

## **CHATHAM ISLANDS COUNCIL**

### **Minutes of the Ordinary Monthly Meeting of the Chatham Islands Council, held in the Council Chambers, Tuku Road, Waitangi, on Thursday, 19 March 2009, commencing at 1.33 p.m.**

**PRESENT:** His Worship the Mayor, Mr P F Smith, and Councillors J I Clarke, P R Christiansen, A M Gregory-Hunt, and N J Whaitiri. Councillor M Croon from 1.37 p.m.

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

**APOLOGIES:** Apologies were received from Deputy Mayor, A W M Preece and Councillors N C Ryan and E C Tuck.

**RESOLVED THAT** the apologies from Councillors Preece, Ryan and Tuck be received.  
**A M Gregory-Hunt / P R Christiansen CARRIED**

**MINUTES:** **2.1 Ordinary Meeting, 5 February 2009**

**RESOLVED THAT** the Minutes of the Ordinary Meeting of the Chatham Islands Council, held on Thursday, 5 February 2009, be confirmed and adopted as a true and correct record.  
**A M Gregory-Hunt / N J Whaitiri CARRIED**

**MATTERS ARISING:** **Six-Monthly Report for Water and Wastewater**

Cr Gregory-Hunt, in her role with the Enterprise Trust, advised Council that a new tap was installed to the tank at the wharf, but someone had changed it to fit with their use.

**Earth Hour 2009 – 28 March**

His Worship reminded everyone about Earth Hour 2009, to be held on 28 March between 8.30 p.m. and 9.30 p.m., and that the Chatham Islands would be the first in the world to participate.

**FINANCE:** **3.1 Pitt Island Barge Society – Dues Rebate**

The General Manager reported that during the audit of the 2007/08 Annual Report, the Auditors raised concerns

about the loose arrangements around the Council's support for the Pitt Island Barge Society. The only accountability required by the Council before Dues collected on freight that is exported direct from Pitt Island is refunded, is a copy of the Society's audited financial statements.

Cr Clarke advised that Lenard Lanauze was the contact person for the Society.

**RESOLVED THAT** the General Manager arrange a meeting with the Pitt Island Barge Society to discuss the future of the Dues Rebate arrangement and to finalise any outcome.

**A M Gregory-Hunt / N J Whaitiri CARRIED**

**WORKS & SERVICES: 4.1 Downer EDi Works Report, January 2009**

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

**P R Christiansen / J I Clarke CARRIED**

**4.2 Downer EDi Works Report, February 2009**

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

**P R Christiansen / A M Gregory-Hunt CARRIED**

His Worship requested to know the exact location of the vegetation control work, especially in regard to spraying.

**4.3 Engineer's January 2009 Report**

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

**N J Whaitiri / J I Clarke CARRIED**

The General Manager reported that funding of just short of \$500,000 had been received for the replacement of Whangatete Bridge.

His Worship stated that it was great to see. The community continued to ask what work was being done by Council, and did not seem to realise that Council was obtaining funding from other sources to enable projects to be undertaken.

Cr Gregory-Hunt asked what was happening with the pricing of the cattle stops. The General Manager advised

that he had held discussions with the Contractor regarding the prices, and was waiting for a new quote.

His Worship noted that the Engineer had spoken with Hamish Campbell about the geology of the Chatham Islands, especially in relation to the seal extension investigation for Air Base Road/North Road. The General Manager advised that before any road design or construction was undertaken on the project, a geotechnic report would need to be reviewed and Council would need to engage Hamish Campbell if they wished him to review the report. This would give Council certainty on the base of the road.

Cr Croon requested that her apology for the Special Meeting held the previous day be recorded. She had asked a person to advise the Council office before the meeting, but that person had forgotten. She was concerned that the Seal Extension for Air Base Road/North Road was not included in the Regional Transport Programme. The General Manager advised that it was listed, on page 10 of the report.

## **COMMUNITY SERVICES:**

### **5.1 Staff Houses**

The General Manager presented a report on the three Council houses in Tuku Road, commonly called “staff houses”. The report highlighted the work undertaken on each property over the past four years. After the completion of works on House No. 3 in 2008 and the subsequent cost of the works, the General Manager questioned the wisdom of doing more work on House Nos 1 and 2, considering that it might be a better option to demolish and start again.

The General Manager reported that a full assessment of each property was required before any further work was undertaken to provide the Council with a thorough understanding of the size of the problem. He recommended that Opus Architecture be engaged to carry out the assessment, that company having recently assessed Council’s Community Flats and as a consequence now had a good knowledge of the ‘Chatham Factor’.

His Worship asked Council to consider the option of selling one of the houses and using the funds to do up the second house. He stated that there would always be a need for a house for the General Manager, and possibly one other staff house.

Cr Christiansen suggested that it would be just as easy to sell to the tenants. The General Manager advised that if any of the houses were to be sold, Council would have to undertake the process on the open market with the tenants having the ability to buy.

Cr Gregory-Hunt stated that it was a good concept, but in today's climate, it was very hard for Chatham Islanders to obtain loans.

The General Manager stated that at the moment Council did not know the extent of the deficiencies in the houses. Before any progress was made, there was a need to know what the deficiencies were.

**RESOLVED THAT** Council engage Opus Architecture to provide a needs assessment for the upgrade of Staff Houses 1, 2 and 3 in consultation with the tenants.  
**M Croon / A M Gregory-Hunt CARRIED**

## **5.2 Community Trust of Canterbury Funding**

The General Manager reported that the Community Trust of Canterbury had provided \$26,400 for distribution during the 2008/09 financial year. Three applications for funding were received from:

- Chatham Community Focus Trust - \$6,347 for equipment to enable "Roskats Radio" to transmit FM radio over the Islands with a broadband feed.
- Norman Kirk Memorial Reserve Committee - \$30,000 for the formation of a carpark area away from the main road.
- Chatham Islands Community Swimming Pool Committee - \$14,500 for pool maintenance items, including sandblasting and painting.

**Cr Clarke, as a member of the Norman Kirk Memorial Reserve Committee, declared an interest and took no part in the discussion.**

Cr Croon stated that funds for the radio equipment should come from the Chatham Islands Radio and TV Society. The General Manager stated that he advised Ross Morrison to seek funding through the Society, but he was turned down.

The funds were needed to purchase the hardware to make FM radio happen on the Islands, including Civil Defence alerts. Radio Weka was not operating, so there was no

quick and reliable way of alerting the community in the case of a civil emergency.

Cr Christiansen stated that the Civil Defence issue would make the project worthwhile from a safety point of view, as people could listen in to the radio for regular updates.

The General Manager advised that people's homes, vehicles, boats, etc. were almost all FM receivable. All of the old equipment could not do that. He had spoken to the Chatham Islands Police to see if they would have any use for an FM transmission, and they were enthusiastic.

His Worship stated that the Norman Kirk Memorial Reserve was widely utilised. The new carpark would be constructed in the paddock next to Chatham Motors. The General Manager advised that the Reserve Committee's first preference for funds was to apply to the New Zealand Lotteries. The application was declined on the grounds that the property was owned by the Council, and the Reserve Committee should apply to the Council for funding. The Administrator for the Lotteries Regional Committee, based in Christchurch, was advised that the Council did not have any funds available for the project, but to no avail. Cr Croon suggested that Council should put in an application to the New Zealand Lotteries, but the General Manager stated that there would be no guarantee the application would be looked at.

His Worship suggested that the \$26,400 should be divided up three ways, with each applicant being given half of their original asking figure.

Cr Gregory-Hunt suggested that the Chatham Community Focus Trust should be given all it had requested, with the balance being split between the two other applicants. She stated that the Norman Kirk Memorial Reserve was utilised more than the swimming pool.

The General Manager stated that the work required on the swimming pool was general housekeeping maintenance that should have been kept up to scratch through the years, but had now grown to be major works. Cr Gregory-Hunt asked if the Education Department put any money into the pool. Cr Croon, as a Trustee of the Te One School Board, advised that they contributed about \$200 annually. She stated that the school children utilised the pool considerably when the swimming tutor was on the Island earlier in the year.

Cr Gregory-Hunt stated that with winter coming up, the carpark needed to be constructed soon. Cr Croon advised that the work required on the pool needed to be undertaken during winter, in order for it to be completed before next summer.

The General Manager advised that he was still trying to get the Community Trust of Canterbury's Chief Executive Officer, Wayne Ward, and a Trustee to visit the Islands. Previously the Trust had made an offer of a significant grant to the Islands, and there was a need to know if that offer still stood.

The General Manager stated another avenue for funding was the New Zealand Community Trust. Chatham Islands Youth Rugby and the Wild Food Festival had recently received funds from that source. That Trust had also discussed the possibility of a one-off larger grant to the Chatham Islands. Cr Croon noted that there was also \$13,000 available from the final wind-up of the local Community Trust set up to distribute pokie machine funds to the Chatham Islands' community.

Cr Croon suggested that the Chatham Community Focus Trust should be given \$6,347, the Swimming Pool Committee \$6,000 with the balance of \$14,053 going to the Norman Kirk Committee.

Cr Christiansen suggested that the radio and pool projects should be fully funded with the balance of \$5,553 going to the Norman Kirk Committee as they did already have a carpark.

Cr Whitiri stated that most people now had Sky TV and could not access the local television. No one tuned into Radio Weka and Chatham Islands television anymore. Ross Morrison's FM radio transmission would enable the community to tune in 24/7.

Cr Croon agreed that there was a need for the FM radio transmission, but still felt that the Television Society should be paying for its establishment.

**RESOLVED THAT** Chatham Community Focus Trust be distributed \$6,347 for equipment to enable "Roskats Radio" to transmit FM radio over the Islands with a broadband feed, leaving a balance of \$20,053 from the Community Trust of Canterbury funds.

**M Croon / P R Christiansen CARRIED**

Cr Croon suggested that the Swimming Pool Committee should be given \$6,000 and the Norman Kirk Committee \$14,053. His Worship agreed with the suggestion. Cr Christiansen disagreed, stating that more money should be allocated to the pool.

The General Manager advised that by giving the Swimming Pool Committee \$6,000, the painting component of the project would be cut out. Cr Croon advised that as a Te One School Board Trustee, she would be raising the matter of the Board contributing more towards the maintenance of the pool.

**RESOLVED THAT** the balance of the Community Trust of Canterbury funds of \$20,053 be distributed as follows:

- Chatham Islands Community Swimming Pool Committee for pool maintenance items, including sandblasting \$6,000
- Norman Kirk Memorial Reserve Committee for the formation of a carpark area away from the main road \$14,053.

**M Croon / P F Smith CARRIED**

## **REGULATORY:**

### **6.1 Update from Environment Canterbury**

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

**P R Christiansen / A M Gregory-Hunt CARRIED**

His Worship asked the General Manager to find out what the numbers in the text of the 'Hydrology' report meant.

### **6.2 Minutes of District Licensing Agency Meeting**

**RESOLVED THAT** the Minutes of the Chatham Islands District Licensing Agency Meeting, held on Thursday, 5 February 2009, be received.

**M Croon / N J Whaitiri CARRIED**

### **6.3 Transfer of Building Act Functions**

The General Manager reported that the Napier City Council, after seeking an opinion from their Solicitor, had

decided to decline to accept the transfer of the Chatham Islands Council's Building Act functions.

Department of Building and Housing staff had now opened discussions with the Christchurch City Council and the General Manager had met with Christchurch Managers on 26 February 2009. There was willingness at Officer Level to provide the required services, and a report was to go to the Christchurch City Council for consideration on 26 March 2009. If the Christchurch City Council also declined to accept the transfer of building functions, then the provision of service would default back to the Minister.

For the functions to transfer to Christchurch City Council, the Chatham Islands Council was required to resolve to agree, subject to a round of public consultation.

A copy of the report that would go to the Christchurch City Council was tabled at the meeting.

Cr Christiansen was concerned at the extra cost that would be created for anyone who was planning to do any building on the Islands. He asked if there was a possibility of getting a local person accredited to act as an Inspector. The General Manager advised that there was no one suitably qualified on the Islands.

Two Building Inspectors from Christchurch City Council would be coming to the Islands in the next couple of weeks to speak with local builders. They would be trying to eliminate the need for Inspectors having to visit the Islands for every building project, and would be looking at the possibility of employing Tom Brown to assist.

The General Manager stated that the Chatham Islands Council did not have the ability to be accredited to carry out functions under the Building Act so were not compliant. The only option for the Council was to transfer the functions. It was possible that Tom Brown would be issued with a digital camera to photograph each stage of a building project then email the images to the Inspectors at Christchurch City Council. The Department of Building and Housing had been told that this would be the only sensible thing to do.

The only time that Inspectors would need to come to the Islands would be for major works, to undertake the final sign-off, as had been done for Hotel Chathams.

The General Manager advised that staff were always looking at ways to achieve compliance without too much cost, but it was not possible to state that “this is the Chathams and is different so should not have to comply”, as this could expose the Council. It was a requirement of the Government funding that Council fully comply with all the relevant legislation.

Cr Christiansen stated that there was too much ‘red tape’.

His Worship stated that all Councils were supposed to be compliant by 1 April 2009, but the Chatham Islands would not achieve this. The General Manager advised that if the Christchurch City Council decided that taking over the Building Act functions of the Chatham Islands Council was too much of a risk, then the Minister of Building and Housing would have to make a decision on how to achieve compliance.

The General Manager stated that the Minister of Local Government, Rodney Hide, spoke at the Local Government New Zealand Rural/Provincial Sectors Meeting in Wellington last month, and gave some hope to Councils that less stringent legislation might be passed in relation to the Building Act.

**RESOLVED THAT** Council approve of the proposed transfer of Building Act functions to Christchurch City Council and the required public consultation take place.  
**N J Whaitiri / J I Clarke CARRIED**

## **GOVERNMENT:**

### **8.1 LGNZ Rural/Provincial Sector Meeting June 2009**

The General Manager reported that the Rural/Provincial Sector meeting that was to have been held on the Chatham Islands in June 2009 had been cancelled, the reason being that because of the current economic recession the wrong signals could be given to ratepayers by Council representatives taking a trip to the Chatham Islands. The General Manager had thanked Air Chathams and the Visitor Industry Group for their support and assistance.

**RESOLVED THAT** the information on the cancellation of the Rural/Provincial Sector Meeting to be held on the Chatham Islands be received.  
**A M Gregory-Hunt / P R Christiansen CARRIED**

## **8.2 Minutes of Rural/Provincial Sector Meeting**

**RESOLVED THAT** the Minutes of the Local Government New Zealand Rural/Provincial Sector Meeting, held in Wellington on 19 and 20 February 2009, be received.

**P F Smith / N J Whaitiri CARRIED**

The General Manager advised that the proposal to merge Zones 5 and 6 would not occur in the immediate future.

## **8.3 Motor Vehicle Allowance for Elected Members**

A discussion paper from the Remuneration Authority on travel allowances paid to elected members was presented to Council. It was proposed that the current determination be abolished and replaced with a reimbursement process.

The General Manager reported that Councillors were currently paid a monthly allowance based on the 70 cents/kilometre determination and distance between their residence and the Council building.

**RESOLVED THAT** a submission, signed by His Worship the Mayor, in support of the present system recognising Chatham Islands' factors, be made.

**M Croon / N J Whaitiri CARRIED**

## **CHATHAM ISLANDS:**

### **9.1 Federated Farmers Concerns**

A letter, received from Chatham Islands Federated Farmers, requesting a meeting with the Mayor and Councillors, was presented to Council. The letter expressed concern that farmers on the Chatham Islands were nearing the point of financial collapse and sought Council assistance to resolve the issue.

His Worship stated that there was no way that the Council could waive its rates for the community.

**RESOLVED THAT** a meeting with Chatham Islands Federated Farmers be arranged.

**A M Gregory-Hunt / P R Christiansen CARRIED**

### **9.2 Chatham Islands Economic Review**

The General Manager reported that representatives from Council met with representatives from the Chatham Islands Enterprise Trust on 9 February 2009 to consider the Taylor

Baines Economic Review document and its value. There were differing opinions between the two organisations, with the Council seeing little value in the recommendations made and the Enterprise Trust finding some bits that were useful. It was agreed that the Enterprise Trust should go back to Taylor Baines to discuss what it would take to either make the Review into an Economic Strategy or to add a Strategy to it.

**RESOLVED THAT** the information on the Chatham Islands Economic Review be received.

**J I Clarke / P F Smith CARRIED**

The General Manager advised that the Chief Executive Officer of the Enterprise Trust, Ian McFarlane, had gone back to Taylor Baines and they had agreed to do a Strategy.

Cr Croon asked if there had been any meetings with members of the new Government yet. The General Manager advised that Ian McFarlane was supposed to be organising the meetings through Hon Chris Finlayson.

### **9.3 Council/Enterprise Trust 'Coming Together'**

The General Manager reported on email correspondence that he had received from Hugh Rennie on 25 February 2009 regarding the review of the Chatham Islands Enterprise Trust and the Chatham Islands Council. He also reported on a telephone discussion, held between Hugh Rennie, Basil Morrison and himself on 9 March 2009, to look for a way to make progress towards the 'coming together' of the two organisations.

**RESOLVED THAT** the information on progress towards the 'coming together' of the Chatham Islands Enterprise Trust and the Chatham Islands Council be received.

**A M Gregory-Hunt / M Croon CARRIED**

The General Manager stated that there was a glimmer of hope that progress was being made with Hugh Rennie and Basil Morrison having met together a couple of times. He felt more optimistic after his telephone conversation with both men earlier in the month.

### **9.4 Kaingaroa Village**

A letter, received from Aotearoa Fisheries Limited, advising that the lease they held over property at

Kaingaroa was to be surrendered in favour of Hokotehi Moriori Trust, was presented to Council.

Two further items of correspondence on the matter were tabled at the meeting. These were a second letter from Aotearoa Fisheries Limited and an exchange of emails between the Hokotehi Moriori Trust Chief Executive Officer, Maui Solomon, and Council's General Manager.

The General Manager reported that it seemed there was an expectation from Aotearoa Fisheries Limited and Hokotehi Moriori Trust for the Council to take over the ownership and management of the water supply that served the Kaingaroa Village. The General Manager advised that the Council would need to know what it was getting itself in to before taking on the responsibility.

The General Manager stated that the exercise was becoming a difficult one. Council needed to know the value of the asset, what condition it was in, how much Kaingaroa residents paid as a Water Rate, and if that Water Rate would cover the cost of operating the supply. He was very concerned at the cost structure of taking over the scheme.

His Worship advised that as the local authority, Council did have the essential responsibility for water for Kaingaroa, but Council needed to know the costs of taking over the scheme. He questioned what would happen if the factory were to reopen.

Cr Christiansen stated that there would be a 'crunch point' for the residents of Kaingaroa when Hokotehi Moriori Trust took the factory over. His Worship agreed, but stated that Council needed to know the answers to the questions before taking over the scheme.

The General Manager advised that he had contacted Charles Mellish of MWH who would come to the Islands to do an assessment of the scheme.

There was some discussion about the pump currently used for the supply being in a vulnerable position on its island. Cr Whaitiri advised that the pump could be moved back to shore.

Cr Whaitiri stated that he did not want Council paying Hokotehi Moriori Trust for the water scheme. His Worship advised that there was a need to work in partnership to resolve the situation.

**RESOLVED THAT**

1. Council agree in principle to the transfer of the water supply scheme at Kaingaroa.
2. The following questions be answered before signing any agreement:
  - Is the scheme in good workable condition and compliant with New Zealand Drinking Water Standards?
  - What is the scheme's value?
  - What are the scheme's cost structures?

**P R Christiansen / J I Clarke CARRIED**

**CLOSURE:**

**Meeting Closure**

After consideration of the In Camera Agenda and there being no further business, the meeting was declared closed at 3.15 p.m.

**CONFIRMED THIS 30th DAY OF APRIL 2009**

**MAYOR**