

CHATHAM ISLANDS COUNCIL

Minutes of the Special Meeting of the Chatham Islands Council, held in the Council Chambers, Tuku Road, Waitangi, on Thursday, 25 June 2009, commencing at 1.30 p.m.

PRESENT: His Worship the Mayor, Mr P F Smith, Deputy Mayor
A W M Preece, and Councillors J I Clarke,
A M Gregory-Hunt, N C Ryan and N J Whaitiri.
Cr M Croon from 2.40 p.m.

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

Various people on behalf of the submitters:
Shirley King and Rana Solomon (Hokotehi Moriori Trust)
Deborah Goomes and Shirley King (Chatham Islands
Conservation Board)
Ken Hunt and Alex McKillop (Department of Conservation)

APOLOGIES: Apologies were received from Councillors
P R Christiansen and E C Tuck, and Councillor
M Croon for lateness.

RESOLVED THAT the apologies from Councillors
Christiansen, Tuck and Croon be received.
N C Ryan / A M Gregory-Hunt CARRIED

The purpose of the meeting was to hold hearings into the submissions received to the Draft Long Term Council Community Plan 2009-2019 (LTCCP). The following submissions were received:

1. Hokotehi Moriori Trust

Chairperson, Shirley King, and Trustee, Rana Solomon, were present to speak to the submission from Hokotehi Moriori Trust. Shirley thanked Council for the opportunity to participate and stated that it “bodes well for the future”.

Hokotehi Moriori Trust wanted to assist the Council with developing a vision for the Chatham Islands that was environmentally and culturally respectful and sustainable, and in order to achieve this, proposed that the Plan should be drafted to better reflect the interconnected relationship between Moriori with the land and seascapes of the Islands.

They believed that the Plan should reflect a change in the nature of tangata whenua/Council relationships, and were concerned that reference to Treaty partnerships and participation was largely confined to just one section of the

Plan. They wanted acknowledgement of the role Moriori could and should play to be included throughout the Plan, although Rana Solomon acknowledged the time constraints around the adoption of the current Plan. She suggested that because of those constraints a note be made in the current Plan stating that any future plans would reflect Hokotehi Moriori Trust's requests, with Council's Cultural Liaison Officer to work closely with the Trust.

Specific matters to be addressed were:

Moriore culture and identity – a request for the Plan to have a preamble or statement that briefly outlined Moriori identity and culture. Shirley stated that they were willing to assist the Council with the statement, but requested that if their assistance was not used, that they be consulted on the wording before printing of the documents.

Sequence of wording – a request that references to Moriori and Maori either be structured in separate sections or worded clearly to reflect their respective cultural differences and roles on the Islands and as Moriori were the original indigenous inhabitants of the Islands, the Plan should respect this in the order of wording.

Language – a request that where Moriori and/or Maori language was used in the Plan, words from both languages should be used, with the Plan and its maps using the Moriori words for the Islands and landscapes. Assistance was offered with this task.

Wahi Tapu – a request for a section in the Plan on care and respect for heritage places.

Memorandum of Understanding – they endorsed the statement on the need for an MoU between Hokotehi Moriori Trust and the Council and requested that the Trust be identified in the Plan as the mandated legal entity that represented Moriori.

Wording in Appendix 3 – a request for a modification to wording in the Local Government Act to reflect not just tangata whenua, but also tchakat henu.

Cr Preece stated that information sharing was important, especially when it came to identifying wahi tapu. He asked if the Trust would be prepared to share information that it had with the Council. Shirley acknowledged that information they had could benefit the Council. It was agreed that during the establishment of the MoU would be the proper time to address this issue.

Cr Ryan thought that the issue of Maori coming before Moriori was established by the alphabet, with 'ma' coming before 'mo'.

Shirley King and Rana Solomon departed the meeting at 1.43 p.m.

The General Manager advised that it was entirely up to Council whether to include Moriori culture and language in the Plan. He was pleased that Rana had acknowledged the time constraints in being able to make changes to the current Plan. He suggested that a paragraph could be written for the Foreword to the Plan stating that Council would be working closely with Iwi in the future to include their culture and language in Council documents such as the Resource Management Document and Annual Plans. He stated that wahi tapu

was an RMA issue. There was a section in the current Resource Management Document that dealt with historical places. It was very 'light' at the moment, but would change when the Document was reviewed.

Ken Hunt, Area Manager of the Department of Conservation Chatham Islands' office, entered the meeting at 1.45 p.m.

It was agreed that the Moriori were the first people on the Islands and that this should be reflected in documents. It was also agreed that there was a need for getting the culture and language correct. Cr Gregory-Hunt stated that an acknowledgement of these in the current Plan would suffice due to time constraints.

RESOLVED THAT

- a) The submission from Hokotehi Moriori Trust be received and they be thanked for their participation.
- b) The changes requested by Hokotehi Moriori Trust take effect from all future Council documents.

N C Ryan / N J Whaitiri CARRIED

There was some discussion on the request for a modification to wording in Appendix 3 of the Local Government Act. The General Manager advised that it was a long process to have changes made to legislation. He suggested Council could instigate the process to have changes made to recognise Moriori as tchakat henu of the Chatham Islands.

RESOLVED THAT the Chatham Islands Council instigate the process to have an amendment made to sections of the Local Government Act and the Chatham Islands Council Act to recognise Moriori as tchakat henu of the Chatham Islands in their own right, along with Maori as tangata whenua.

A W M Preece / J I Clarke CARRIED

Deborah Goomes, Chairperson of the Chatham Islands Conservation Board, and Shirley King, Board Member, entered the meeting at 1.52 p.m.

2. Chatham Islands Conservation Board

The Chairperson of the Chatham Islands Conservation Board, Deborah Goomes, was present to speak to the submission from the Conservation Board, supported by Board Member, Shirley King. Deborah thanked the Council for the opportunity to be able to make a submission to the Plan.

The Board commented on the wording on page 12 of the Plan referring to 'Sustainable Relationships', and requested that there should be additional words added to reflect other on-Island groups in progressing the social, economical, environmental and cultural well-beings for the Chatham Islands. The Board wanted Council to endeavour to include and effectively consult with them on such matters that strengthened the Islands' 'voice'.

The Board acknowledged the importance of the preservation and protection of the environment and the management of the Islands' natural resources for the benefit of present and future generations, and believed that biosecurity was pivotal to reducing the risk of 'pests' entering the Islands. They requested that Council endeavour to keep the Board and other interested parties informed on biosecurity matters, in particular any new findings. They recognised Council's key strategic documents which came under the LTCCP.

With reference to the Regional Pest Management Strategy 2008/2018, the Board urged the Council to be proactive and initiate control of all plant pests designated as total control. The Board also urged the Council to meet its objective in the RPMS 'to eradicate feral goats from the Chatham Islands'.

The Board acknowledged Council's Policy on Maori, Moriori and the Chatham Islands Council, and believed that the Policy established a good basis for Council's intentions of building sound working relationships with Maori and Moriori. They also acknowledged that the issues were challenging, not only for the Council but also for the Board.

Cr Preece asked Ken Hunt if the goat issue was as bad as it sounded with the goats outside the fenced area. Ken advised that there were pockets of goats right through the northern areas of Chatham Island. He suggested that everyone took note next time they flew over the Island.

Alex McKillop from the Department of Conservation entered the meeting at 2.05 p.m.

His Worship advised that during the Pest Management Strategy hearings, it was decided that goats which went outside confined fences would be considered as 'feral' and could be destroyed. Animals would only require identification tags when being moved for sale. Cr Preece asked if there was any legal standing on the disposal of goats once outside confined fencing. He considered that the Island had a far greater problem with feral cattle.

Cr Gregory-Hunt stated that the Conservation Board represented the community of the Chatham Islands, but was not a governance group. The General Manager advised that the Board was a statutory appointed Board, as opposed to a group such as Federated Farmers which was a group formed by like-minded people without statutory authority. He suggested that as a way forward, Council could make recognition of the statutory role that the Board has on the Chatham Islands.

The General Manager advised that with regard to the biosecurity matters, Council was in the throes of resourcing itself to fulfil its responsibilities. It was the intention of Council's Contractor, Environment Canterbury, to have a staff member based on Chatham Island to start dealing with the issue.

RESOLVED THAT

- a) the submission from the Chatham Islands Conservation Board be received and they be thanked for their participation.

- b) that the Chatham Islands Council take note of the Conservation Board as a statutory body of the Chatham Islands.
- c) that the Chatham Islands Council noted the importance that Maori and Moriori played on the Islands, as commented on by the Conservation Board, and had addressed the issue when it dealt with the Hokotehi Moriori Trust submission.

A W M Preece / J I Clarke CARRIED

3. Department of Conservation

Ken Hunt, Area Manager of the Department of Conservation's Chatham Islands' office, was present to speak to the submission from the Department of Conservation. Ken advised that he was presenting the submission on behalf of Alastair Morrison, the Director-General of Conservation. Ken noted that the Department managed approximately 6% of Chatham Island land and almost 40% of Pitt Island land.

Ken stated that the Department had an excellent working relationship with the Council. Their submission raised "a number of matters for consideration by Council in the spirit of seeking to best sustain the resources and natural and cultural taonga that make the Chatham Islands such a special place". The primary interests identified in the Plan by the Department were:

Community Outcomes – the Department recognised that it had a role to play and supported the need to work co-operatively to help achieve the community outcomes.

Emergency (Rural Fire) Management – the Department acknowledged Council's role and ongoing support in the prevention, detection and suppression of rural fires.

Biodiversity – the Department urged Council to signal a desire in the LTCCP to prepare a Biodiversity Action Plan or Biodiversity Strategy for the Chatham Islands and suggested seeking funding through the Biodiversity Condition Advice Fund.

Rates Remissions – the Department asked Council to signal its intention in the LTCCP to extend the rates remission policy to ratepayers who preserve and protect indigenous biodiversity sites through a formal covenant under the Reserves Act, Conservation Act or QEII National Trusts Act.

Biosecurity – the Department requested that the LTCCP include a description of tasks and items associated with the more than \$300,000 allocated for biosecurity each year and expressed a desire to work more closely with Council on such issues.

His Worship acknowledged the many discussions on partnerships between the Council and the Department of Conservation and the need to consider how both organisations could work together to obtain funding to further the biosecurity and biodiversity needs of the Islands.

Ken noted that the Conservation Board had mentioned two plants in its submission, Chilean Rhubarb and Chilean Flamecreeper, which the Department was putting resources into to control. The Department had been

able to control half of the Chilean Flamecreeper, but another area could be eradicated in about four years, with support from the Council. The land owner would not allow the Department onto the land, but under the Regional Pest Management Strategy, Council could compel the owner to eradicate the plant.

Ken advised that there was approximately 3,000ha of land which would come under the Department's rates remission request. There was more land per hectare of land mass covenanted on the Chatham Islands than anywhere else in New Zealand. His Worship stated that where there was an initiative for land owners to put their land away for ever, surely there should be a 'pat on the back' for that land owner, as opposed to those who let their land be taken over by gorse, etc. Cr Preece, while acknowledging that he had a conflict of interest, thought that there should be some rates remissions available.

His Worship asked the General Manager if an addition to the rates remission policy to include covenanted land would have to go to the community for consultation. The General Manager advised that it would. Cr Ryan stated that if the remissions were granted to those land owners, other ratepayers would have to pay extra. His Worship suggested that the exercise could be done to see what effect it would have.

The General Manager advised that the rates remission could not happen with effect from the next financial year. There would be quite an amount of work needed to make a change to the rating system, including changing the valuation system to take effect of the new equations. He stated that the best Council could do in the mean time was to recognise the private covenanted land and investigate rates remissions on that land.

With regard to the Biodiversity Fund, the General Manager stated that Council was successful over two years in obtaining funding for possum control. The following year when applying for more funding, he was concerned to find that the Fund Administrator had a total misunderstanding about the role of Environment Canterbury on the Chatham Islands, despite being advised that they were working for the Chatham Islands Council under contract. The General Manager advised that he was more than willing to work in a partnership with the Department of Conservation on biodiversity issues, but the Administrator needed to be made aware that Environment Canterbury was not part of that partnership, but worked solely under instruction from the Chatham Islands Council.

The General Manager advised that Council had more than \$300,000 to action the Regional Pest Management Strategy. Once staffing resources were available, Council would work with the Department on the manner in which those actions should be carried out.

Councillor Croon entered the meeting at 2.40 p.m.

RESOLVED THAT

- a) the submission from the Department of Conservation be received and they be thanked for their participation.

- b) that the Chatham Islands Council make application to the Biodiversity Condition Advice Fund for funding to assist with the preparation of a Biodiversity Action Plan or Biodiversity Strategy for the Chatham Islands.
- c) that the Chatham Islands Council investigate rates remissions on private covenanted land on the Chatham Islands.
- d) that once staffing resources were available, the Council would work with the Department of Conservation on how best to action the Regional Pest Management Strategy.

N C Ryan / J I Clarke CARRIED

Ken Hunt, Shirley King and Alex McKillop departed the meeting at 2.41 p.m.

4. Chatham Islands Council – General Manager

The General Manager, Owen Pickles, submitted that the Plan and the Regional Land Transport Programme should be amended to recognise sea transportation requirements for the Chatham Islands, despite Government Policy of reducing/phasing out funding for coastal shipping.

RESOLVED THAT the Long Term Council Community Plan and the Regional Land Transport Programme should be amended to recognise sea transportation requirements for the Chatham Islands.

N C Ryan / N J Whaitiri CARRIED

5. Chatham Islands Council – General Manager

The General Manager, Owen Pickles, submitted that the Plan should be amended to recognise the expenditures required to enable access to the Government funding assistance programmes for the water supply scheme in Waitangi, and for a new scheme at Owenga, and also for the inclusion of the Kaingaroa scheme.

RESOLVED THAT the Long Term Council Community Plan be amended to recognise the expenditures required to enable access to the Government funding assistance programmes for water supply schemes in Waitangi, Owenga and Kaingaroa.

A W M Preece / A M Gregory-Hunt CARRIED

6. Chatham Islands Council – Finance Manager

The Finance Manager, Deborah Goomes, submitted that the Plan should be amended to reflect the inclusion of the correct terminology/language with reference to Maori and Moriori.

RESOLVED THAT all future Council Documents include the correct terminology and language with reference to Maori and Moriori.

A M Gregory-Hunt / J I Clarke CARRIED

7. Environment Canterbury – David Osborne

David Osborne, the Financial Accountant with Environment Canterbury responsible for the Chatham Islands, submitted a number of amendments to the Plan:

- (a) The incorporation of recent additional approvals of funding by the New Zealand Transport Agency.
- (b) The incorporation of a proposed new contract with Environment Canterbury.
- (c) A reduction in the income from interest.
- (d) The inclusion of professional fees for the water scheme developments.
- (e) The reduction in the estimated cost of a full review of the Resource Management Document in light of the Government's planned changes to legislation requiring a full review every ten years.
- (f) The inclusion of an upgrade to two staff houses.
- (g) The incorporation of the changes to the infrastructure budgets to reflect MWH's submission.
- (h) The adjustment of cash flow statements and the balance sheet to reflect the above changes.
- (i) A correction to the revaluation reserve for infrastructure other than roads.

The General Manager advised that the Long Term Council Community Plan had been audited, along with the financial plan. He had been holding discussions with Julian Tan of Audit New Zealand about some other changes that may be required.

Cr Gregory-Hunt asked if the staff housing should be included in the Plan. The General Manager advised that despite what solution Council came up with to solve the housing maintenance issues, having it in the Plan would alleviate the need for a change to the Plan to be initiated in the future.

RESOLVED THAT the necessary accounting changes required to the Long Term Council Community Plan be undertaken to take effect of the submission from David Osborne, Financial Accountant with Environment Canterbury, and that other accounting requirements that may arise between this meeting and the adoption of the Plan be delegated to the General Manager for action.

A M Gregory-Hunt / J I Clarke CARRIED

8. New Zealand Historic Places Trust

Ann Neill, the General Manager of the Central Region, presented a written submission on behalf of the New Zealand Historic Places Trust. The submission made four recommendations:

- (a) That Council subscribe to the NZAA digital site recording scheme to allow access to up to date streaming of archaeological site information to assist with planning and consenting advice.
- (b) That Council work with the NZHPT to raise awareness of archaeological potentiality when earthworks were being consented for a range of building activity.

- (c) That identification of heritage of all types was a priority for Council during the upcoming review of the Resource Management Document.
- (d) That planning rules be developed to improve protection of heritage now that this is a matter of national importance.

His Worship stated that they were all good suggestions which were attainable by Council.

RESOLVED THAT the New Zealand Historic Places Trust be thanked for their submission and advised that the Chatham Islands Council had agreed to act on the four recommendations contained in the submission.

A W M Preece / N C Ryan CARRIED

9. MWH New Zealand Limited

Council's Engineer, Murray Keast from MWH New Zealand Limited, presented a written submission for the following changes to the Draft Regional Land Transport Programme 2009/2012 after a recent funding application to the New Zealand Transport Agency and a review of the RLTP:

- (a) A sum of \$12,000 should be included in the Draft RLTP for road asset valuations.
- (b) A change to the reseal and pavement rehabilitation programme to reflect the work peak identified in Years 1 to 4
- (c) A further application has been made to the New Zealand Transport Agency for an increase in R-Funds to meet half of the local share for certain projects. Subject to approval of the funding by the NZTA, there would be a reduction in the local share currently stated in the RLTP and LTCCP.

The General Manager advised that the above amendments were mainly technical with some already covered under the submission from David Osborne. The Regional Land Transport Programme 2009/2012 was a supporting document to the Long Term Council Community Plan 2009-2019 and as such, needed to be correct before it was submitted for final approval.

RESOLVED THAT the following amendments be made to the Draft Regional Land Transport Programme 2009/2012 as a supporting document to the Long Term Council Community Plan:

- a) road asset valuations – allowance in Year 2.
- b) revised reseal and pavement rehabilitation programme.
- c) revised R-Fund profile (Table 3).

J I Clarke / A M Gregory-Hunt

10. Ngati Mutunga O Wharekauri Iwi Trust

A written submission was received from Ngati Mutunga O Wharekauri Iwi Trust on the LTCCP, particularly covering the principles and requirements set out under 'Maori and the Local Government Act 2002'. The Iwi Trust thanked the Council for the opportunity to submit comments and looked forward to building a sound working relationship.

Specific matters addressed by the Iwi Trust were:

Opportunities for Maori and Moriori – they agreed that it was important for the Iwi Trust to contribute to the decision making processes on behalf of its beneficiaries, but that it was dependant on effective consultation and the establishment of sound working relationships between the Iwi Trust and Council. They acknowledged Council’s intention to work on the development of a Memorandum of Understanding.

Local Authority decision – a request for Council to endeavour to put mechanisms in place that would reduce the risk of any future disturbances of tangata koiwi.

Contributions with Maori and Moriori and Development of Maori and Moriori Capacity – they acknowledged the importance of Council’s intention to gain an understanding of their expectations and that hui would be the appropriate forum for this to eventuate.

Consultation with Maori and Moriori – a preference, where appropriate, for consultation to be in the form of a hui to build and strengthen a working relationship.

Working with Maori and Moriori – an acknowledgement of Council’s policy on Maori, Moriori and the Chatham Islands Council.

Strategic Planning Documents – an acknowledgement of the importance of the Iwi Trust being a key contributor to strategic planning documents such as the Chatham Islands Resource Management Document 2001 and its 2010 review.

Education and Promotion – an acknowledgement of Council’s recognition of the need to have education programmes for elected members and staff to gain an appreciation of the needs and expectations of Maori in relation to the Local Government Act and the Resource Management Act.

Recognition of Tikanga Maori and Tikanae Moriori – the importance of recognising that differences may arise in the values, beliefs and traditions between Maori and Moriori, and that this should also extend beyond the respective mandated organisations to groups and individuals who identify as such in their own right.

RESOLVED THAT Ngati Mutunga O Wharekauri Iwi Trust be thanked for their submission to the Long Term Council Community Plan and that they be advised that Council recognised the contribution made by the Iwi Trust to the future of the Chatham Islands.

A M Gregory-Hunt / M Croon CARRIED

11. New Zealand Transport Agency

A written submission to the LTCCP was received from Mark Yaxley, Regional Director of the New Zealand Transport Agency.

The New Zealand Transport Agency is committed to working collaboratively with local government and other organisations to develop the land transport system in an integrated and sustainable manner. They noted that the Chatham Islands Council had a clear understanding of what their community outcomes were, how they were to be achieved and monitored and the agencies Council was required to work with to achieve the outcomes.

Additional comments made in the submission included:

Development Contributions Policy – the Agency noted that a Financial Contributions Policy was in the LTCCP and included a clear explanation of when it would be taken.

Funding – noted that there was an assumption that “Roading Inflation” would be at a steady 7% per annum for the period of the LTCCP and stated that there should be no implied assumption that the Agency would be increasing its share of the funding at the same rate. They applied a similar warning to grants and the forecast figures for operating and capital expenditure on roading.

Financial Summary – the need for the projected cash flow for the Owenga Wharf development to be updated.

Capital Works – the deletion of a statement referring to the Agency funding capital works for coasts, harbours and navigation.

Regional Land Transport Programme – suggested wording amendments on page 124 of the RLTP, and also to pages 105 and 111 of the LTCCP.

Additional Suggestions – that the New Zealand Transport Agency should be added as a Key Organisation for the “Roading Activity”, page 106, and as a “Key Measure for the number of road accidents”, page 91.

RESOLVED THAT the New Zealand Transport Agency be thanked for their submission and that their suggested amendments to the Long Term Council Community Plan and the Regional Land Transport Programme had been adopted by the Council.

N C Ryan / M Croon CARRIED

12. Sustainable Future Institute

A written submission to the LTCCP was received from the Sustainable Future Institute, an independent think tank specialising in research and policy analysis. Their current work is looking at how to create a sustainable future for New Zealand. The main points of their submission covered:

Thinking Beyond Ten Years – they believed that Councils should explore timeframes beyond ten years.

Legal Mandate for Sustainable Development – they believed that by making sustainable development a central purpose of the Local Government Act, New Zealanders were requiring Councils to be committed to promoting sustainability.

Perspectives for Sustainable Development – they believed that in addition to a local and national perspective on sustainable development, Councils were likely to benefit from gaining an international perspective, and listed five questions to assist Councillors to execute the concept of sustainability.

They concluded their submission by stating that the challenge was to deliver a Long Term Council Community Plan in which Councillors had explored what was possible, decided what was acceptable, and developed a clever Plan that contained a shared vision with measureable goals, which was published in a clear and concise manner, a task they considered to be clearly difficult, but one that was critical for the future of New Zealand.

The General Manager advised that the submission was a generic one, received by all Mayors around the country before their Plans were even published. His Worship noted that the diagrammatic map used in their submission did not include the Chatham Islands on it.

RESOLVED THAT the Sustainable Future Institute be thanked for their submission and that they be advised that the Chatham Islands Council was unhappy that the map of New Zealand used in their submission did not include the Chatham Islands.

A W M Preece / N J Whaitiri CARRIED

13. Mayors Taskforce for Jobs

A written submission to the LTCCP was received from Mayors Taskforce for Jobs. They were requesting that the youth goal of the Taskforce “that all young people under the age of 25 should be engaged in appropriate education, training, work or other options, which will lead to long-term economic independence and well being” be included in the Long Term Council Community Plan. They noted that Council’s community outcomes that underpinned the Plan did support their goal.

Cr Croon stated that the Chatham Islands Council was not part of the Taskforce and there was not a youth unemployment problem on the Islands.

RESOLVED THAT the submission from Mayors Taskforce for Jobs be received and that they be thanked for their participation.

J I Clarke / M Croon CARRIED

CLOSURE:

Meeting Closure

There being no further business, the meeting was declared closed at 3.00 p.m.

CONFIRMED THIS 16th DAY OF JULY 2009

MAYOR