

CHATHAM ISLANDS COUNCIL

Minutes of the Special Meeting of the Chatham Islands Council, held in the Council Chambers, Tuku Road, Waitangi, on Thursday, 30 October 2008, commencing at 2.00 p.m.

PRESENT: His Worship the Mayor, Mr P F Smith, 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: An apology was received from Deputy Mayor,
A W M Preece.

RESOLVED THAT the apology from Deputy Mayor
Preece be received.

N C Ryan / E C Tuck CARRIED

1. Adoption of the 2007/08 Annual Report

A copy of the 2007/08 Annual Report was presented to Council for adoption. The General Manager advised that the Report represented a year of consolidation which resulted in a strong balance sheet and a surplus of \$1.12m, influenced by the increase in the value of infrastructural assets.

The General Manager advised Council on a few small amendments that were required to the document before it could be approved. He also advised that Council would need to adopt the Annual Report Summary, a copy of which was presented at the meeting. The Summary, which is a condensed version of the full Annual Report, would be distributed to all households on the Chatham Islands.

His Worship noted the graph from the Summary which showed that 84% of Council's funds came from the Crown.

RESOLVED THAT the 2007/08 Annual Report and Annual Report Summary be approved.

B J Mills / A M Gregory-Hunt CARRIED

A teleconference call was held between Julian Tan and Andrew Timlin from Audit New Zealand and the Council. His Worship advised that Council had approved the Annual Report and Summary, including the amendments. Mr Tan advised that they had been working closely with David Osborne, the

Environment Canterbury Accountant, on the amendments and they were now satisfied with the document. Mr Tan also advised that they had received the signed representation letters from the Council and that he would now release an unqualified opinion for Council to include in the Annual Report.

The General Manager asked Mr Tan if he had any comments to make on the audit process. Mr Tan reported that the audit process had gone very well this year. He noted that it had been very helpful to have early discussions with the staff and would like to continue that in future years. This process helped highlight any implications which would reflect on the annual audit and the preparation of the financial statements. He thanked the staff for their assistance.

The General Manager advised Mr Tan that he had presented a data show to Council on the Annual Report Summary. Mr Tan stated that there was one small correction to a date to be made, but that would not affect the release of the audit opinion. He would email a scanned copy to Council at the end of the conversation.

Andrew Timlin stated that it had been a smooth audit process and he appreciated everyone's co-operation.

His Worship thanked everyone for their work on the Annual Report and the teleconference was completed.

RESOLVED THAT the audited Annual Report 2007/08 and the audited Annual Report Summary 2007/08 be adopted.

N J Whaitiri / E C Tuck CARRIED

2. Archaeological Site – Koiwi/Koimi

A report was presented by Council's Iwi Liaison Officer, Deborah Goomes, on the discovery of koiwi/koimi at the Te One dump site. The report covered the steps taken by His Worship the Mayor after he had been notified of the discovery, leading to a meeting on site on Tuesday, 14 October 2008, and the decision to secure the area to protect the site.

Kathryn Hurren from the New Zealand Historic Places Trust contacted the Council office on 17 October 2008 after the matter had been brought to her attention. She advised the Iwi Liaison Officer that the issue of koiwi/koimi was a matter that came under the authority of the Historic Places Act 1993 and that all works around the discovery needed to be stopped and the site protected until it had been decided what to do between Iwi, Council and the New Zealand Historic Places Trust. She also advised that she would email draft guidelines on koiwi/koimi discovery and general information for obtaining an archaeological authority from the New Zealand Historic Places Trust.

A copy of this information was circulated to all Council Members.

Cr Gregory-Hunt asked if Council had a list of Iwi representatives who could be contacted on occasions such as had occurred. She stated that there needed to be nominated persons to meet with Council so that the chance of varying opinions did not eventuate.

Deborah Goomes advised that at this stage Council did not have any procedures in place. It was only in the last year that a budget was established for working with Iwi, so the whole process would be new for everyone. With regard to the present situation, the process had been taken out of Council's hands through the requirements of the Historic Places Act. As the koiwi/koimi discovery was on Council owned property, Council was bound by that Act.

The question was asked if the same procedures would apply to private property. Deborah advised that Council only needed to establish a Policy for Council owned property and that a koiwi/koimi discovery on private property was a separate issue between the land owner and Iwi.

Cr Christiansen stated that when he brought up the issue of bones at Te One Dump last year, he was advised that they were cattle bones. He now knew that he had been lied to, and that human bones were found. He was horrified that those human bones had now been scattered all over town amongst soil from the dump, when he had advised Council last year about them.

His Worship advised that he was on site at the dump last year with George Hough when digging of the new hole was undertaken. Scrapings were very carefully taken off, layer by layer, and there was absolutely no bone found. People were standing above the site as well and could see the work being undertaken. His Worship stated that he had a clear mind that there were no bones in that area.

Cr Ryan stated that Council was assured that the bones found last year were from cattle.

Cr Gregory-Hunt stated that the workers had been advised not to dig past a certain area, and that had been adhered to.

Deborah stated that further questions had been raised about who was representing who in the community. Moriori and Ngati Mutunga representatives had both expressed concern about not being informed.

Cr Christiansen stated that the manner in which the soil was taken from the site was of concern. With the discovery of koiwi, there must be more at the dump. He wanted the dump to be shut immediately.

Cr Mills advised that at the recent RMA Course he attended, one useful thing he learned was that Councils should be very careful in recording the names of representatives from Iwi that Council has responsibility to communicate with. He stated that it was common courtesy for Councils to keep in contact with

those nominated representatives. He also thought that it was common courtesy for people to ask the owner before entering onto private property.

His Worship advised that the cartage of soil from the dump to private property was done without Council's permission. The Contractor had been advised of Council's concerns. His Worship thought that a better source of top soil might be from road reserves.

His Worship stated that it had not been an easy time for everyone who was involved. A separate Memorandum of Understanding with both Iwi would be formulated, and along with the New Zealand Historic Places Trust, all involved would work through the issue.

Cr Tuck asked if there was a procedure for listing wahi tapu sites for Council property and also private property. His Worship stated that Council's Resource Management Document was a source for listing wahi tapu or areas of special interest and Iwi had an input into that list.

Deborah advised that Iwi needed to identify sites of significance and inform Council. Council files would be tagged with that information. The only information Council had to date was from what Iwi had been willing to advise. She stated that while both Iwi had different tikanga, at the end of the day Council had to work under the Local Government Act where all Iwi were treated equally.

Cr Ryan stated that there was a huge need to identify the sites. He knew that there were unmarked graves in public cemeteries. Deborah advised that Council had begun a process to identify graves in the cemeteries, but it was in its early stages. She would also be seeking the New Zealand Historic Places Trust's assistance in working with the two Iwi on site identification.

Deborah stated that an archaeologist from the New Zealand Historic Places Trust would be coming to the Island to identify the site and the extent of it.

The General Manager advised that there were no cadastral lines on maps when the deaths occurred. It is possible that the site could extend into several paddocks.

His Worship advised that Council had adopted a Waste Management Strategy which it had to adhere to. The Te One site had been a dump for the last 30 years and it would be very difficult to close it right now. The Kaingaroa Dump was full and the Owenga one, which was established for the people of Owenga, was almost full. It was important that Council worked through a process and not just close Te One down.

Cr Christiansen asked if Iwi were invited to today's Council Meeting. Deborah advised that both Iwi had been emailed a copy of the Agenda.

His Worship stated that a meeting had been held separately with representatives from both Iwi to work through the issue. A new hole for dumping had been established.

Cr Christiansen stated that several people had asked him to have the dump closed. Cr Gregory-Hunt asked if those people had offered suggestions on where a new dump could be established.

The General Manager advised that Council had a plan in place, namely the Waste Management Strategy. The processes in the Strategy were what Council needed to work through.

It was moved by Cr P R Christiansen, seconded by Cr E C Tuck, that the Te One Dump be closed immediately.

The motion was lost.

Cr Ryan stated that Council needed to be practical and continue with the established dump, otherwise people would start dumping on the sides of roads or backyards would become full of rubbish.

Cr Mills advised that Council needed to stick to procedures. He stated that Iwi should be asked to identify where bodies were buried and give Council a list. There were areas all over the Island where people were buried and Council just needed to be careful and aware.

RESOLVED THAT Council follows the process as advised by the New Zealand Historic Places Trust as per the legislative requirements under the Historic Places Act 1993.

N C Ryan / M Croon CARRIED

3. Presentation of Community Support Cheques

The General Manager reported that Council had resolved to provide funding support of \$15,000 to the Norman Kirk Memorial Reserve Committee and \$13,000 to Chatham Community Focus Trust for the 2008/09 financial year. The Committees of each organisation were invited to an afternoon tea function to receive their funding cheques.

RESOLVED THAT the information be received.

A M Gregory-Hunt / E C Tuck CARRIED

CLOSURE:

Meeting Closure

There being no further business, the meeting was declared closed at 2.50 p.m.

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

MAYOR