

## CHATHAM ISLANDS COUNCIL

### **Minutes of the Ordinary Monthly Meeting of the Chatham Islands Council, held in the Council Chambers, Tuku Road, Waitangi, on Thursday, 9 October 2008, commencing at 1.30 p.m.**

**PRESENT:** His Worship the Mayor, P F Smith, Deputy Mayor A W M Preece and Councillors P R Christiansen, M Croon, A M Gregory-Hunt, 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

**APOLOGIES:** There were no apologies.

**MINUTES:** **2.1 Ordinary Meeting, 21 August 2008**

**RESOLVED THAT** the Minutes of the Ordinary Meeting of the Chatham Islands Council, held on Thursday, 21 August 2008, be confirmed and adopted as a true and correct record.

**A W M Preece / N J Whaitiri CARRIED**

**MATTERS ARISING:** **3.5 Proposal to Abolish Council Dues**

The General Manager advised that some of the organisations written to about having a representative on the Working Party to look at Council Dues had responded. Representing Pauamac4 would be Lois Croon, Gary Levy for CRA6, and for Federated Farmers, Jan Holmes. No response had been received from either Iwi.

His Worship felt that the issue would be very difficult to sort out in such a short time. Cr Mills stated that the payment of Dues was a good source for the recording of imports and exports to and from the Islands.

The General Manager advised that Council needed to elect representation for the Working Party.

**RESOLVED THAT** His Worship the Mayor and Cr Tuck be the Council representatives on the Council Dues Working Party.

**N C Ryan / A W M Preece CARRIED**

The General Manager advised that he would be writing a report on the history of Council Dues for the Working Party. He believed that to abolish Dues would just be like “shuffling liabilities” for everyone.

#### 6.5 Dog Control Policy/Dog Control Bylaw 2008

The General Manager advised that since the adoption of the Dog Control Policy and Dog Control Bylaw he had received correspondence from Dale Whitiri asking that Kaingaroa be included as a ‘designated urban area’. He stated that this would require the whole Bylaw process to be commenced again, and if adopted, would require the appointment of a Dog Control Officer for the Kaingaroa area.

Cr Whitiri advised that from initial discussions at Kaingaroa, there was someone available to take on the appointment. He stated that the main problem with dog control was one owner running his dogs through the town for exercise. As they follow their owner, they are stopping and fouling private property and getting into rubbish bins.

Cr Ryan stated that if Kaingaroa was to be listed, Owenga should be listed as well.

Cr Croon suggested that in the first instance, the Council’s Dog Control Officer should be asked to visit Kaingaroa and speak to the owner or owners of any dogs creating a nuisance. Warnings could be issued at that time.

Cr Preece stated that a reminder should be put in the Council’s Chatham Islander column about the need to keep dogs under control at all times in built up areas. His Worship suggested that owners should also be reminded about the number of dogs allowed in urban areas.

It was agreed that the Dog Control Officer should be asked to visit Kaingaroa and speak with dog owners about their responsibilities, and that Dale Whitiri be advised of this action.

## **FINANCE:**

### **3.1 Revaluations**

A report was presented outlining the effect on Council’s accounts as a result of the revaluation of roading, water

and wastewater assets, including the effect of increased depreciation expense. A table showing the current net book value and the new valuation for each class of assets (23% total increase) was included in the report.

The General Manager advised that the revaluations were purely an accounting function. It was a requirement for the valuations to be undertaken every three years by a Registered Valuer.

**RESOLVED THAT** the valuations be approved for inclusion in the Annual Report.

**M Croon / B J Mills CARRIED**

### **3.2 Rates Remissions**

A report was presented on the power, under Section 54 of the Local Government (Rating Act) 2002, to write-off small rates balances that were uneconomic to collect.

**RESOLVED THAT** rates balances under \$5.00 be written-off as uneconomic to collect, as allowed for under Section 54 of the Local Government (Rating Act) 2002.

**N C Ryan / A M Gregory-Hunt CARRIED**

### **3.3 Sustainable Development Policy (Draft)**

A draft Sustainable Development Policy, for inclusion in the 2009-2019 Long Term Council Community Plan, was presented to Council for adoption.

The Finance Manager stated that there was a need for a Sustainable Development Policy as the Government would be looking at the sustainable approach in relation to the LTCCP, especially when it came to approving projects under the Infrastructure Fund.

**RESOLVED THAT** the Sustainable Development Policy be adopted.

**N J Whaitiri / M Croon CARRIED**

### **3.4 \$20 million Infrastructure Fund**

A report was presented on the Government's announcement of the establishment of a \$20 million fund to assist with the development of essential infrastructure on the Islands. The fund will become available from 1 July 2009.

**RESOLVED THAT** the report on the \$20 million infrastructure fund be received.

**A M Gregory-Hunt / N C Ryan CARRIED**

The General Manager stated that the LTCCP consultation process over the next few months would be very important. Not only would consultation give Council an indication of whether or not it was performing to the community's expectations, it would also influence the use of the \$20 million Government Fund.

The General Manager and Finance Manager had identified a number of community organisations which they would be consulting with, along with a member of Council. Once all the meetings with each organisation had been undertaken, then a community workshop would be held. They would visit Pitt Island if necessary.

Cr Gregory-Hunt suggested that this could be carried out in conjunction with the Taylor Baines workshop. The General Manager advised that they did not want to compete with Taylor Baines. Council needed to consult on its core business, e.g. roading and waste disposal.

The Finance Manager stated that a framework was being developed for the group consultation meetings. From those meetings, a survey would then be developed to go to the wider community.

Cr Tuck suggested that a "dot list" type of form should be developed as a guideline for people when they make submissions to the LTCCP. This should help simplify the process and hopefully encourage more submissions.

**WORKS & SERVICES: 4.1 Downer EDi Works Report, August 2008**

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

**A W M Preece / N C Ryan CARRIED**

Cr Gregory-Hunt asked when the verges alongside the new footpath on Tuku Road would be grassed.

Cr Preece expressed concern that the preparation work for sealing in Owenga would be undertaken before a full design had been completed by the Engineer. He did not want any more new sealing work carried out on the

Island until seal tests had been undertaken and Council had seen some solid results. He advised that he was still waiting on the results of the seal testing on North Road.

Cr Preece did not believe that all the Owenga sealing work could be completed by the end of the financial year. He felt that there needed to be some accountabilities set up for the design work and any failure to the seal. He was continually being asked these questions by the public and needed to have the correct answers for them.

With regard to sealing the highway from Waitangi to the Airport, tests would have to prove land stability before the project could begin. Cr Mills agreed asking, “why seal even one kilometre of road if there was going to be a fault”?

Cr Gregory-Hunt stated that when the Council met with the Engineer they were advised that trials would take up to two years to complete.

The General Manager advised that he was meeting with the Engineer, a representative from the Transport Agency and the Contractor in Christchurch the following week and he would relay Council’s concerns. He would obtain some commitments from the meeting and forward them to Council members.

He stated that under changes made to responsibilities for transport, it was now necessary for the Chatham Islands to produce its own three year Roding Plan. During his meeting next week, discussions would be held on the Plan.

#### **4.2 Engineer’s August 2008 Report**

The monthly report for August 2008 from Council’s Roding Engineer was enclosed with the Agenda.

**RESOLVED THAT** the August 2008 Progress Report from Council’s Roding Engineer be received.

**A W M Preece / B J Mills CARRIED**

Cr Preece questioned the installation cost for the cattlestops designed for use on public roads. He stated that the cost was far more than he had envisaged. He asked if they would be prefabricated, or be constructed on Island. He asked to see the cattlestop designs.

Cr Preece also suggested that Pitt Island would not require fully constructed state highway strength cattlestops.

The General Manager advised that the costs were well within Council's budget of \$50,000 for two cattlestops per year.

Cr Christiansen expressed concern that with the opening up of Te Matarae Road, people could be encouraged to drive faster, thus creating a road safety issue because of wandering stock. Cr Preece stated that to upgrade Te Matarae Road and enable it to be better utilised, cattlestops were necessary in place of the current gates.

A suggestion was made that the money could be better used fencing the road boundaries on Te Matarae Road instead of building cattlestops. Cr Preece stated that this would set a dangerous precedent.

The General Manager stated that Council had decided not to insist that all roadsides be fenced so came up with the solution to build cattlestops along Te Matarae Road and for Pitt Island. He advised that Council could not subsidise fencing for only one area of the Island. If it was done along Te Matarae Road, it would have to be done over the whole Island.

It was agreed that roaming cattle was a wider issue and Council must continue to encourage landowners to fence because they could be held liable in the event of a fatal accident.

#### **4.3 Minutes of Solid Waste Management Meeting**

The Minutes of the Solid Waste Management Meeting held on Thursday, 21 August 2008, were presented to Council.

**RESOLVED THAT** the Minutes of the Solid Waste Management Meeting be received.

**N J Whaitiri / A W M Preece CARRIED**

#### **4.4 Waste Management Kaingaroa Meeting**

The General Manager reported on the Waste Management Committee Meeting which was held at the Kaingaroa Sports and Social Club on Thursday, 18 September 2008. There was a welcoming acceptance of the Strategy and the parts which relate to Kaingaroa,

and Cr Whitiri will lead a liaison group to enable further consultation as the work progresses.

**RESOLVED THAT** the report on the Waste Management Committee Meeting held at Kaingaroa be received.

**A M Gregory-Hunt / P F Smith CARRIED**

#### **4.5 Owenga Wharf Funding**

The General Manager presented a report on the New Zealand Transport Agency Board's resolution to approve the cost of funding a replacement wharf at Owenga. This will be funded through the Targeted Community Fund which covers 97% of capital works. Council's share will be 3%, or approximately \$49,950 based on current estimates.

A condition of the approval was that all future maintenance or replacements will be at Council's expense. The General Manager suggested that a Special Fund should be established from 2013 in order to accumulate funds over the expected life of the new wharf.

Cr Ryan asked why the Special Fund should not be established on completion of construction of the wharf. The General Manager advised that 2013 was when the next renewal round for Government funding would occur. Currently there was nothing budgeted to cover a Special Fund. Cr Ryan suggested that the users of the wharf should be making a contribution towards the Special Fund, possibly through increased mooring fees.

**RESOLVED THAT** the report be received and that a Maintenance/Replacement Fund be established from 2013 onward.

**N C Ryan / N J Whitiri CARRIED**

**RESOLVED THAT** the construction of the new Owenga Wharf go to tender.

**N C Ryan / A M Gregory-Hunt CARRIED**

Cr Tuck asked if there would be a guarantee of workmanship. The General Manager advised that the construction would be a fully tendered project with guarantees built into it. He would be discussing all those types of issues with the Engineer when he met with him next week.

Cr Gregory-Hunt was concerned about the security of materials during the construction and the need to ensure that the steel bolts from the old wharf were removed and saved before someone “helped themselves”. His Worship stated that the same should apply for all the materials.

#### **4.6 Opening of Te Whanga**

A letter was received from Mr L M Reriti complaining about Council’s lack of management around the opening of Te Whanga.

#### **Crs Preece and Tuck declared an interest.**

His Worship stated that Council did have criteria to work to for opening Te Whanga. All landowners with property to the water line had the same problem.

Cr Gregory-Hunt thought that the query should have been passed onto management in the first place. Cr Whaitiri advised that he was the Councillor mentioned in Mr Reriti’s letter and he advised him to put his concerns in writing.

Cr Tuck referred to the marker on the Muirson property and suggested that markers could be placed at other points around Te Whanga. The General Manager advised that the marker on the Muirson property was not “exact science”, but was a spot decided on when he met with the previous owner when the property had been inundated. He advised that if there were to be more markers placed on properties, there needed to be more science about their placement.

Cr Ryan warned that Te Whanga needed a certain amount of water in it before it could be opened. His Worship stated that it could not be opened in summer because of the lack of flow. He noted that this year had been the highest he had seen Te Whanga.

Cr Preece stated that the equinox period was the best time to open Te Whanga and was when it had been opened in previous years. He believed that the erosion this year was because of the amount of north-east winds the Island had endured.

Cr Tuck asked if some science could be applied to the times when Te Whanga was opened. Cr Mills stated that either Council continued with the current process or

people would have to be told that it would cost the ratepayer more money to do it differently. He believed the cause of the erosion was an “act of God”, namely the weather.

**RESOLVED THAT** Mr Reriti’s letter be received and he be advised of the situation regarding the opening of Te Whanga.

**A M Gregory-Hunt / N C Ryan CARRIED**

## **COMMUNITY SERVICES:**

### **5.1 Rural Travel Fund Applications 2008/09**

Sport and Recreation New Zealand renewed the Rural Travel Fund for 2008/09 with an allocation of \$9,500. Eligible organisations on the Islands were advised of this and invited to apply for funding.

At the close of applications only one was received, from Chatham Islands Youth Rugby for transportation within New Zealand to and from organised games.

#### **RESOLVED THAT**

1. The application from Chatham Islands Youth Rugby for \$9,000 be approved.
2. \$500 be carried forward to next year.

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

### **5.2 Public Toilet, Kaingaroa**

A letter was received from Kaingaroa Sports and Social Club in response to Council’s request for the Club to make available its toilet facilities for public use. The letter advised that the Club was not in favour of opening up their toilet facilities to the public, but suggested that an existing public toilet cum shower block could be an option. Repairs to the building would need to be undertaken and permission from the landowners, Hokotehi Moriori Trust, would be required.

The General Manager reported that Council members viewed the facility last month and thought that it did offer possibilities.

Cr Ryan stated that there was a possibility that the Owenga Club toilet facilities could be made available to the public. It was agreed that the matter should be left for the Club to contact the Council.

**RESOLVED THAT** Council seek approvals from Hokotehi Moriori Trust to enable the development of the proposed public toilet block at Kaingaroa.  
**N J Whaitiri / A M Gregory-Hunt CARRIED**

**REGULATORY:**

**6.1 Health Act 1956 and Food Act 1981**

The General Manager reported on the regulatory role Council plays under the Health Act 1956 and the related Food Act 1981. Currently these responsibilities were covered by the Public Health Unit at the Hawkes Bay District Health Board under contract to the Council, but from 1 July 2009 the Food Act duties could only be administered by authorities that had gained accreditation. Hawkes Bay District Health Board did not intend applying, as it is not their core business.

The General Manager had a preliminary discussion with the Napier City Council Chief Executive Officer, Neil Taylor, about his Council's ability to provide a service to the Chatham Islands Council. A decision has still to be made.

**RESOLVED THAT** the information on the Health and Food Acts be received.  
**E C Tuck / M Croon CARRIED**

**6.2 Update from Environment Canterbury**

The report for September 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 September 2008 report on the various activities undertaken by Environment Canterbury be received.  
**A W M Preece / N C Ryan CARRIED**

**EMERGENCY  
MANAGEMENT:**

**7.1 Tier 2 Marine Oil Spill Contingency Plan**

A letter was received from Maritime New Zealand advising that Council's Tier 2 Marine Oil Spill Contingency Plan was approved in accordance with Sections 289 and 292 of the Maritime Transport Act 1994.

**RESOLVED THAT** the information on the Marine Oil Spill Contingency Plan be received.  
**N C Ryan / N J Whaitiri CARRIED**

**GOVERNMENT:**

**8.1 Zone 5 Meetings**

An email was received from the Chair of Zone 5, Maureen Pugh, seeking views from member Councils on the frequency and location of Zone 5 Meetings.

The General Manager advised that Council's budget allowed for two members to attend all the Zone Meetings. He thought that Thursday meetings were preferable for attendees from the Chatham Islands, as that gave them the option to travel back home before the weekend.

Cr Tuck hoped that by setting a particular destination for holding meetings would not discount the Chatham Islands in the future. The General Manager advised that it would not, as the Chatham Islands, as a venue, was considered as a unique and one-off experience.

Cr Croon stated that at the last Combined Zones 5 and 6 Meeting that she attended, delegates were keen to have more than one combined meeting a year.

**RESOLVED THAT** the Chatham Islands Council were in favour of Thursday as a meeting day with:

- two combined meetings per year, one in Dunedin and one in Christchurch;
- one meeting per year in the host Chairperson's home region; and
- one meeting per year in Christchurch.

**A M Gregory-Hunt / E C Tuck CARRIED**

**CHATHAM ISLANDS:**

**9.1 CIC/CIET Future Governance**

A letter was received from Chatham Islands Enterprise Trust confirming its support to investigate future governance options, along with the Council.

The General Manager stated that Taylor Baines focused on the issue during the interviews held with Nick Taylor and Stewart Ford. The Auditor General had also focused on it during his visit to the Island. This surprised him and showed that there was more interest in the issue than what he had thought.

Cr Mills was adamant that approval needed to come from the Department of Internal Affairs and the Local Government Commission and that no-one should get too excited about the issue until those approvals had been received. The General Manager stated that he would be holding his annual meeting with officials from the Department of Internal Affairs next week and the issue would be discussed then.

Cr Preece asked what the next stage of the process would be. The General Manager advised that His Worship had written to the Chairman of Local Government New Zealand, Lawrence Yule, seeking a representative to carry out the review. Basil Morrison, the former Chairman had been suggested. Hugh Rennie had agreed to be the Enterprise Trust's representative, but had advised that he would not be available until mid-October.

**RESOLVED THAT** the letter from the Chatham Islands Enterprise Trust be received.  
**N J Whaitiri / A W M Preece CARRIED**

**CLOSURE:**

**Meeting Closure**

After consideration of the In Camera Agenda and there being no further business, the meeting was declared closed at 3.05 p.m.

**CONFIRMED THIS 13th DAY OF NOVEMBER  
2008**

**MAYOR**