

CHATHAM ISLANDS COUNCIL

Minutes of the Ordinary Monthly Meeting of the Chatham Islands Council, held in the Council Chambers, Tuku Road, Waitangi, on Thursday, 16 July 2009, commencing at 1.32 p.m.

PRESENT: His Worship the Mayor, Mr P F Smith, and Councillors P R Christiansen, J I Clarke, M Croon, A M Gregory-Hunt, N C Ryan and N J Whaitiri.

IN ATTENDANCE: General Manager, Owen Pickles
Finance Manager, Deborah Goomes (from 1.50 p.m.)
Council Secretary, Lynette Pickles

APOLOGIES: Apologies were received from Deputy Mayor, A W M Preece and Councillor E C Tuck.

RESOLVED THAT the apologies from Deputy Mayor Preece and Councillor Tuck be received.
A M Gregory-Hunt / N C Ryan CARRIED

MINUTES: **2.1 Ordinary Meeting, 10 June 2009**

RESOLVED THAT the Minutes of the Ordinary Meeting of the Chatham Islands Council, held on Wednesday, 10 June 2009, be confirmed and adopted as a true and correct record.
J I Clarke / M Croon CARRIED

MATTERS ARISING: Page 3, Review of Foreshore and Seabed Act

Cr Croon asked if the Council had received any response to its submission on the Foreshore and Seabed Act Review. The General Manager advised that there had been an announcement that the Act was to be abolished but it was not known what was to replace it. It would be necessary for the Council to keep a watch on developments.

Page 11, Chatham Islands CDEM Group

Cr Clarke had agreed to take on the role of Operations Manager in the Emergency Operations Centre.

MINUTES: **2.2 Special Meeting, 25 June 2009**

RESOLVED THAT the Minutes of the Special Meeting of the Chatham Islands Council, held on Thursday, 25 June

2009, be confirmed and adopted as a true and correct record.

A M Gregory-Hunt / N C Ryan CARRIED

2.3 Special Meeting, 30 June 2009

RESOLVED THAT the Minutes of the Special Meeting of the Chatham Islands Council, held on Tuesday, 30 June 2009, be confirmed and adopted as a true and correct record.

N J Whaitiri / J I Clarke CARRIED

FINANCE:

3.1 Rate Arrears, June 2009

The Rate Arrears Report for the period ending 30 June 2009 was presented to Council.

RESOLVED THAT the Rate Arrears Report for the period ending 30 June 2009 be received.

N C Ryan / J I Clarke CARRIED

The General Manager advised that the rate arrears were at a higher level than Council had become accustomed to. Approximately \$40,000 of the arrears was attributable to just three ratepayers, with \$22,000 of that figure relating to previous year's arrears. He had contacted the banks which hold mortgages over the respective properties and if the rates were not paid by November, the banks would pay and recover the costs from the property owners.

3.2 Council Dues Report, June 2009

The Council Dues Received Report for the period ending 30 June 2009 was presented to Council.

RESOLVED THAT the Council Dues Report for the period ending 30 June 2009 be received.

N J Whaitiri / A M Gregory-Hunt CARRIED

The General Manager advised that the Dues being under budget was mainly attributable to a new shipper commencing business to Chatham Island, but not having as yet paid any Dues. He had spoken with the principal of the company earlier in the week who had emailed the manifests for all previous sailings. The General Manager had calculated the Dues owing and had been advised that they would be paid this week. The commissions had been withheld due to the late return of the manifests.

Cr Gregory-Hunt asked how Council could recover the Dues if they were not paid. The General Manager advised that he could go through a Court process to have the company wound up.

3.3 Term Investment Schedule

The Term Investment Schedule as at 30 June 2009 was presented to Council.

RESOLVED THAT the Term Investment Schedule as at 30 June 2009 be received.

N C Ryan / J I Clarke CARRIED

3.4 Debtor Report to 30 June 2009

The Debtor Report for the period ending 30 June 2009 was presented to Council.

RESOLVED THAT the Debtor Report as at 30 June 2009 be received.

N J Whaitiri / M Croon CARRIED

WORKS & SERVICES:

4.1 Downer EDi Works Report, May 2009

RESOLVED THAT the Downer EDi Works Report for May 2009 be received.

P R Christiansen / N C Ryan CARRIED

4.2 Downer EDi Works Report, June 2009

RESOLVED THAT the Downer EDi Works Report for June 2009 be received.

J I Clarke / P R Christiansen CARRIED

Cr Ryan remarked on the slippery state of the Waitangi Wharf Road. It was pointed out that because of the weather, it had been difficult to clean all the clay off the road.

4.3 Engineer's June 2009 Report

RESOLVED THAT the Engineer's Report for June 2009 be received.

J I Clarke / N C Ryan CARRIED

Cr Whaitiri pointed out that the reference to 'Lake Taia' on page 2 of the Engineer's Report, in relation to the Hapupu Road Report, should read 'Lake Rangitai'.

The General Manager brought to the attention of Council the Minor Improvements Transportation Report prepared by the Engineers and sent to members by separate post after the Agendas had been distributed.

4.4 Waitangi Wharf Cliff Face

A report was received from Council's Engineers on the treatment proposed to resolve problems associated with the Waitangi Wharf cliff face. The treatment involved the scaling of loose material from the face of the cliff, the installation of three drainage sumps in the natural drainage paths above the cliff face, and improvements to the roadside drains. The New Zealand Transport Agency had approved funding to the value of \$100,000 for the work.

The Engineers stated that while the measures proposed were within budget and would assist in mitigating the effects of erosion from the cliff face, they recommended that the situation be monitored and if the rate of erosion continued, the next step would be to hydro seed in an attempt to re-vegetate the cliff face.

RESOLVED THAT Council adopt the proposed cliff face treatment as outlined in the Engineer's report.

J I Clarke / P R Christiansen CARRIED

4.5 'It Is Not Undaria'

The General Manager presented a report on the delivery of seaweed, believed to be undaria, to the Council office on 12 June 2009. The samples were posted to Biosecurity New Zealand for identification. The samples were not undaria but ecklonia radiata (New Zealand kelp), and the first find of this species in the Chatham Islands.

The General Manager also reported on the development of a Chatham Islands Marine Biosecurity Partnership. One preliminary meeting had been held, in which the General Manager participated by telephone. His position to the meeting was one of encouragement for the establishment of a partnership, with the proviso that Council had no money.

The General Manager advised that the Partnership was very much in its infancy. He hoped to be able to meet with staff from MAF Biosecurity New Zealand the following week while in Wellington. He was also pleased to report that the response to the undaria find was very rapid from Biosecurity New Zealand, showing that they

were taking the issue of keeping undaria out of the Chatham Islands seriously.

RESOLVED THAT the information be received and that the Council be involved in the proposed Chatham Islands Marine Biosecurity Partnership on a “we have no money” basis.

N C Ryan / A M Gregory-Hunt CARRIED

4.6 Road Safety on the Chatham Islands

A copy of the New Zealand Transport Agency’s briefing notes on road safety issues on the Chatham Islands for the 2004-2008 period was presented to Council.

The General Manager reported that Council had a budget of \$20,000 for road safety promotion. This fund supported a Road Safety Committee and a Road Safety Co-ordinator, and activities they choose to promote. The Manager of Chatham Community Focus Trust, Tracy McLean, had, with the support of her Trust, agreed to accept the role of Co-ordinator, but a public meeting would need to be held to seek nominations for the Committee.

Cr Croon was concerned that there was no mention in the report of the number of accidents caused by contact with stock wandering on the roads. The General Manager advised that when the new Road Safety Committee was formed, the issue would be addressed.

RESOLVED THAT the information on road safety on the Chatham Islands be received.

P R Christiansen / J I Clarke CARRIED

4.7 Waste Minimisation Act – Waste Levy

A report from Council’s Waste Management Engineer, John Cocks, on the introduction of a waste levy in terms of the Waste Minimisation Act 2008, was presented to Council.

The report detailed the difficulties that the Chatham Islands would have in fully complying with the Act until such time as the Solid Waste Management Strategy was implemented. In the meantime, the General Manager had sought approval to be assessed on a per population basis. This would equate to an annual levy of \$4,590.

Cr Christiansen asked if there was going to be a waste disposal rate put onto ratepayers to cover the cost of the Waste Levy. The General Manager advised that Council currently had the finance to cover the Levy, so there would be no need to rate for it. Once the Waste Management Strategy was being fully implemented, there could be a charge on the ratepayer, but it would be minimal.

RESOLVED THAT the information be received and that Council work towards compliance with the Waste Minimisation Act as its Solid Waste Management Strategy becomes operative.

N J Whaitiri / M Croon CARRIED

COMMUNITY SERVICES:

5.1 Government's Warm Homes Programme

The General Manager presented a report on the Government funding announced in the Budget for a warm homes programme for the country. He reported that he had made enquiries with EECA and was pleased to hear that funding was available for the Chatham Islands, and that the Minister of Energy, Hon Gerry Brownlie, was keen to be involved.

EECA were interested in working with the Council on establishing a programme that would make it easier for property owners on the Chatham Islands to become involved. Some other Mainland Councils provide additional funding and recover it over time through a targeted rate on the property. If all eligible home owners on the Islands participated in the programme, possibly in excess of \$600k would be required by Council to establish such a fund. One possibility for the provision for such a fund was to seek a loan from the Chatham Islands Enterprise Trust which currently had cash reserves invested with a bank. Council could offer to match the returns offered by the bank and put the money to work within the community.

His Worship stated that if Council was able to source the funds, the programme would be an important initiative for the Islands' home owners.

RESOLVED THAT

1. Council agree to be involved in the warm homes programme by facilitating the availability of funds for home owners on the Chatham Islands.

2. The Chatham Islands Enterprise Trust be approached about taking on the role of fund provider.
3. The General Manager be authorised to progress this matter with the support of a small Sub-Committee made up of His Worship the Mayor, Mr P F Smith, and Councillor M Croon.

J I Clarke / M Croon CARRIED

5.2 Staff Houses

The General Manager reported on progress towards a resolution on what to do with Council Houses 2 and 3. He reported that there were many issues to be considered, but while this went on, people were living in a poor standard of accommodation.

The Council undertook a brief inspection of the houses on 25 June 2009 and the following suggestions were made after that inspection:

- follow the repair solutions as per the June report;
- offer the two houses for sale and removal to leave a clear site for future development;
- offer the two houses for sale as is, subdivide the rear parts of the properties, and use for future development;
- refer the matter to the Chatham Islands Housing Trust and seek a wider view on the matter; and
- widen the scope of the project to include a redevelopment of the Town Hall and Council office site as these buildings were also in a similar poor condition.

The General Manager reported that the availability of Government funding for improving existing houses was nil, though there had been a renewal of the Housing Innovation Fund for new houses.

There was some general discussion on the different ideas put forward previously on what to do with the two houses. Cr Gregory-Hunt suggested putting the houses up for tender for sale, or for removal, and see what response was received. His Worship thought that this could be done after discussion with the Housing Trust for its views.

Cr Croon stated that there needed to be a whole solution about what was going to happen, as the current tenants could be left thinking that they would be out of a home. She did not think the Housing Trust should be concerning itself with what Council was doing with its staff houses, but what it was going to do to establish new housing. Cr Gregory-Hunt agreed.

The General Manager advised that the houses were Council owned and in their current poor condition through lack of maintenance. There was a need to keep in mind that there were tenants involved.

The General Manager stated that when the community flats were refurbished, Council was left with a \$90,000 shortfall. He had been offered an unsecured loan from Council's bank at 6.1%, with the possibility of the interest being as low as 5.6%, to cover the shortfall. He noted that Council had the highest rating for risk with the bank meaning that it could be relatively easy to raise funds for new houses to be built, even if there was the need for an owner's share of up to 20%. All this made the exercise a little easier, knowing that Council had such support from its bank.

It was suggested that the issue of the staff houses be taken to the Housing Trust first, then be brought back to the next Council Meeting to make a decision. The General Manager advised that Council needed to make a final decision on the houses at the next meeting at the very latest.

Cr Gregory-Hunt reminded Council of the General Manager's earlier report suggesting that a local builder be given the Quantity Surveyor's estimate of costs to review and to test their soundness. His Worship said if the builder came up with a similar view, then Council would have some comfort on the estimates. Cr Croon stated that decision would only be useful if Council decided to go ahead with the repairs on the houses. She was concerned it was a lot of money to essentially only repair the houses. The General Manager advised that Council would seek mortgages over the properties to cover the cost of repairs.

RESOLVED THAT

1. A local builder be asked to review and test the soundness of the Quantity Surveyor's estimates for repairs to staff houses 2 and 3.
2. The views of the Housing Trust be sought on what Council could do with their staff houses, and also what could be done to establish new homes on the Chatham Islands.
3. The Housing Innovation and Housing Solutions for Maori Funds be referred to the Chatham Islands Housing Trust.

J I Clarke / A M Gregory-Hunt CARRIED

5.3 Heartlands

The General Manager reported on the Heartlands office established on the Chatham Islands in January 2005, and offering Chatham Islanders a connection with Government agencies. A recent survey of customers was undertaken by the Ministry of Social Development, and the results of that survey were presented to Council.

His Worship congratulated the Heartlands Co-ordinator, Teresa Lanauze, on the responses received from the Survey showing that she was doing an excellent job.

RESOLVED THAT the report on the Heartlands survey be received.

J I Clarke / N J Whaitiri CARRIED

REGULATORY:

6.1 Update from Environment Canterbury

The report for June 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 June 2009 report on the various activities undertaken by Environment Canterbury be received.

N C Ryan / M Croon CARRIED

6.2 Minutes of District Licensing Agency Meeting

RESOLVED THAT the Minutes of the Chatham Islands District Licensing Agency Meeting, held on Thursday, 10 June 2009, be received.

J I Clarke / N J Whaitiri CARRIED

6.3 High Level of RMA Compliance

A letter sent to His Worship the Mayor, Patrick Smith, from Hon Dr Nick Smith, Minister for the Environment, congratulating the Council on its high level of compliance with the Resource Management Act statutory timeframes, was presented to Council.

RESOLVED THAT the letter from Hon Dr Nick Smith, Minister for the Environment, be received.

N C Ryan / J I Clarke CARRIED

6.4 Owenga Wharf Resource Consent

A copy of the Planning Report and Hearing Commissioner's decision on the variation to the resource consent for the Owenga Wharf project was presented to Council. The Hearings Commissioner, in a decision dated 26 June 2009, had agreed with the variation and the project could proceed accordingly.

RESOLVED THAT the Planning Report and Hearing Commissioner's decision on the variation of resource consent for the Owenga Wharf project be received.

J I Clarke / N C Ryan CARRIED

6.5 Review of Undaria Commercial Harvest Policy

The General Manager presented a discussion paper from MAF Biosecurity New Zealand on the commercial harvesting of undaria. Submissions on the proposal had to be received by the Ministry no later than 5.00 p.m. on 31 July 2009.

Cr Ryan thought that the proposal should be opposed, but that Council needed to "cover its own backyard" if harvesting did begin, by being ready to "have a foot in the door". His Worship stated that the first step for Council was to oppose the proposal as if undaria got to the Chatham Islands it could take over other species. Crs Ryan and Christiansen agreed, but were concerned that if undaria did get into Chatham Islands' waters and it was harvested, Council would need to take part to keep the situation under control.

The General Manager advised that Council should make a submission stating that the Chatham Islands Council wished to see the Chatham Islands protected from the introduction of undaria for as long as possible. He advised that a lot of effort had been put in by a number of parties over the past few years to keep undaria out of the Chatham Islands and it would be a pity for that effort to be wasted.

His Worship noted that the map of New Zealand printed in the Policy did not have the Chatham Islands on it.

RESOLVED THAT the report be received and that the General Manager write a submission opposing the harvesting the undaria and stating that the Chatham Islands Council wished to see the Chatham Islands protected from the introduction of undaria for as long as possible.

N C Ryan / P R Christiansen CARRIED

GOVERNMENT:

8.1 LGNZ Rural/Provincial Sector Meeting

The Minutes of the Local Government New Zealand Rural and Provincial Sector Meeting, held in Wellington on 11-12 June 2009, were presented to Council.

Cr Clarke found the Meeting very interesting. He stated that the more he got involved, the more he was learning about local government.

RESOLVED THAT the Minutes of the Rural and Provincial Sector Meeting be received.

J I Clarke / M Croon CARRIED

IN CAMERA:

Minutes of In Camera Meeting, 16 July 2009

MOVED BY HIS WORSHIP THE MAYOR, MR P F SMITH AT 2.18 p.m., SECONDED BY, CR A M GREGORY-HUNT, that the public be excluded from the following part of the proceedings of the meeting:

The general subject of each matter to be considered while the public is excluded, the reason 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:

Item no.	Minutes/ Report of:	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
1	Minutes of In Camera Meeting 10 June 2009	Minutes	Good reason to withhold exists under Section 7	Section 48(1)(a)

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by holding the whole or relevant part of the proceedings of the meeting in public are as follows:

Item No.	
1	To maintain the effective conduct of public affairs through the protection of members, officers, or employees, from improper pressure or harassment and to enable Council to carry on, without prejudice or disadvantage, negotiations. 7(2)(g) 7(2)(j)

RESOLVED THAT the Minutes of the In Camera Meeting of the Chatham Islands Council, held on Wednesday, 10 June 2009, be confirmed and adopted as a true and correct record.

J I Clarke / N C Ryan CARRIED

MOVED BY HIS WORSHIP THE MAYOR, MR P F SMITH, SECONDED BY CR A M GREGORY-HUNT, that the meeting move out of In Camera.

CLOSURE:

Meeting Closure

There being no further business, the meeting was declared closed at 2.20 p.m.

CONFIRMED THIS 27th DAY OF AUGUST 2009

MAYOR