

CHATHAM ISLANDS COUNCIL

Minutes of the Ordinary Monthly Meeting of the Chatham Islands Council, held in the Council Chambers, Tuku Road, Waitangi, on Thursday, 18 December 2008, commencing at 1.30 p.m.

PRESENT: His Worship the Mayor, Mr P F Smith, Deputy Mayor A W M Preece and Councillors M Croon, A M Gregory-Hunt, N C Ryan, E C Tuck and N J Whaitiri.

IN ATTENDANCE: General Manager, Owen Pickles
Council Secretary, Lynette Pickles

APOLOGIES: An apology was received from Councillor P R Christiansen.

RESOLVED THAT the apology from Councillor Christiansen be received.

N C Ryan / E C Tuck CARRIED

MINUTES: **2.1 Ordinary Meeting, 13 November 2008**

RESOLVED THAT the Minutes of the Ordinary Meeting of the Chatham Islands Council, held on Thursday, 13 November 2008, be confirmed and adopted as a true and correct record.

N C Ryan / M Croon CARRIED

MATTERS ARISING: Cattle Stops

Cr Preece advised that while attending the Show in Christchurch he had visited a display for prefabricated cattle stops, costing approximately \$4,000 each and suitable for use on public roads. They are used on logging roads on the Mainland. He will give the details to the General Manager.

Cr Tuck expressed concern that Council could be creating a road safety issue by installing cattle stops on Te Matarae Road. She thought that if people did not have to stop to open gates, they will forget about wandering stock and speed, possibly causing an accident.

Cr Preece stated that Council had approved the installation of cattle stops on Te Matarae Road and Pitt

Island to improve the quality of the roads, not to control stock. He agreed that Council needed to be seen to be doing something about wandering stock on the roads, especially North Road, but the installation of cattle stops should go ahead. He thought that suggestions should be sought from land owners on how to control the wandering stock. He noted that there was also a wandering stock issue on Owenga Road.

Water Connection – Norman Kirk Memorial Reserve

Cr Ryan asked if any bones were found during the laying of the extended water main. His Worship advised that there were some bones found.

2.2 2009 Schedule of Ordinary Council Meetings

The 2009 Schedule of Ordinary Council Meetings was presented to Council for adoption.

RESOLVED THAT pursuant to Clause 21 (5) (a) of Schedule 7 of the Local Government Act 2002, the meeting schedule for 2009 be adopted.

N J Whaitiri / A M Gregory-Hunt CARRIED

2.3 Appointment of Acting General Manager

The General Manager reported that he would be on leave from 31 December 2008 until 26 January 2009, and again between 21 February 2009 and 1 March 2009. He proposed that Deborah Goomes, Finance Manager, assume the role of Acting General Manager during his absence.

RESOLVED THAT Deborah Goomes be appointed Acting General Manager from 31 December 2008 until 25 January 2009, and from 21 February 2009 until 1 March 2009 inclusive, during the absence of the General Manager, Owen Pickles.

M Croon / E C Tuck CARRIED

FINANCE:

3.1 Review of Council Significance Policy

A revised Significance Policy was presented to Council for approval to include in the draft 2009-19 Long Term Council Community Plan. It was considered appropriate to propose the revision after the original Significance Policy was 'triggered' during the preparation of the 2008/09 Annual Plan. Although not

the only reason why Council had to prepare and have audited four amendments to the LTCCP, it was certainly a major factor. The revised version of the Significance Policy reflected that experience.

The General Manager advised that the changes were made to clarify the wording of the original Significance Policy.

RESOLVED THAT the revised Policy on Significance be included in the draft 2009-19 Long Term Council Community Plan for consultation.

A M Gregory-Hunt / N J Whaitiri CARRIED

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

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

A W M Preece / E C Tuck CARRIED

Cr Ryan asked if Council was paying for the mowing of the Tommy Solomon Statue property, as shown in Photo No. 1. The General Manager advised that Hokotehi Moriori Trust should be paying for that job. He would advise Downer EDi Works that the photo should not have been in the report.

Cr Croon asked when Council would see a copy of the road strengthening report. The General Manager advised that it was currently being peer reviewed and should be available at the next Council Meeting.

4.2 Downer EDi Works Report, November 2008

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

N C Ryan / M Croon CARRIED

His Worship noted the wording regarding the soil removal/relocation exercise where it stated that 'DEDi Works costs associated with this work are to remain with Works (nil cost to CIC)', was not correct, as Council did incur costs.

His Worship noted the work undertaken on Pitt Island. Cr Gregory-Hunt stated that Pitt Islanders were happy with the work undertaken, but were requesting more roads on the Island.

4.3 Engineer's November 2008 Report

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

RESOLVED THAT the November 2008 Progress Report from Council's Roothing Engineer be received.
E C Tuck / A W M Preece CARRIED

4.4 Road Maintenance Contract Renewal Update

The General Manager reported that the new transport organisation, the New Zealand Transport Authority (NZTA), had issued a requirement for all roading authorities to have a Procurement Policy adopted by 30 June 2009 before any financial assistance would be provided.

Council's Engineers have been working with the Authority on the development of a Procurement Policy, and on gaining approvals to allow the renewal of the road maintenance contract by negotiation with the current contractor, Downer EDi Works. The Authority requested that Council write to known contractors seeking expressions of interest and if no substantive interest was registered, the way would be clear to confirm the negotiation approach.

RESOLVED THAT the information on the road maintenance contract renewal update be received.
N C Ryan / M Croon CARRIED

4.5 Owenga Wharf Replacement

The General Manager reported that the process leading towards the construction of a new wharf at Owenga began on 5 December with a call for 'Prequalification Interest' from Contractors. 'Prequalification' closed on 16 December 2008, with tender documents issued on 20 January 2009. It was hoped that a contract could be awarded by 18 February 2009 and that the successful contractor could take possession of the site by 6 March 2009.

The General Manager advised that at the close of registrations, eight interested contractors had put their name forward. Council's Engineers were currently assessing the eight before issuing tender documents within the next week.

RESOLVED THAT the information on the Owenga Wharf Replacement tender process be received.
A W M Preece / N C Ryan CARRIED

REGULATORY:

6.1 Update from Environment Canterbury

The report for November 2008 from Environment Canterbury was presented, covering the progress of the various activities being undertaken on behalf of the Chatham Islands Council.

RESOLVED THAT the November 2008 report on the various activities undertaken by Environment Canterbury be received.
N C Ryan / N J Whaitiri CARRIED

Cr Tuck asked if there were any pest risks associated with the rape seed trial (canola oil) being undertaken by the Chatham Islands Enterprise Trust. She was advised that there was no risk.

6.2 Minutes of District Licensing Agency Meeting

The Minutes of the Chatham Islands District Licensing Agency Meeting held on Thursday, 13 November 2008, were presented.

RESOLVED THAT the Minutes of the Chatham Islands District Licensing Agency Meeting, held on 13 November 2008, be received.
E C Tuck / M Croon CARRIED

6.3 Kekerione 43F and Kekerione 43G Reserves

The General Manager reported that in January 1986 the Maori Land Court partitioned Kekerione 43 Block into several sections. As part of the partition, 43F and 43G Blocks were to vest in the Chatham Islands County Council as reserves. The requirement for the Council to formally accept by signing and sealing the Court Orders appeared not to have happened, and the Maori Land Court had repeated the question – did the Council want the land?

RESOLVED THAT the offer from the Maori Land Court of Blocks Kekerione 43F and 43G be respectfully declined.
N C Ryan / A W M Preece CARRIED

6.4 Reform of the Resource Management Act

Two documents, a letter from Hon Dr Nick Smith, Minister for the Environment, and a Memorandum from Local Government New Zealand, were presented to Council covering the Government's intentions to reform the Resource Management Act, and encouraging feedback by 20 December 2008.

The General Manager reported that the Resource Management Act had little impact on the Chatham Islands, due in part to little development happening. The Chatham Islands Council Act 1995 also provided some variances from the Resource Management Act, namely the ability to write one document to cover Regional, District and Coastal Planning and the ability to extend some of the notification timeframes.

RESOLVED THAT the information on the reform of the Resource Management Act be received and that the Chatham Islands Council variances be protected.
E C Tuck / N J Whaitiri CARRIED

GOVERNMENT:

8.1 Resignation – Councillor Bruce Mills

A resignation was received from Councillor Bruce Mills, to take effect from 1 December 2008.

The General Manager reported that under the Local Election and Polls Act 2001 there was a process to fill the vacancy. Nominations would open on 22 December 2008 and close on 19 January 2009, with voting papers delivered on 16 February 2009. Voting would close on Tuesday, 6 March 2009. The by-election had to be held using the Single Transferable Voting System (STV) as the First Past the Post System (FPP) did not come into effect until the 2010 election.

RESOLVED THAT the information on the bi-election be received and that Councillor Mills' resignation be accepted with regret.

A M Gregory-Hunt / N C Ryan CARRIED

8.2 Representation – Fish Plan Advisory Group

The General Manager presented correspondence from Mark Geytenbeek of the Ministry of Fisheries, and support person for the, to be formed, Chatham Islands

Fisheries Plan Advisory Group (FPAG), requesting that Council appoint a member to the Group.

RESOLVED THAT the Chatham Islands Council be represented on the Chatham Islands Fisheries Plan Advisory Group.

M Croon / A W M Preece CARRIED

His Worship called for nominations to represent Council on the Advisory Group. Cr Tuck nominated Cr Whitiri who accepted. There were no further nominations.

RESOLVED THAT Cr N J Whitiri be Council's representative on the Chatham Islands Fisheries Plan Advisory Group.

E C Tuck / A M Gregory-Hunt CARRIED

8.3 Minutes of Rural and Provincial Sectors

The Minutes of the Local Government New Zealand Rural and Provincial Sectors Meeting held in Wellington, 20-21 November 2008, were presented.

RESOLVED THAT the Minutes of the Rural and Provincial Sectors November 2008 Meeting be received.

N C Ryan / E C Tuck CARRIED

Cr Croon stated that she found the presentation by Sir Geoffrey Palmer on the Sale of Liquor Act review very interesting. The General Manager noted that Sir Geoffrey Palmer may have his interim report available for presentation during the Rural and Provincial Sectors Meeting to be held on the Chatham Islands in June next year.

Cr Croon noted that some Mainland Council representatives were still voicing concern at the cost of attending a Rural and Provincial Sector Meeting on the Chatham Islands. Most, however, were in favour of the venue.

8.4 Local Government New Zealand 2009 Events

The General Manager presented the following calendar of Local Government New Zealand Events for the 2009 year:

<u>Date</u>	<u>Event</u>	<u>Location</u>	<u>Attendance</u>
19-20 Feb	Rural Sector	Wellington	Mayor & GM
26 Feb	Zone 5	Christchurch**	Cr Ryan & GM
7-8 May	Combined Zone 5 & Zone 6	Christchurch**	Cr Whaitiri & GM
11-12 June	Rural Sector	Chatham Islands	All
26-29 July	Annual Conference	Christchurch	Mayor, Cr Gregory-Hunt & GM
14 Sep	Zone 5	Christchurch**	Cr Christiansen & GM
5 Nov	Zone 5	Christchurch**	Mayor & Cr Tuck
19-20 Nov	Rural Sector	Wellington	Cr Preece & GM

**** NOTE:** Zones 5 and 6 are proposing to combine meetings so dates and venues may change. Other locations being considered are Dunedin and Hokitika.

Councillor Croon is to be first substitute should any member not be able to attend.

2010 Conference Councillor Croon.

RESOLVED THAT the Local Government New Zealand 2009 Events Schedule be approved and adopted.

A M Gregory-Hunt / M Croon CARRIED

CHATHAM ISLANDS: 9.1 CIC/CIET Future Governance

The General Manager presented copies of email exchanges between Hugh Rennie and himself, all of which had also been copied to Basil Morrison and Ian McFarlane. Mr Rennie raised several questions that required further consideration by the Chatham Islands Enterprise Trust and the Chatham Islands Council.

The General Manager advised that he had a meeting with Ian McFarlane and Toni Gregory-Hunt from the Enterprise Trust that morning. They were putting some terms of reference together, but the General Manager advised them they should not as he thought the idea of the review was for Messrs Rennie and Morrison to come up with the advantages and disadvantages of coming together, based on their knowledge of each organisation.

The General Manager stated that the Local Government Commission would 'come into play' during the restructuring. The Commission would meet any costs associated with that part of the process.

His Worship stated that he did not want to see the same format as the Islands have now, with some 'flicking'. The recommendations from the Taylor Baines Workshop should be taken on board.

Cr Tuck stated that she liked Mr Rennie's idea of a letter being sent to every Islander explaining the purpose of the project, and inviting comment. She said people needed to know that restructuring would not mean that there would be the same old Council with a trading arm, but an entirely new organisation.

Cr Preece stated that Council was elected to take charge of a process and that was what it was doing. He suggested that people could be advised about what was happening, but Council needed to get on and do it. His Worship agreed, stating that Messrs Rennie and Morrison should not be restricted by terms of reference.

RESOLVED THAT

1. The Council and Chatham Islands Enterprise Trust pay the costs that arise from their respective appointments.
2. It should be an independent view based on the knowledge that each has and the research that will be done.
3. The time frame should be such to enable any restructuring that may result to be implemented in time for the 2010 Local Government elections.

A W M Preece / E C Tuck CARRIED

Council went into In Camera at 2.30 p.m.

CLOSURE:

Meeting Closure

After consideration of the In Camera Agenda and there being no further business, the meeting was declared closed at 3.37 p.m.

**CONFIRMED THIS 5th DAY OF FEBRUARY
2009**

MAYOR