

CHATHAM ISLANDS COUNCIL

Minutes of the Ordinary Monthly Meeting of the Chatham Islands Council, held in the Council Chambers, Tuku Road, Waitangi, on Thursday, 28 January 2010, commencing at 1.34 p.m.

PRESENT: His Worship the Mayor, Mr P F Smith, Deputy Mayor, A W M Preece, and Councillors J I Clarke, M Croon, N C Ryan and E C Tuck (from 1.43 p.m.).

IN ATTENDANCE: General Manager, Owen Pickles
Corporate Services Manager, Deborah Goomes
Emergency Response Co-ordinator, Rana Solomon
Council Secretary, Lynette Pickles
Mr Joe Tapara

APOLOGIES: Apologies were received from Councillors P R Christiansen, A M Gregory-Hunt and N J Whitiri.

RESOLVED THAT the apologies from Councillors Christiansen, Gregory-Hunt and Whitiri be received.
J I Clarke / N C Ryan CARRIED

MINUTES: **2.1 Ordinary Meeting, 17 December 2009**

RESOLVED THAT the Minutes of the Ordinary Meeting of the Chatham Islands Council, held on Thursday, 17 December 2009, be confirmed and adopted as a true and correct record.
A W M Preece / N C Ryan CARRIED

FINANCE: **3.1 Rate Arrears to 5 January 2010**

The Rate Arrears Report for the period ending 5 January 2010 was presented to Council.

The General Manager advised that the arrears amount would look much better in the next report as there was approximately \$20,000 being paid to Council by a bank on 5 February 2010 on behalf of a client who had outstanding rates. This process allowed Council to make a call on the first mortgagee (in this case a bank) for outstanding rates.

RESOLVED THAT the Rate Arrears Report for the period ending 5 January 2010 be received.
M Croon / J I Clarke CARRIED

3.2 Council Dues Report, December 2009

The Council Dues Received Report for the period ending 31 December 2009 was presented to Council.

The General Manager advised that he had received a progress payment from 44 South Shipping and Black Robin Freighters had set up an automatic weekly payment to Council.

RESOLVED THAT the Council Dues Received Report for the period ending 31 December 2009 be received.
A W M Preece / J I Clarke CARRIED

3.3 Term Investment Schedule

The Term Investment Schedule as at 31 December 2009 was presented to Council.

The General Manager advised that the On Call balances had increased significantly since the report was produced. He had drawn down from those accounts to pay Contractors while waiting on New Zealand Transport Agency funds to be paid. By doing this he had only had to draw \$15,000 on Council's overdraft, and while interest on investments was down, Council did not have to pay much in overdraft interest.

RESOLVED THAT the Term Investment Schedule as at 31 December 2009 be received.
M Croon / N C Ryan CARRIED

3.4 Debtor Report to 15 January 2010

The Debtor Report for the period ending 15 January 2010 was presented to Council.

RESOLVED THAT the Debtor Report as at 15 January 2010 be received.
A W M Preece / J I Clarke CARRIED

3.5 Financial Statements

The Statement of Financial Position and Statement of Financial Performance, as at 31 December 2009, were presented to Council.

RESOLVED THAT the Financial Statements up to 31 December 2009 be received.
J I Clarke / A W M Preece CARRIED

3.6 Chatham Islands Council Revaluation Summary

The Chatham Islands Council Revaluation Summary, prepared by Quotable Value after revaluation inspections and roll maintenance was undertaken by them in October 2009, was presented to Council.

The General Manager stated that there needed to be public comment made that there was a healthy property market on the Islands, this being reflected in the report. He was disappointed that the banks were not recognising the fact.

RESOLVED THAT the Revaluation Summary for the Chatham Islands be received.

A W M Preece / J I Clarke CARRIED

WORKS & SERVICES:

4.1 Downer EDi Works Report, December 2009

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

A W M Preece / J I Clarke CARRIED

His Worship stated that he would like to see the Contractor undertake spraying during February.

4.2 Engineer's December 2009 Report

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

N C Ryan / J I Clarke CARRIED

4.3 Endorsement of Council's Procurement Strategy

A letter had been received from the New Zealand Transport Agency approving of the Council's Procurement Strategy for National Land Transport Programme funded activities. This would allow Council to negotiate directly with the contractor for many of the road related contracts. The position would be reviewed again in 2014, when other contracts administered by Council would be aligned with roading to create a parcel of work that might attract competition from several contractors.

The General Manager advised that the amended Procurement Strategy would be presented to the next Council Meeting for approval.

His Worship stated that it was a credit to staff to be one of the first Approved Organisations to achieve endorsement of its Procurement Strategy, as stated in the letter.

RESOLVED THAT the letter of approval of Council's Procurement Strategy from the New Zealand Transport Agency be received.

A W M Preece / M Croon CARRIED

Cr Tuck entered the meeting at 1.43 p.m. and apologised for her lateness.

4.4 Pages Corner Intersection

As requested late last year, Council's Engineers had produced a report on safety options for Pages Corner.

Engineering solutions had been outlined in the report, but the Engineers had proposed that initially a multi-discipline approach be undertaken. This included minor engineering works, along with police enforcement and potential for education through the community programme. The initial steps proposed involve:

1. the reinstatement and maintenance of the pavement markings and a review of sign placement and retroreflectivity;
2. co-ordination with the Police Officer to monitor the site, observe driver behaviour and enforce the road code if necessary, with the Police Officer advising the Council of his observations; and
3. subject to the establishment of the community programme committee, there would be an opportunity to co-ordinate supporting educational/promotional material if deemed a suitable project by the committee.

His Worship stated that residents were all aware that the corner was dangerous. Cr Croon suggested that clearer signage would make people more aware, especially visitors.

Cr Preece stated that it was not only visitors who needed to be made more aware of the corner. Some in the community did not seem to know that those turning from Owenga to go to Te One had right of way.

Cr Ryan suggested that a 'Stop' sign coming from Te One might be the answer.

RESOLVED THAT a multi-disciplinary approach to improve safety at Pages Corner, using minor engineering improvements, Police enforcement, and education

promotion be approved, and that this be further reviewed after one year.

A W M Preece / N C Ryan CARRIED

4.5 Te One Bus Stop Signage

A letter had been received from Denise Thomas, on behalf of Ritchies Transport, regarding road safety issues around bus parking and turning at Te One School. The letter requested road signs or controls be put in place to keep the road outside Te One School clear at certain times of the school day.

Also presented was a report from Council's Engineers with recommended solutions to the problem described in the letter.

RESOLVED THAT

1. Yellow no stopping lines be marked for 6m at either end of the existing bus stops. This would discourage vehicles from parking too close to the bus stops which makes it difficult for the buses to enter/exit from the bus stop.
2. Two PW-34 signs and a supplementary "School Bus Turns" sign be installed, one on the left hand side at RP 2760 and one on the right hand side at RP 2940. These signs indicate that the school buses perform U-turns in this area.
3. Two RP-2 signs with opposite pointing arrows at each end of the church boundary be installed, approximately at RP 2820. The signs are to indicate no stopping between 8.30 a.m. to 9.00 a.m. and 2.45 p.m. to 3.15 p.m. Monday to Friday. These signs would remove parking on the left hand side of the road during pick up times allowing an unimpeded U-turn for the buses.
4. Legalising resolutions be presented to the next Council Meeting for approval.

E C Tuck / J I Clarke CARRIED

4.6 Dust on North Road

A report from Mr Joe Tapara regarding his concerns about dust on the North Road was presented to Council. Mr Tapara was in attendance at the meeting to speak to his report.

His Worship welcomed Mr Tapara to the meeting and asked for his comments on the report. Mr Tapara's concerns were about the Stoney Crossing Schist placed on North Road by the Contractors in early December 2009.

With the long spell of dry weather, clouds of dust were forming and the residents on North Road were at the mercy of whichever direction the wind was blowing. There were three main issues being created by the dust, namely the contamination of their drinking water, the lack of visibility for drivers on the road, and the need for a different metal to be used. Mr Tapara concluded his report by stating that this was the third year in a row that he had complained about dust on the road, and nothing had been done to reduce it.

Cr Ryan stated that schist should not be on the road in the summer time as it creates clouds of dust.

Cr Preece was concerned that he had not sighted any complaint forms from Mr Tapara about the dust problem.

Mr Tapara was concerned that those who wrote the roading maintenance contract were not based on the Islands, therefore did not see the daily problem created by the laying of schist. Since Christmas, the problem had continued. The residents were having to redo laundry as dust was settling on it while hanging on the line.

His Worship stated that a number of years ago Council received the same complaint from the residents at Te One, so that area was sealed. The road through Owenga is currently being prepared ready for sealing, due to a dust complaint from the residents. There were six houses in the North Road area being particularly affected by the dust and His Worship suggested that there may be a need to change the metal laid in that area during summer.

Mr Tapara stated that he realised there would always be dust created by vehicles on the roads during dry spells of weather, but schist was definitely the worst.

The General Manager advised that Mr Tapara's report had been put to Council's Engineers and Contractors to look at. The only clear solution to the dust problem was to seal the road. The Preece's Quarry metal was discontinued on the road because of vehicles slipping.

The General Manager stated that there was another solution, called 'otta' seal, which would put a light bitumen coating on the road. He assured Mr Tapara that the Engineers and Contractors were working on the problem and would come back to Council with options.

Before departing the meeting at 2.03 p.m., Mr Tapara asked if he could do a mihi in honour of His Worship, who he knew was going to resign from Council later in the day. He concluded by wishing His Worship all the best for the future.

4.7 Kaingaroa Waste Management

A report from John Cocks of MWH New Zealand Limited regarding the management of Kaingaroa waste was presented to Council. The report responded to questions from the General Manager on:

- a definition of how much land would be required to accommodate the removal of the old dump;
- application for a resource consent for this activity;
- a contract for the actual works, including the restoration of the current dump site once the waste had been removed;
- a contract for the provision of a waste transfer service.

His Worship stated that during a meeting he attended with other Council members at Kaingaroa, it was that community's wish to have a local responsible for the transfer station site, in order to keep it in a tidy condition. There was a fear that with an outside contractor, people would dump their rubbish anywhere. With a local in control, they could police it more vigilantly. He suggested that there could be the same feeling in Owenga.

Cr Preece noted from the report that under 'information to be provided by the Council', confirmation of transfer station details had to be confirmed with the community before the project commenced.

Cr Croon asked if the agreement with Hokotehi Moriori Trust had been signed. The General Manager stated that Council had received verbal agreement through the Chairperson, but no signed written agreement had yet been received from the Chief Executive Officer. Cr Preece stated that no work could commence until Council had received the signed agreement.

Cr Clarke asked if there had been any response from Iwi regarding using Chudleigh as a sanitary landfill site. The General Manager advised that he wrote to Iwi again early in the New Year, but was still waiting on a response.

His Worship stated that he had spoken with a former Chairman of the Chatham Islands County Council, Mr Buntly Preece. Mr Preece had advised him that not all the Chudleigh land had been donated. The Council had

purchased the front part of the section out to the road in order to gain access to the donated area.

RESOLVED THAT the work on Kaingaroa waste management, as detailed in the Engineer's report, be approved.

J I Clarke / N C Ryan CARRIED

4.8 Recycling Service Contract

A report from John Cocks of MWH New Zealand Limited, on the work required to establish a recycling service contract, was presented to Council. The broad scope of work for the contract comprised of:

- establishment of a recycling depot that receives approved materials;
- receiving approved materials at the depot brought by the public and from Council transfer stations;
- processing the approved materials (eg sorting, compacting, packaging);
- disposal of approved materials to disclosed recipients.

Cr Tuck asked if recycling would be part of the transfer stations. The General Manager advised that it would eventually become part of the transfer stations. He stated that community approval would be required for all the transfer station sites.

RESOLVED THAT the information from John Cocks on a recycling service contract be received.

J I Clarke / E C Tuck CARRIED

COMMUNITY SERVICES:

5.1 Chatham Islands Forget Me Not Plantings

A letter was received from Lois Croon seeking the following:

- Council's permission to plant Chatham Islands Forget Me Nots at the Waitangi Children's Playground and along Comflat Lane;
- change the name Comflat Lane to Forget Me Not Lane in the future;
- some assistance with the project.

His Worship stated that he was amazed by the amount of public work that Lois Croon does for the Islands, showing such a strong passion.

Cr Tuck asked that another recommendation be added, that being the erection of some wind break around the playground fence because the gaps between the existing railings were too large, allowing small children to climb through. She stated that when your young child is a 'runner', it can be very harrowing chasing to catch them before they head onto the road. Despite a speed restriction in the area, vehicles were still travelling quite fast through the area. Wind break around the fence would slow the child down from getting onto the road.

The General Manager advised that the existing fence could be made more child-proof and a gate could also be erected.

Cr Croon stated that erecting wind break would not be a huge cost. She advised that there were enough materials left over to erect another rail round the fence line, so in terms of cost, there would only be the labour to complete the job.

Cr Croon advised that the financial assistance requested was for \$200 to buy potting mix.

Cr Preece stated that the Chatham Islands Lilies were an internationally recognised plant and he had noted that visitors were disappointed that there were not many seen around the Islands.

RESOLVED THAT

1. Approval to plant the playground fence lines and banks be granted.
2. Approval to plant Comflat Lane fence lines be granted and that the process be commenced to gazette Comflat Lane as Forget Me Not Lane.
3. That \$200 from the Community Assistance Fund be paid to Lois Croon to cover the cost of potting mix.
4. That work be undertaken to make the fence around the children's playground more secure.

P F Smith / E C Tuck CARRIED

5.2 Community Trust of Canterbury

The Community Trust of Canterbury allocated \$23,400 for distribution within the Chatham Islands' community for the 2009/10 year. Applications were received from the following organisations:

1. Chatham Islands Community Focus Trust - \$4,234.00 for funding to bring a swimming tutor to the Islands.

2. Chatham Islands Community Pool Committee - \$2,200.00 for funding for the additional sandblasting and painting costs of the community swimming pool.
3. Weka Walk 2010 - \$20,968.55 for funding to assist with travel costs for Weka Walk 2010.

There was some discussion on the possibility of accumulating the funds over several years in order to put it towards a larger community project. Such projects as the Norman Kirk Reserve and a covered swimming pool were suggested.

The General Manager stated that he had made the suggestion to accumulate funds last year, but Council had decided to uptake the funds annually. For this reason, the funds were advertised and Council should run with the current applications on the table, but look at the issue of accumulation for future years.

Cr Tuck stated that the Council should obtain confirmation from the Community Trust of Canterbury that the funds could be accumulated. The General Manager advised that the Council had been given free rein from the Trust to allocate the funds as they saw fit, provided the projects met the Trust's criteria.

The General Manager advised that he is Chairman of the New Zealand Community Trust Chatham Islands Committee, and along with Denise Meo and Craig Emeny, they make recommendations to the main body for projects on the Chatham Islands. There had been discussion about those funds also being used for larger community projects.

RESOLVED THAT

1. Funding of \$4234.00 be allocated to the Chatham Islands Community Focus Trust to bring a Swimming Tutor to the Islands.
2. Funding of \$2,200.00 be allocated to the Chatham Islands Community Pool Committee for the additional sandblasting and painting costs required at the community swimming pool.
3. Funding of \$16,966.00, being the balance of funds available, be allocated to Weka Walk 2010 to assist with travel costs.
4. The community be consulted on the future of the Community Trust of Canterbury Funding Scheme, and what the community considers were its priorities for a larger community project.

E C Tuck / J I Clarke CARRIED

5.3 Chatham Islands Library Service

A report was received from Wellington City Libraries on the library service provided by them for the Chatham Islands. The purpose of the report was to share and analyse information to improve the library deposit service to the Chatham Islands Council and optimise practical issues between the two partners.

Four options were discussed with Liz Day, the Council's Librarian, on delivery frequency, with Liz opting for Option Two which allowed for fiction to be on a six monthly time schedule, with the six weekly schedule to be retained for non-fiction and DVDs.

RESOLVED THAT the report on the Wellington City Libraries service to the Chatham Islands be received.

A W M Preece / N C Ryan CARRIED

5.4 Norman Kirk Memorial Reserve Development

A letter was received from the Chairperson of the Norman Kirk Memorial Reserve Committee giving a status update on developments at the Memorial Reserve.

The letter also thanked the Council for its assistance for the running and ongoing upgrade of the facilities and requested that this continue into the future.

Cr Tuck stated that it was great to receive the update from the Committee.

RESOLVED THAT the letter from the Norman Kirk Memorial Reserve Committee be received.

E C Tuck / A W M Preece CARRIED

REGULATORY:

6.1 Update from Environment Canterbury

The report for December 2009 from Environment Canterbury was presented, covering the progress of the various activities being undertaken on behalf of the Chatham Islands Council.

Cr Croon asked if an Islands' person had yet been employed by Environment Canterbury. The General Manager advised that a person had been offered a contract but he was not sure if that person had accepted it yet.

RESOLVED THAT the December 2009 report on the various activities undertaken by Environment Canterbury be received.

M Croon / A W M Preece CARRIED

GOVERNMENT:

8.1 Review of Gambling Venues Policy

The General Manager reported on the need for Council to review its Gambling Venues Policy. It was a requirement under the Gambling Act 2003 that the Policy be reviewed every three years.

The current Policy allowed for a maximum of three gambling venues with up to two pokie machines allowed per venue.

Hotel Chathams was the only venue on the Islands and accommodated two machines.

RESOLVED THAT no changes be made to the current Chatham Islands Council Gambling Venues Policy.

P F Smith / E C Tuck CARRIED

8.2 NZ Historic Places Trust Investigation - Owenga

A report was received from the New Zealand Historic Places Trust on their investigation carried out on a site at Owenga on 10 December 2009. It was found that the deposits exposed during road strengthening and maintenance near Owenga were not of archaeological origin, therefore no offence had been committed under Section 99 of the Historic Places Act 1993 relating to unauthorised damage to an archaeological site.

Cr Preece noted from the conclusion that there seemed to have been confusion created by grid references being distorted during transfer to a new map system.

RESOLVED THAT the report from the New Zealand Historic Places Trust be received.

J I Clarke / A W M Preece CARRIED

CHATHAM ISLANDS:

9.1 Financial Assistance for Infrastructure

A letter had been received from Hon Bill English, Minister of Finance, regarding financial assistance for infrastructure on the Chatham Islands. The letter advised that any funding had to be determined in the context of the

Budget process and with due regard to other competing claims. A more definitive answer on the outcome of the Chatham Islands' proposal might be offered in March/April.

The General Manager advised that it was important for everyone to keep any issues in front of any person based in Parliament, and from both sides of the House, so that the Chatham Islands were not lost sight of.

RESOLVED THAT the letter from Hon Bill English, Minister of Finance, be received.

A W M Preece / M Croon CARRIED

The meeting moved In Camera at 2.30 p.m. At the conclusion of the In Camera section at 2.50 p.m., the open meeting was adjourned until 4.00 p.m. to allow the wider public and Contractors to be available to honour His Worship the Mayor, Mr P F Smith, at the time of his official resignation from the Chatham Islands Council.

Also in attendance from 4.00 p.m., and welcomed by His Worship, were:

Hon Annette King, MP for the Chatham Islands
Murray Keast, MWH New Zealand Limited
Andrew McDonald, MWH New Zealand Limited
Bryan Peters, MWH New Zealand Limited
Wayne Osmers, New Zealand Transport Agency
Alan Stanton, Downer EDi Works
Ms Patsy McKay

DEMOCRACY:

2.2 Resignation of His Worship the Mayor

A letter of resignation from His Worship the Mayor, Mr Patrick Smith, was presented to Council. He began his service with the Chatham Islands Council and its predecessor, the Chatham Islands County Council, following a By-election in 1967 and ending in October 1968. He was elected again in 1980 and had continuous service until today. He served as Mayor from 1992.

RESOLVED THAT the resignation of Mr Patrick Smith from his capacity as Mayor of the Chatham Islands be accepted with regret.

N C Ryan / A W M Preece CARRIED

As there was no longer an elected Mayor, the General Manager, Owen Pickles, took over the Chair, asking anyone present if they wished to comment on Patrick's resignation.

Cr Preece spoke on behalf of those members of Council present and those who were not, stating that it was a very sad day for them all as Patrick had been their teacher as far as Local Government affairs went. He spoke of Patrick's passion for the Islands, and of his thirty years of service on the Council, eighteen of those as Mayor. He stated that it would be a record that would stand for a very long time, and thanked Patrick for his patience and integrity, something that had never waned over all those years.

Cr Preece acknowledged the teamwork that had developed around the Council table with the arrival of the Pickles family eight years ago, which he believed was the envy of many Mainland Councils. He knew there was still a lot more to do, but the foundation with Government had been set, and he thanked Patrick for that.

In his right of reply, Patrick spoke about the relationship that had been developed with the Islands' Member of Parliament, Annette King. Her high prominence within the Labour Government and now as Deputy Leader of the Opposition had assisted immensely in the progress of the Chatham Islands over the past few years, and he thanked her for that.

To Councillors, he thanked them for their contributions around the 'table' and the excellent relationship that everyone had with management and staff and with Council's contractors, all partners working together in their duty to the community of the Chatham Islands.

Patrick also expressed his thanks to the Chatham Islands Enterprise Trust who agreed to contribute towards the salary of the current Manager for the first three years of his employment. Eight years ago, it allowed the Council to bring an experienced Manager to the Islands, and for that he again wanted to say thank you.

He wished the Council the very best for the next nine months and for the next elections when he hoped that everyone would offer their abilities to the community once again. Patrick stated that he had served under three Chairmen, Fred Lanauze, David Holmes and Bunty Preece, with Bunty also having served for eighteen years.

Patrick offered his best wishes to whomever would be elected as Mayor and hoped that they would have the passion and vision to make sure that the four and five year old kids of today would have the ability in fifty years time to serve the community as they were doing now.

Hon Annette King MP thanked Patrick on behalf of the Opposition and the Government for his thirty years of Local Government service, and particularly his eighteen years as Mayor of the Chatham Islands Council. She knew it had not been easy serving in such a small Council. She expressed heartfelt thanks for all that Patrick had done for the Chatham Islands.

Alan Stanton stated that he met Patrick seventeen years ago when his company was given the vision to invest in the Islands. He thanked Patrick for being the biggest driver in the establishment of their business.

Murray Keast thanked Patrick for his support and commitment to MWH New Zealand Limited. He advised Patrick to sit back and enjoy all that had been done on the Islands over the past fifty years.

Owen Pickles spoke on behalf of the staff, thanking Patrick for his leadership, and for being so tenacious in his attempts to get himself and Lynette to the Islands.

2.3 Extraordinary Vacancy – Office of Mayor

The General Manager, as Acting Chair, advised Council that with the resignation of Patrick Smith, there was an extraordinary vacancy for the position of Mayor. As the vacancy had occurred within one year of the next election, the position had to be filled by a member of the current Council. The process was an electoral one, with voting being based on rounds of elimination until a candidate had a clear majority.

The General Manager called for nominations.

Cr Ryan stated that he thought that the Deputy Mayor would be able to step up to the position. The General Manager advised that this was not the case and that an election was required.

Cr Ryan nominated Alfred Preece, seconded by Cr Croon.

As there were no further nominations, Alfred Preece was duly elected as Mayor of the Chatham Islands Council.

CARRIED

Congratulations were offered to His Worship the Mayor, Mr A W M Preece, and he took the Chair. He thanked Councillors for their confidence in him. He stated that he

had held many discussions with Patrick Smith about the potential of the position. It would be a challenge, but one he was looking forward to.

His Worship advised Council that he was proposing to arrange a public send-off for the former Mayor, Patrick Smith. He thought that there would be a number of individuals, Chatham Islands organisations and also people from off-Island who would want to attend. It would be a thank you to Patrick, and a fun 'roasting', and would be finalised in consultation with Patrick and Patsy.

With the election of Alfred Preece as the new Mayor of the Chatham Islands Council, a vacancy was created for the position of Deputy Mayor.

RESOLVED THAT given the number of absentees from the Council table, an election for Deputy Mayor should be held over until the next Council Meeting in March.

E C Tuck / N C Ryan CARRIED

2.4 Extraordinary Vacancy – Office of Councillor

With the election of Alfred Preece as the new Mayor of the Chatham Islands Council, a vacancy was created for the position of Councillor. Council had three choices to fill the vacancy:

1. To appoint an eligible candidate from within the community.
2. To carry the vacancy forward to the next election in October 2010.
3. To hold a By-election.

RESOLVED THAT the Councillor vacancy be carried forward to the next election in October 2010.

J I Clarke / N C Ryan CARRIED

CLOSURE:

Meeting Closure

The meeting was declared closed at 4.32 p.m.

CONFIRMED THIS 4th DAY OF MARCH 2010

MAYOR