

CHATHAM ISLANDS COUNCIL

Minutes of the Ordinary Monthly Meeting of the Chatham Islands Council, held in the Council Chambers, Tuku Road, Waitangi, on Thursday, 5 February 2009, commencing at 1.32 p.m.

PRESENT: His Worship the Mayor, Mr P F Smith, Deputy Mayor, A W M Preece, and Councillors J I Clarke, M Croon, N C Ryan and E C Tuck. P R Christiansen from 1.34 p.m.

IN ATTENDANCE: General Manager, Owen Pickles
Finance Manager, Deborah Goomes
Council Secretary, Lynette Pickles

APOLOGIES: Apologies were received from Councillors A M Gregory-Hunt and N J Whaitiri.

RESOLVED THAT the apologies from Councillors Gregory-Hunt and Whaitiri be received.
A W M Preece / N C Ryan CARRIED

SWEARING IN OF NEW COUNCILLOR:

His Worship welcomed Jeffrey Ian Clarke to the Council and asked him to swear the Oath of Office. The Declaration was signed by Cr Clarke, His Worship the Mayor and the General Manager.

MINUTES:

2.1 Ordinary Meeting, 18 December 2008

RESOLVED THAT the Minutes of the Ordinary Meeting of the Chatham Islands Council, held on Thursday, 18 December 2008, be confirmed and adopted as a true and correct record.
N C Ryan / E C Tuck CARRIED

MATTERS ARISING:

Cattle Stops

Cr Christiansen noted the very good price of \$4,000 for cattle stops mentioned at the last meeting. The General Manager advised that he had received the written information about the cattle stops from Cr Preece.

FINANCE:

3.1 Rate Arrears, December 2008

The Rate Arrears Report for the period ending 31 December 2008 was presented to Council.

RESOLVED THAT the Rate Arrears Report for the period ending 31 December 2008 be received.

M Croon / P R Christiansen CARRIED

3.2 Council Dues Report December 2008

The Council Dues Received Report for the period ending 31 December 2008 was presented to Council.

RESOLVED THAT the Council Dues Report for the period ending 31 December 2008 be received.

E C Tuck / A W M Preece CARRIED

3.3 Debtor Report, December 2008

The Debtor Report for the period ending 31 December 2008, showing a balance outstanding of \$77,501, was presented to Council.

RESOLVED THAT the Debtor Report for the period ending 31 December 2008 be received.

N C Ryan / E C Tuck CARRIED

3.4 Term Investment Schedule

The Term Investment Schedule as at 31 December 2008 was presented to Council.

RESOLVED THAT the Term Investment Schedule as at 31 December 2008 be received.

A W M Preece / M Croon CARRIED

The General Manager advised that as part of the Resource Management reforms, the mandatory requirement to go through a full Plan re-draft every ten years will no longer be required. A review will still be necessary, but the process will be much simpler and quicker. As a result, Council may have some discretionary funds available from the Resource Management Document Fund, a Fund established several years ago so that there was enough money available to cover a full re-draft.

3.5 Financial Statements

The Statement of Financial Position and the Statement of Financial Performance as at 31 December 2008 were presented to Council.

RESOLVED THAT the financial statements as at 31 December 2008 be received.

A W M Preece / N C Ryan CARRIED

3.6 Audit Management Report to End of June 2008

The Audit Management Report for the financial year ending 30 June 2008 was presented to Council.

RESOLVED THAT the Audit Management Report for the year ending 30 June 2008 be received.

M Croon / E C Tuck CARRIED

His Worship stated that it was good to receive a compliant report.

The General Manager referred to section 5.3 “Pitt Island Barge Society Rebates”, and the Auditor’s concerns that there was no formal agreement in place between the Council and the Barge Society. He advised Council that there was a need for one to be drawn up.

Cr Preece asked if Council was still receiving annual accounts from the Barge Society. The General Manager advised that the accounts were being presented, but not consistently. Cr Preece thought that there needed to be a review of the whole situation, in light of the \$20 million Government Fund. He believed that the Pitt Island people should be able to have access to some of the funds.

3.7 Performance Management Framework for LTCCP

A report was presented on the need for Council to provide sufficient and robust performance information in the Long Term Council Community Plan (LTCCP) to show the services that will be carried out and why, the service levels required to meet the needs of the community or statutory requirements and duties, and the planned level of service intended to be achieved.

RESOLVED THAT

1. The proposed performance management framework be adopted for the 2009-19 LTCCP.
2. The proposed amendment to the presentation of financial information be adopted for the 2009-19 LTCCP.

A W M Preece / N C Ryan CARRIED

The General Manager advised that the team at

Environment Canterbury, in consultation with the General Manager and the Finance Manager, had established the performance management framework in the hope that Council would be provided with a better measure.

3.8 Proposed Assumptions for LTCCP

A report was presented on the need for Council to make some assumptions about components of decisions made on various issues it will approach in the future and reflect these in the 2009-19 LTCCP. Because the decisions were in the future, they may or may not occur and were subject to a greater or lesser degree of certainty and control by Council. A table was included in the report setting out the assumptions proposed to be included in the 2009-19 LTCCP.

RESOLVED THAT Council adopt the assumptions for the purposes of the 2009-19 LTCCP.

M Croon / E C Tuck CARRIED

The General Manager advised that as assumptions made over the ten year period of the LTCCP would change, there was a requirement by Audit for Council to adopt the assumptions.

3.9 Proposed Policy on Maori, Moriori and Council

A proposed Policy on “Maori, Moriori and the Chatham Islands Council” was presented to Council for adoption. The Policy conceded that differences might arise in the values, beliefs and traditions between Maori and Moriori and that Council would acknowledge such differences.

Council’s Liaison Officer, Deborah Goomes, advised that where a Maori word was included in the Policy, she would be seeking advice so that the correct Moriori word could be included alongside. She stressed that under the Act, there was a requirement for local authorities to involve all individuals or groups who identify themselves as Maori or Moriori and not just mandated Iwi. She was currently putting together a schedule to identify all such groups and individuals and was also working on getting a facilitator to the Islands to run a Workshop for Council.

Cr Preece asked if there was a strategy in place to develop engagement with Iwi directly. Deborah advised

that this would come. There was still a lot of work to be done and Council was only in the early stages.

The Liaison Officer noted a spelling mistake in the Policy and advised that it would be corrected – ‘kanoi’ should read ‘kanohi’.

Cr Christiansen asked if the Policy should refer to Moriori before Maori as they were the original people on the Chatham Islands. Deborah advised that there was no politics involved in the order of listing, but merely the alphabet in that ‘Ma’ came before ‘Mo’.

RESOLVED THAT Council adopt the “Maori, Moriori and the Chatham Islands Council” Policy.

E C Tuck / P F Smith CARRIED

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

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

N C Ryan / M Croon CARRIED

His Worship expressed concern that there was a dangerous blind spot at the Rapanui Road/North Road intersection, with drivers coming over the brow being on the tail of the turning vehicle very quickly. The General Manager advised that he would discuss the problem with Council’s Engineer.

4.2 NZ Historic Places Trust Report on Koiwi/Koimi

The report on the archaeological site uncovered at the Te One Landfill, produced by Dr Rachel Darmody from the New Zealand Historic Places Trust, after her visit to the Chatham Islands in late November, was presented to Council.

RESOLVED THAT the report on the archaeological site be received.

M Croon / P F Smith CARRIED

Cr Tuck asked if Hokotehi Moriori Trust and Ngati Mutunga O Wharekauri Iwi Trust had received a copy of the report. The General Manager advised that he had only placed it on the Council Agenda, but would ensure that a copy was forwarded to both Iwi.

Cr Preece stated that it was important for Council to have a copy of the records for the 737 archaeological sites held by the New Zealand Archaeological Association's Site Recording Scheme, and referred to by Ms Darmody in her report. Deborah Goomes advised that staff were working towards accumulating information.

His Worship asked that Rachel Darmody be thanked for the manner in which she dealt with the issue while on the Islands, and for her report.

4.3 Minutes of Solid Waste Management Meeting

The Minutes of the Solid Waste Management Meeting held on Thursday, 18 December 2008, were presented to Council.

RESOLVED THAT the Solid Waste Management Meeting Minutes be received.

A W M Preece / M Croon CARRIED

His Worship advised that the Workshop Council held with John Cocks was very good. Council now had a video of a small sanitary landfill site which could be viewed by anyone interested.

Cr Christiansen noted that he had seen some advertising for a small compactor and trailer available for sale. He was concerned that rubbish was still being dumped at a waahi tapu site, the Te One Dump, and wanted Council to close it. He said Council should purchase a small compactor.

His Worship advised that at the meetings held with those involved with the return of soil to the Te One Dump, it was agreed that Council could continue to use the Dump in the interim. They were aware that Council was working through a Waste Management Strategy and were giving us time to implement that. Council had closed off the bottom face, which they respected, and it was not their view to close the Dump immediately.

His Worship stated that dealing with Kaingaroa was the first step in the process. The Kaingaroa community were ready and willing.

Cr Christiansen suggested if Council bought a compactor, it would be a quicker solution for Kaingaroa.

The General Manager advised that Council was working to a Waste Management Strategy that had been approved and funded. There was a difficulty in deviating from that Strategy without approval from the funder. He stated that he did not want to see Council buying machinery and employing staff as it would take Council back to the 'old way'. He was not averse to the idea of compacting, but that job would need to be done through a contractor.

Cr Preece asked if a timeframe had been set at the Workshop. The General Manager advised that Kaingaroa was the beginning. A meeting had been arranged for the following week on Wednesday, 11 February, with Trustees from Hokotehi Moriori Trust, to discuss the closure of the Kaingaroa Dump, and the establishment of a public toilet in the settlement.

Cr Ryan pointed out that there was concern expressed at the Workshop about the availability of land at Kaingaroa. The General Manager stated that if agreement could be reached with Hokotehi Moriori Trust, then the Kaingaroa project could be up and running within a few months.

Cr Tuck asked what Cr Christiansen should do about his offer of land for the storage of compacted material. His Worship advised that he would need to put the offer in writing and address it to Council.

4.4 Owenga Wharf

The General Manager presented a progress report on the Owenga Wharf project, noting that the invitations to tender were being issued in the first week in February, with the closing date to be late February. An evaluation report would be presented to Council for a decision in March.

Council's Engineer advised the General Manager that a source of hardwood timber that could be used for the wharf beams, had become available. Timber had always been the Engineer's preference, as there were reduced maintenance costs, and it was expected that steel beams would need to be replaced sooner than hardwood timber beams. While a cost analysis of the timber versus steel option showed that timber would cost an extra \$41k, the Engineer expected that the timber beams would provide the lowest whole life option.

RESOLVED THAT the Engineer's proposal to specify hardwood timber beams be approved.

P F Smith / N C Ryan CARRIED

4.5 Six-Monthly Report for Water and Wastewater

The six-monthly report from Council's Engineers on the water and wastewater operations and maintenance contract was presented to Council.

RESOLVED THAT the six-monthly report on the water and wastewater operations be received.

N C Ryan / M Croon CARRIED

Cr Preece was concerned at stock grazing at the irrigation site for the wastewater plant. The General Manager advised that the whole site would ultimately be planted out in trees. There had been some difficulty in establishing the trees so it was being done in stages. Areas that were not in trees were currently being grazed which was not ideal as the sheep waste threw out incorrect readings. If readings became too high, there would be no more stock grazing.

With regard to the water supply system, the General Manager stated that it was good news that the alarm was not activated as much this January as it was in January 2008. This could be attributed to a more even draw off of water through January 2009 compared to last year.

Cr Christiansen stated that there was still water leaking from the supply line at the wharf. The General Manager was to remind the Port Company to ensure there were no dripping taps at their facility.

The General Manager stated that he did not agree with the suggestion in the report to establish a laboratory on the Island for the testing of water samples. The Island did not have the resources for such a laboratory.

4.6 Road Stabilisation Trials

A report from Council's Engineer on the two road stabilisation trial areas on the Island's roading network was presented to Council.

RESOLVED THAT the information on the road stabilisation trials be received.

A W M Preece / M Croon CARRIED

Cr Preece stated that the report did not state who was undertaking the trials. Was it being conducted by Downers, and was the Engineer in attendance? He had requested the technical specifications for the trials and these had not been included in the report. The General Manager advised that there was a technical explanation given for Site 2 during a Council Workshop with the previous Engineer.

Cr Tuck asked that no construction work be undertaken on the road at Owenga until Council knew what the best surface was.

REGULATORY:

6.1 Update from Environment Canterbury

The report for December 2008/January 2009 from Environment Canterbury was presented, covering the progress of the various activities being undertaken on behalf of the Chatham Islands Council.

RESOLVED THAT the December 2008/January 2009 report on the various activities undertaken by Environment Canterbury be received.

E C Tuck / M Croon CARRIED

6.2 Councillor's Right to Hear Submissions

A letter had been received from Environment Canterbury seeking Council's support for actions it was taking in the High Court under the Declaratory Judgments Act 1908. The actions were an attempt to clarify and support the roles of elected members with regards to hearing submissions received on Council plans and policies. The Regional Council invited the Chatham Islands Council to join them in action, or alternatively, pass a motion of support.

The General Manager advised that there was a lobby group saying that local authorities should not be involved in hearing submissions as the Councils set the policy and then were making decisions on that policy. He believed that elected members' involvement in such activities was a core function of democracy.

RESOLVED THAT Council support the Canterbury Regional Council in principle, as it supports the involvement of elected members in hearings at all levels.

E C Tuck / M Croon CARRIED

**EMERGENCY
MANAGEMENT:**

7.1 Earth Hour 2009 – 28 March

A summary of information on Earth Hour 2009, to be held on 28 March between 8.30 p.m. and 9.30 p.m., was presented to Council. The General Manager reported that there was some excitement amongst the organisers of the event about the participation of the Chatham Islands, being the first place in the world to begin the event. There was a possibility that the New Zealand Director for Earth Hour would visit the Chatham Islands with TV3 covering the event internationally.

RESOLVED THAT the information on Earth Hour 2009 be received.

N C Ryan / P F Smith CARRIED

7.2 Regional Rural Fire Committee Membership

A late item was presented to Council for consideration. In accordance with the Local Government Official Information and Meetings Act, Council was required to consider the item, or defer until the next meeting, with reasons.

RESOLVED THAT the late item “Regional Rural Fire Committee Membership” be considered at the February Council Meeting as the Principal Rural Fire Officer, Rana Solomon, required a resolution from Council before the next meeting on 19 March 2009.

E C Tuck / P R Christiansen CARRIED

The Principal Rural Fire Officer, Rana Solomon, reported that as the Chatham Islands did not have sufficient persons on the Islands to handle a significant incident, she required a rural fire network so that the Islands could keep abreast of developments, as well as give assistance towards developing a New Zealand deployment plan for rural fire. She stated that the Greater Wellington RRFC seemed the logical committee to be party to as the Department of Conservation Wellington Conservancy was responsible for the Department’s activity on the Islands and were also committee members.

The General Manager explained that the Chatham Islands used to come under the Greater Wellington RRFC which led to elected people from that region making decisions on Chatham Islands’ plans and documents without any real knowledge of the Islands.

The Council had requested that the Chatham Islands be given the authority to undertake its own rural fire responsibilities.

Following the green swamp fire, the New Zealand Rural Fire Authority had problems sending resources to the Islands to assist. John Rasmussen proposed that the Chatham Islands again have a link with the Greater Wellington RRFC in order to access resources for rural fire fighting if the need arises.

The General Manager stated that the Chatham Islands would continue to develop its own plans and documents. Membership of the Greater Wellington RRFC would allow the Chatham Islands' Principal Rural Fire Officer, Rana Solomon, to attend meetings when required.

RESOLVED THAT

1. The information be received.
2. A letter from Council be sent to the RRFC in support of the Chatham Islands Rural Fire Authority's full membership to the Greater Wellington Regional Rural Fire Committee.

A W M Preece / P R Christiansen CARRIED

GOVERNMENT:

8.1 Elected Members Remuneration

The General Manager presented a report on the determination issued by the Remuneration Authority for 2009/10.

The General Manager tabled an amended report, noting that he had omitted to take into account the new determination issued by the Remuneration Authority in July 2008 whereby the Deputy Mayor and Councillors' salaries were increased after a submission was made by the Council to the Authority. The remuneration for the Mayor will be \$42,500, for the Deputy Mayor, \$12,325, and for Councillors, \$7,168.

RESOLVED THAT

1. The elected member's remuneration for the 2009/10 year be paid as salaries as follows:
Mayor \$42,500, Deputy Mayor \$12,325,
Councillors \$7,168.
2. The Expenses/Allowances Policy be reconfirmed.

M Croon / E C Tuck CARRIED

8.2 Result of Council By-Election

The Electoral Officer's notice declaring Jeffrey Ian Clarke to be elected as a Councillor was presented to Council.

RESOLVED THAT the Electoral Officer's report on the election of Jeffery Ian Clarke be received.

E C Tuck / A W M Preece CARRIED

CHATHAM ISLANDS:

9.1 Chatham Islands Economic Review 2008

A copy of the final report, "Chatham Islands Economic Review 2008, produced by Taylor Baines and Associates, was presented to Council. In his report to Council, the General Manager had raised some of his concerns with the final outcome of the Review, advising that he would speak to those concerns at the meeting.

His Worship stated that the report was a stalemate. He advised that there were four recommendations to come out of the community workshop on the draft review, but the final report had not taken them on board.

Cr Preece wanted to make progress on the \$20 million Government Fund. The General Manager explained that the instruction that came from the Cabinet was that priority for funding would be based on the Taylor Baines Economic Review 2008 and the Long Term Council Community Plan 2009-19, but would not be available before 1 July 2009. The Fund was to be for infrastructure, but had not been tagged for any particular project. The Review was now complete and the LTCCP would be out for consultation in May.

The General Manager stated that the Council should be seeking a meeting with Government, preferably Senior Members, to firstly confirm the availability of the \$20 million, and secondly to convince the Members that \$1 million here and there would not work. Government Members needed to be made aware of the bigger issues on the Islands that would cost even more than \$20 million. The Chatham Islands Enterprise Trust had attempted to get a meeting with Chris Finlayson, but he had indicated that would not happen until after July.

Cr Preece stated that the bigger issues needed to be identified and a community strategy devised before July. Deborah Goomes, Finance Manager, advised that

through the LTCCP process, community outcomes would give a strong indication of the issues.

His Worship stated that there was a need to get together with the Chatham Islands Enterprise Trust and hold a Workshop. Cr Christiansen believed that a community forum should be part of the process.

The General Manager advised that the Enterprise Trust Chief Executive Officer, Ian McFarlane, had arranged a meeting with Trustees and His Worship and himself, but the General Manager believed that the invitation should be issued to all Council Members. The meeting would be held at 3.00 p.m. on Monday, 9 February. Cr Tuck asked that the Islands' governance issue be talked about at the same time.

RESOLVED THAT the Council reserve making a decision on the Chatham Islands Economic Review 2008 until after holding a workshop with the Chatham Islands Enterprise Trust.

P F Smith / N C Ryan CARRIED

CLOSURE:

Meeting Closure

After consideration of the In Camera Agenda and there being no further business, the meeting was declared closed at 3.50 p.m.

CONFIRMED THIS 19th DAY OF MARCH 2009

MAYOR