

## CHATHAM ISLANDS COUNCIL

### **Minutes of the Ordinary Monthly Meeting of the Chatham Islands Council, held in the Council Chambers, Tuku Road, Waitangi, on Thursday, 15 April 2010, commencing at 1.38 p.m.**

- PRESENT:** His Worship the Mayor, Mr A W M Preece, and Councillors P R Christiansen, M Croon, A M Gregory-Hunt, N C Ryan and N J Whaitiri.
- IN ATTENDANCE:** General Manager, Owen Pickles  
Emergency Response Co-ordinator, Rana Solomon  
Council Secretary, Lynette Pickles  
ECan Biosecurity Officer, Chatham Islands, Alison Turner
- APOLOGIES:** Apologies were received from Deputy Mayor, J I Clarke, and Councillor E C Tuck.

**RESOLVED THAT** the apologies from Deputy Mayor Clarke and Councillor Tuck be received.  
**N C Ryan / N J Whaitiri CARRIED**

**MINUTES:** **2.1 Ordinary Meeting, 4 March 2010**

**RESOLVED THAT** the Minutes of the Ordinary Meeting of the Chatham Islands Council, held on Thursday, 4 March 2010, be confirmed and adopted as a true and correct record.

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

**MATTERS ARISING:** 4.2 Engineer's January 2010 Report

Cr Croon asked how the contract negotiations with Downer EDi Works had gone. The General Manager advised that he was quite pleased with the discussions, held over almost three days. There was a commitment that the price Council received would be within current budgets, and would most likely be the same as the 2004 contract. There would be no reduction in service, with some enhancements in some areas.

The meeting, between MWH Limited, Downer EDi Works and the Chatham Islands Council, ran in a true partnership style. When the contract was ready for signatures, there was a possibility that the Chief Executive Officers from MWH Limited and Downer EDi Works would come to the Islands to meet with the Council for the official signing.

### 6.1 Update from Environment Canterbury

Cr Christiansen asked if Environment Canterbury still existed. The General Manager advised that it was “business as usual”, with the only changes being that the elected members would no longer hold their positions from 1 May. The Government had named Dame Margaret Bazley as the Commissioner, with further people to be named shortly to assist her in keeping the Regional Council running.

### 8.3 Chatham Islands Conservation Board

His Worship noted that the Conservation Board members were keen for Council to attend their next meeting. The General Manager advised that there was a desire by the Board to have discussions with Council about the creation of a new museum on Chatham Island.

### 9.1 CIET/CIC Proposed Restructure

His Worship spoke about the meeting held earlier in the day between Trustees from the Chatham Islands Enterprise Trust and members of the Chatham Islands Council. He advised that after seeming to be poles apart to the point where the status quo was looking to be the outcome, the meeting came to a situation where it was agreed not to waste the work that had already been done. Doing nothing was not an option, so a whiteboard was used to produce a transition model known as Stage One. It was not what Council had agreed on in the past, but was not far away from the Hugh Rennie model.

Using the experience of the General Manager, His Worship stated that there were some adjustments that needed to be made to Stage One, with agreement to these being required from the Enterprise Trust. Once that happened, the transition model, known as Stage One, could be presented to the Government and the community for comment.

His Worship noted that the whiteboard was showing a Mayor and six Councillors. He stated that six would not be enough and asked that the figure be changed to eight. He then asked the General Manager to present the adjustments that were considered necessary to allow the model to work.

The General Manager stated that His Worship had explained that the Stage One model was agreed on as a

way to move forward. There were, however some changes that needed to be made. His first suggestion was that there needed to be a Transition Committee, made up of Trustees and Councillors. This Committee should meet monthly after Council and Enterprise Trust meetings. The Transition Committee should put a time frame on Stage One, with a final model possibly being determined by the 2013 Elections. These decisions would need to be made by the Transition Committee.

The General Manager further pointed out that the model did not show a connection to the community. The Council's Long Term Community Plan (LTCCP) needed to have a line direct to the community as it was a legal requirement under the Local Government Act for Councils to consult with their community. The Council is accountable to the community which gets to have a say on what is in the LTCCP, and also the content of the Annual Plans.

The General Manager stated that the Enterprise Trust's only accountability to the community was the Annual General Meeting, therefore he thought that the Trust's Strategic Plan should also be directly linked to the community.

The General Manager advised that the Chief Executive Officer should be in a box separate from the Transition Committee, with the lines from the Council and Trust being eliminated. This then created the Chief Executive Officer's accountability.

The General Manager stated that the finished model then presented a picture of a transition to something better.

His Worship suggested that the adjusted model should be drawn up so that it could be presented to the Enterprise Trust at its meeting the next day. It was agreed that His Worship the Mayor and the General Manager should attend the meeting to present the model.

The General Manager advised that once agreement had been reached with the Enterprise Trust, the next step would be for the Council and Trust to agree to present the model to the Minister of Local Government and the Minister of Internal Affairs, and sell it as a transition. He stated that the bottom line of the restructuring was to get the funding for the outstanding infrastructure for the Islands.

The General Manager concluded by posing the question “where did the Chief Executive Officer for the transition come from”.

His Worship advised that the adjustments suggested by the General Manager were required to meet accountabilities. He stated that they were logical amendments.

Cr Gregory-Hunt stated that there should be a joint letter presented to the Ministers, signed by both the Mayor and the Chairman.

**His Worship departed the meeting at 2.02 p.m. and returned at 2.05 p.m., with only general discussion occurring during that time.**

**RESOLVED THAT**

1. The structure as presented, and subsequently amended after discussion, be adopted.
2. The amended structure be presented to the Chatham Islands Enterprise Trust by His Worship the Mayor and the General Manager at the first opportunity.
3. If agreed to by the Chatham Islands Enterprise Trust, the structure be presented to the Minister of Local Government and the Minister of Internal Affairs as a transitional first stage.

**M Croon / N J Whaitiri CARRIED**

**2.2 Special Meeting, 24 March 2010**

**RESOLVED THAT** the Minutes of the Special Meeting of the Chatham Islands Council, held on Wednesday, 24 March 2010, be confirmed and adopted as a true and correct record.

**N C Ryan / M Croon CARRIED**

**WORKS & SERVICES: 4.1 Downer EDi Works Report, February 2010**

**RESOLVED THAT** the Downer EDi Works Report for February 2010 be received.

**N C Ryan / N J Whaitiri CARRIED**

**4.2 Engineer’s February 2010 Report**

**RESOLVED THAT** the Engineer’s Report for February 2010 be received.

**M Croon / N J Whaitiri CARRIED**

A discussion took place about the new cattle stops for the Islands. His Worship stated that the last advice he had

received from Downer EDi Works was that they were investigating whether or not the cattle stops could be constructed on the Island. He believed that importing the cattle stops was a fairly cost effective method as they were not permanently made structures and could be moved to another place.

The General Manager advised that Council had funding available to build two. The decision had been made to give Pitt Island priority.

Cr Croon asked how many would be needed on Pitt Island. His Worship advised that some members of Council and staff were scheduled to visit the Island, so the matter of where they should go could be raised with Pitt Islanders during that visit. Cr Gregory-Hunt thought that there were currently approximately nine gates on Pitt Island.

It was agreed that the two new cattle stops should go to Pitt Island and a decision on their location would be discussed with the Pitt Islanders during the Council visit.

#### **4.3 Kaingaroa Waste Management**

The General Manager reported that he and His Worship the Mayor met with the Chairperson and Acting General Manager of Hokotehi Moriori Trust (HMT) to discuss Council's Waste Management Plans for Kaingaroa. Matters discussed included the removal of the present dump and restoration of the sand dunes, the intention to bury the waste on a new site on the southern side of Kaingaroa Road (Lot 1 of Part Lot 1, Plan B19, 2.25ha), and the establishment of a transfer station.

HMT responded by requesting that an environmental assessment of the dump site be undertaken by Mr Rick Thorpe from Raglan prior to its remediation, at Council's cost. They also requested that a resource consent application be lodged by Council once the assessments had been undertaken.

Cr Croon asked who Mr Thorpe was and what qualifications he had to undertake an environmental assessment. His Worship advised that Mr Thorpe had some involvement with waste management, being involved with the establishment of a recycling centre in Raglan.

His Worship stated that from Council's perspective, HMT had inherited the site from the Barker Brothers. The

environmental assessment was a requirement by HMT, and in order to get things moving, the General Manager and himself had agreed to Mr Thorpe being involved.

The General Manager advised that the Waste Management Strategy had already been designed and peer reviewed by the Government. HMT had requested that Mr Thorpe be involved for their peace of mind.

Cr Gregory-Hunt asked if Council should be setting a fee for Mr Thorpe to do the process. She was concerned that the costs could blow out. Cr Christiansen agreed, asking why the Council should be responsible for the dump. The General Manager stated that rubbish dumps are the Council's responsibility and under the Strategy, the dump needed to be cleaned up.

His Worship stated that Council was obligated to tidy the site up. The cost of the assessment had not been determined.

Cr Croon thought that Mr Thorpe's engagement should be within the bounds of the Strategy and Council's finances. She wanted a Terms of Reference for the work to be presented and agreed on by Council.

Cr Whaitiri was concerned that the project was well overdue. The General Manager stated that any progress was still a while off. Mr Thorpe's assessment still needed to be undertaken and HMT had to be in agreement with it before Council could apply for resource consent.

Cr Christiansen asked why HMT could not accept Council's Waste Management Strategy as it had been written by the experts.

His Worship advised that as a way forward, Mr Thorpe's engagement had been accepted. He agreed that Council needed to know what the costs of the assessment would be, and also what the likely time frame would be. The General Manager stated that he would consult with HMT on those questions.

**RESOLVED THAT** Council approve of the process agreed on with Hokotehi Moriori Trust on the Waste Management Plans for Kaingaroa, subject to clarification on costs and time.

**N C Ryan / N J Whaitiri CARRIED**

#### **4.4 Kaingaroa Water Supply**

The General Manager reported that he and His Worship the Mayor met with the Chairperson and Acting General Manager of Hokotehi Moriori Trust (HMT) regarding the proposed transfer of the Kaingaroa water supply from HMT to the Council. A number of outstanding matters were discussed with the following points agreed to:

1. HMT agrees to the transfer to the Council of the water supply assets at Kaingaroa at no cost.
2. HMT agrees to the replacement and upgrade of the infrastructure for water supply to Kaingaroa residents by the Council and at Council cost. These costs are to be met from a Government approved grant of approximately \$750,000.
3. HMT agrees to grant access to their water supply on Lake Rangitai for the purposes of taking water for the community use. The costs of this extraction are to be factored into the valuation to be undertaken.
4. HMT agrees, for an agreed annual fee, to grant to the Council access across its land at Kaingaroa for easements and access for, related to the conveyance and maintenance of the water supply assets.
5. Council agrees to undertake a market valuation (at Council cost) of the land and water resources necessary for supply of water to Kaingaroa and that Council will pay to HMT an agreed annual rental fee (to be paid yearly in advance) based on the market valuations so obtained.
6. Council to provide draft terms of reference to HMT for comment and approval before instructing valuer to proceed.
7. Council advises that each consumer will be charged water rates, currently at a cost of \$529.55 per annum. This includes the cost of supply of water to Kaingaroa Farm.
8. Council will indemnify HMT against any liability or loss associated with the instalment and operation of the new water supply assets.

The General Manager advised that the valuer and engineer had been talking and they had agreed that the market valuation exercise could be done in Christchurch without having a site visit.

The General Manager and His Worship had attempted to get a commitment from HMT that the rental fee would be based on a certain percentage of the valuation, but HMT

was not prepared to commit to a rental until after the valuation had been undertaken.

**RESOLVED THAT** the information on the transfer of the Kaingaroa water supply from Hokotehi Moriori Trust to the Council be received.

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

## **REGULATORY:**

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

The report for March 2010 from Environment Canterbury was presented, covering the progress of the various activities being undertaken on behalf of the Chatham Islands Council.

Tabled at the meeting was a report from Alison Turner, ECan Biosecurity Officer for the Chatham Islands.

Alison verbally reported on the advice she had received about bringing containers with the components for the new windmills direct to Chatham Island from overseas without first going through Ministry of Agriculture and Customs checks at Timaru. Circumventing that process and having the containers checked and sprayed on Chatham Island was not an option as there were too many risks for the Island. Alison commented that it had raised issues on how the Chatham Islands could improve biosecurity.

His Worship advised that he had received an update on what was happening with the containers. All checks would be undertaken at Timaru before the containers were shipped to Chatham Island. Alison assured Council that she would be available when the containers were opened after arrival on the Island.

The General Manager advised that he had met with Helen Sellwood and David Osborne from ECan during his time in Christchurch the previous week. They discussed the Chatham Islands Council's computer system, currently an ACS package from Election.com which many small local authorities around the country adopted. Election.com had been bought out by Civica who had produced a new improved system, but at a significant cost. Council did not currently have the money to buy into the system, and potentially would not for at least another two years. Civica's system was also web-based, which Council's broadband system would not support.

The General Manager stated that other options were being explored. The obvious one was to piggy-back off ECan, but that Council did not have two of the functions that the Chatham Islands Council undertook, namely rates and dogs. Another alternative would be to hook into the Christchurch City Council system.

In the mean time, the General Manager stated that the ACS system would continue. He noted that with the on-going discussions between the Chatham Islands Enterprise Trust and the Chatham Islands Council about a possible merger, a new computer system would need to be taken into account, as both organisations would need to be compatible.

**RESOLVED THAT** the March 2010 report on the various activities undertaken by Environment Canterbury be received.

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

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

The Minutes of the Chatham Islands District Licensing Agency Meeting, held on 4 March 2010, were presented.

**RESOLVED THAT** the Minutes of the District Licensing Agency Meeting be received.

**N C Ryan / M Croon CARRIED**

### **6.3 Building Act Review**

The Department of Building and Housing released a discussion document on the review of the Building Act. Local Government New Zealand prepared a paper on the discussion document, highlighting the potential effects on Councils.

The General Manager reported that the review did not impact on the Chatham Islands Council as it was not a Building Consent Authority, but he suggested that some of the changes might make building easier for the community.

The General Manager advised that the current Government had proposed a review of the Building Act when it came to power. Local Government New Zealand had prepared a submission on the review and was seeking input from councils on that submission.

The General Manager noted that councils would still have a big role to play in building work, however for the Chatham

Islands Council, this would be undertaken by the Christchurch City Council.

**RESOLVED THAT** the information on the Building Act review be received.

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

**EMERGENCY  
MANAGEMENT:**

**7.1 Restricted Fire Season**

A notice advising that a Restricted Fire Season was now in place for the Chatham Islands was presented.

The Emergency Response Co-ordinator advised that she had already received a number of requests for fire permits.

**RESOLVED THAT** the Restricted Fire Season notice be received.

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

**GOVERNMENT:**

**8.1 Bladder Kelp TAC**

In accordance with the Local Government Official Information and Meetings Act, the Council was required to consider the following item as a late item, with reasons, or defer until the next meeting.

**RESOLVED THAT** Council consider the following item as a late item at the April 2010 Council Meeting – “Bladder Kelp TAC”, the reasons being that the information was not available until the morning of the Council Meeting, and there was a submission deadline to be met.

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

The Council received a request to present a submission on the harvesting of Bladder Kelp on the Chatham Islands. Rana Solomon spoke at the meeting, proposing that Council write a submission in support of Pa Tangaroa for the issuing of 1,000 tonnes allocation of bladder kelp. She advised that Pa Tangaroa had discussed the proposed TAC and wanted some research undertaken before any allocation occurred.

**RESOLVED THAT** the Chatham Islands Council supports the issuing of 1,000 tonnes allocation of bladder kelp, subject to appropriate research being undertaken.

**M Croon / N C Ryan CARRIED**

**CLOSURE:**

**Meeting Closure**

After consideration of the In Camera Agenda, and there being no further business, the meeting was declared closed at 3.09 p.m.

**CONFIRMED THIS 27th DAY OF MAY 2010**

**MAYOR**