NZ Conference

The General Manager presented a report on the 2008 Local Government New Zealand Conference held in Rotorua from 27-30 July.

Cr Preece gave a verbal report, stating that the Conference was excellent, with the retirement of President, Basil Morrison, taking centre stage. He also found Simon Upton's presentation really interesting.

One of the technical sessions that Cr Preece attended was on the Pacific Project, where Councils assisted other democracies in the Pacific by sending staff over as part of a training programme. Mark Dacombe, a former County Clerk of the Chatham Islands, was deeply involved in the project.

Cr Preece also noted that rating of Maori land was being discussed widely.

The General Manager gave a précis of the presentation by Simon Upton on sustainability.

RESOLVED THAT the report on the Local Government New Zealand Conference be received.

P R Christiansen / N C Ryan CARRIED

8.2 Elected Members Remuneration

The General Manager presented a report on the determination issued by the Remuneration Authority for 2008/09. The remuneration for the Mayor will be \$41,100, for the Deputy Mayor, \$12,000, and for Councillors, \$7,000.

RESOLVED THAT the information on remuneration for the 2008/09 year be received.
M Croon / N C Ryan CARRIED

CHATHAM ISLANDS: 9.1 Shipping Service

A letter was received from Chatham Islands Federated Farmers advising that, in their view, there was a shipping crisis and enquiring if Council was aware of the situation.

The General Manager advised that shipping was more the role of the Chatham Islands Enterprise Trust than the Council.

Cr Tuck asked if there had been any outcomes from the Shipping Review Committee. She questioned if Council could ask that Committee or the Chatham Islands Enterprise Trust if there had been any outcomes from the Shipping Review meetings.

RESOLVED THAT

1. The letter from Chatham Islands Federated Farmers be received.
2. A letter be written to the Chatham Islands Enterprise Trust seeking an update on what the Shipping Review Committee was doing to support the Trust's Deed statement – "to encourage and oversee the provision of transport services and facilities to and from the Chatham Islands in the interests of the community of the present and future inhabitants of the Chatham Islands".

E C Tuck / B J Mills CARRIED

GENERAL MANAGER: 10.1 Outwards Correspondence Schedule

RESOLVED THAT the outwards correspondence schedule for July 2008 be received.
B J Mills / M Croon CARRIED

10.2 Outwards Email Schedule

RESOLVED THAT the outwards emails schedule for July 2008 be received.
E C Tuck / M Croon CARRIED

The General Manager asked if Council still wished to receive the correspondence schedules as it was a time

consuming task to put the lists together. As it was His Worship who was keen for the schedules to remain when the General Manager asked the same question two years ago, it was agreed that he should seek His Worship's views on the matter.

MAYORAL:

11.1 Inwards and Outwards Correspondence

RESOLVED THAT the inwards Mayoral correspondence schedule for July 2008 be received.
N C Ryan / N J Whaitiri CARRIED

The General Manager advised that the 'sun21' project was definitely going ahead, when a 'link' between Basel in Switzerland and the Chatham Islands will be made.

**SUPPLEMENTARY
AGENDA:**

Addendum to Clause 9.1 – Shipping Service

A second letter from Chatham Islands Federated Farmers was received seeking Council's support for an application to Hon Jim Anderton, Minister of Agriculture, for relief for Chatham Islands farmers.

Cr Preece advised that he had spoken with the Chairman of Federated Farmers, Tony Anderson, seeking clarification on what the farmers wanted from the Minister. Tony advised that they were trying to open dialogue with the Minister and were seeking Council's support.

Cr Mills did not think Council could comment on farmers on the Islands being in a stressful situation as there were many people struggling, but that Council could support the letter seeking assistance from the Minister.

RESOLVED THAT Council support the application to the Hon Jim Anderton for relief for Chatham Islands farmers, as "all people, no matter where they live, should have a reasonable ability to live, work and run businesses; and contribute to and be part of New Zealand society", as quoted in 'A Guide for Government Policy Advisers', published by MAF Policy, Ministry of Agriculture and Forestry, February 2008.

E C Tuck / P R Christiansen CARRIED

2.2 Supplementary Agenda, 21 August 2008

Due to the General Manager and Council Secretary being away on sick leave, the Council Agenda was produced a week earlier than scheduled, resulting in the production of a Supplementary Agenda. In accordance with the Local Government Official Information and Meetings Act, the Council is required to consider the list of items on the Agenda and resolve to deal with each item, or defer until the next meeting, with reasons.

RESOLVED THAT the Supplementary Agenda, as presented, be considered by Council at the 21 August 2008 meeting, the items and reasons being:

- a) Water and Wastewater Contract Renewal
To enable a new contract to be signed before the start date of 1 September 2008.
- b) Smoke Free Outdoor Spaces Policy
To meet statutory timeframes.
- c) Dog Control Policy/Dog Control Bylaw 2008
To meet statutory timeframes.
- d) Emergency Response Co-ordinator's Report
To enable Council to secure a training date prior to the next Council Meeting.

B J Mills / N C Ryan CARRIED

4.7 Water & Wastewater Operating Contract

The General Manager reported that he had been negotiating with Downer EDi Works for the renewal of the Waitangi Water and Wastewater Operating and Maintenance Contract. The contract would cover the three year period beginning on 1 September 2008 and ending 31 August 2011.

The General Manager stated that he had engaged with the Contract Manager, Charles Mellish, to get the price down to what was only marginally over Council's budget without compromising the service. The price was now at \$454,213.56, almost \$40,000 less than the original price submitted.

Cr Ryan asked if Council was still receiving complaints about the quality of the water. The General Manager stated that he was not aware of any, but he was still to prepare a newsletter to go out to all Waitangi water users about any issues they may have. Cr Ryan also noted that on hot days there was still an odour coming from the sewerage holding tanks at the bottom of Hospital Road.

RESOLVED THAT the tender price from Downer EDi Works of \$454,213.56 be accepted.

B J Mills / P R Christiansen CARRIED

5.2 Smokefree Outdoor Spaces Policy

Council resolved, at its meeting held on 10 July 2008, that the playgrounds in Waitangi and at the Norman Kirk Memorial Reserve be made smokefree, and that the proposal should be open to public consultation before being considered further on 21 August 2008.

Two submissions in support were received, from Hawkes Bay and Chatham Islands Smokefree Coalition, and Hawkes Bay District Health Board.

RESOLVED THAT

1. The two submissions be acknowledged and received.
2. Council confirm that the children's playgrounds at Waitangi and on the Norman Kirk Memorial Reserve be smokefree.

M Croon / E C Tuck CARRIED

6.5 Dog Control Policy/Dog Control Bylaw 2008

The Proposed Dog Control Policy 2008 and Proposed Dog Control Bylaw 2008 were publicly notified by way of community noticeboards, email and Chatham Islands television. One verbal submission was received from Liz Tuanui requesting that the Sweetwater Reserve remain on the Second Schedule, but be listed separately from the Department of Conservation reserves.

RESOLVED THAT

1. The Dog Control Policy 2008, as amended, be adopted.
2. The Dog Control Bylaw 2008, as amended be adopted and Council's seal be affixed.

B J Mills / E C Tuck CARRIED

7.2 Emergency Response Co-ordinator's Report

The report from Council's Emergency Response Co-ordinator covering activities over the previous two months, was presented.

The report mentioned the postponement of annual training to be undertaken by Council Members and requested that they select a new date suitable to them between 1-11 September.

RESOLVED THAT

1. The Emergency Response Co-ordinator's report be received.
2. The Councillor's annual training be held on 2 September.

E C Tuck / N J Whaitiri CARRIED

CLOSURE:

Meeting Closure

There being no further business, the meeting was declared closed at 3.42 p.m.

CONFIRMED THIS 9th DAY OF OCTOBER 2008

MAYOR