



## **Minutes of an Ordinary Meeting of Council**

9.01am Tuesday 27 October 2015 held in the Council Chamber, Wairoa District Council, Coronation Square, Wairoa.

**Present:** His Worship the Mayor Mr C Little (Chairman)

Councillors: M Bird, B Cairns (entered at 9.05am), D Eaglesome-Karekare, H Flood, J Harker, M Johansen.

F Power (Chief Executive Officer)  
A Morton (Chief Financial Officer)  
H Montgomery (Regulatory Manager)  
J Cox (Engineering Manager)  
J Baty (Corporate Services Manager)  
K Tipuna (Communications Strategist)  
C McGimpsey (Governance Advisor & Policy Strategist)

### **Procedural Items**

#### **1. Civic Prayer**

The karakia was given by the Corporate Services Manager.

#### **2. Apologies for absence**

Apologies were received from the Maori Standing Committee representatives Graeme Symes and Paul Kelly.

#### **3. Declarations of Conflict of Interest**

Councillor Harker declared a pecuniary interest on agenda item 12 (QRS Annual Report) as he is an employee of QRS.

Councillor Harker declared an other specified interest on agenda item 10 (Mahanga Water Supply) as he is a part owner of a non-residential property at Mahanga.

#### **4. Chairman's Announcements**

None.

#### **5. Items of Urgent Business not on the Agenda**

Councillor Bird requested the following items:

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- St John's Ambulance Scheme
- Litter in the district
- River pathway
- Build-up of timber in rivers of the district

Councillor Flood requested a confidential agenda item:

- Chief Executive Employment Matters

## 6. Public Participation

None.

## 7. Confirmation of Minutes of the Previous Meeting

Councillor Cairns entered the meeting at 9.05am

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| <p><b><u>Resolved:</u></b>      <i>That the minutes of the Ordinary Meeting of Council held on 22 September 2015 be confirmed as a correct record of the proceedings.</i></p> |
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***Flood/Harker***

## 8. Council Action Sheet

Councillors requested that timeframes be added to all items.

## 9. Monthly Update Report

The Chief Executive Officer presented his report and thanked the staff involved in the SOLGM Local Government Operational and Management Effectiveness Self-Assessment Programme. He updated his recommendation to:

*That:*

1. *The report be received; and,*
2. *The October Information Pack be received.*

Councillors discussed the s17a review project and the Council's scope and capacity in relation to this project.

The SOLGM Local Government Operational and Management Effectiveness Self-Assessment Programme was discussed. The Chief Executive advised the Councillors that this is now completed and that the data will be reviewed before the final submission.

Councillors discussed the amended recommendation which included receiving the October information pack. The inclusion of a separate agenda item in future to receive the information pack was requested.

**Resolved:***That:*

- 1) *The report be received; and*
- 2) *The October Information Pack be received.*

***Harker/Johansen*****10. Referendum – Mahanga Water Supply**

The Corporate Services Manager presented his report.

Points of clarity were requested regarding:

- The number of options allowed under a poll question
- The number of questions in a single poll

**Resolved:**

*That Standing Orders be temporarily suspended for this agenda item to enable members of the public present who wished to speak to contribute to the discussion throughout the item.*

***Little/Johansen***

Councillors discussed the proposed works at Happy Jacks Road, the usage of the road by residents currently and the implications of different types of permanent crossings. It was also discussed if this poll question went ahead if it should be polled throughout the district and not just the area surrounding the culvert.

Lis Battes (member of the public) spoke about the environment court ruling on the significance of the Hinerauri stream, the wetlands, an ecological impact report, and questioned the legality of the road corridor. She pointed out that there was another way round that many people used.

Councillors requested the Engineering Manager to provide them with the Gazette notice regarding the road.

Adjourned 10.07am

Reconvened 10.14am

Councillors discussed the second part of the referendum – the Mahanga water supply.

Ms Lis Battes (member of the public) made the following points:

- Having a third option on the referendum to keep the status quo

- There are a number of documents that acknowledge that the Mahanga water supply is a non-potable supplementary supply and not a drinking water supply
- The community have not seen a copy of the proposal
- Requested clarity on who has the right to vote in the referendum and how many votes per property

Mr Denys Caves (member of the public) made the following points:

- There has been no enforcement of people being required to have water tanks for drinking water
- The Council should survey the properties on the supply to identify which properties do not have a water tank
- There is no public supply that is accessible to visitors and the toilets connected to the supply have clear signage saying to not drink the water

Councillors discussed the Council's obligations as a drinking water supplier and whether or not the non-potable supply should be considered a drinking water supply. Councillors discussed getting a determination from the Ministry of Health regarding the water supply and if it could continue to be run as a non-potable supplementary supply.

His Worship the Mayor and Councillors requested the following information and deferred the matter to the next Council meeting:

- Road works options for Happy Jacks Road
- Information on what the road works will mitigate
- The requirements/legalities around water tanks for residents in this area and requiring their installation retrospectively
- Determination from the Ministry of Health regarding Council's obligations and if there is the ability to keep the supply as a non-potable supplementary supply
- The legality of the roading corridor for Happy Jacks Road (Gazette Notice)
- Information on the intended and actual number of connections to the water supply
- Residents' rights to connect to the water supply
- The process for a road stoppage/closure

**Resolved:** *That the item be deferred to the next meeting of Council.*

***Eaglesome-Karekare/Harker***

## 11. Delegations – Warrant to Act

The Corporate Services Manager presented the report.

**Resolved:** That:

1. The report is received.
2. The delegations and appointments as scheduled in the Schedule of Delegations be approved with immediate effect.

| OFFICER  | DELEGATION/AUTHORITY  |
|--|---|
| <ul style="list-style-type: none"> <li>• Bylaw/Rural Fire Officer</li> </ul> | <ol style="list-style-type: none"> <li>1. "Rural Fire Officer" under Section 13 of the Forest and Rural Fires Act 1977.</li> <li>2. An "enforcement officer" appointed under Section 177 of the Local Government Act 2002 for the enforcement of bylaws and regulations.</li> </ol> |

***Eaglesome-Karekare/Flood***

## 12. QRS Annual Report

Councillor Harker declared a pecuniary interest on this item at the start of the meeting and did not discuss or vote on this agenda item. Councillor Harker left the Council table at 10.57am and remained in the public gallery for the duration of the item.

Mr Chris Torrie (Chair of the QRS Board), Mr Mark Browne (CEO of QRS) and Mr Rob Beale (Chief Operations Officer of QRS) gave a presentation on the QRS Annual Report to Council.

Councillors sought clarity on the following items:

- The progress on the Mahia installation
- Training budgets
- Community sponsorships and support programmes

**Resolved:** *That the QRS Annual Report is received;*

***Eaglesome-Karekare/Johansen***

## 13. Maori Standing Committee Minutes

Councillor Harker rejoined the Council table at 11.27am

**Resolved:** *That the unconfirmed minutes of the Māori Standing Committee meeting held on the 16<sup>th</sup> October 2015 be received.*

***Flood/Bird***

## 14. Resolution to Exclude the Public

Councillor Flood left the meeting at 11.33am

Councillor Flood re-entered the meeting at 11.37am

**Resolved:** That the public be excluded from the following parts of the proceedings of

this meeting, namely:

1. Confidential Minutes of Previous Council Meeting
2. Confidential Action Sheet
3. Land gifted to Council
4. Late item – Chief Executive Employment Matters

The general subject of each matter to be considered while the public is excluded; the reasons for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

| <b>General subject of each matter to be considered</b> | <b>Reason for passing this resolution in relation to each matter</b><br>That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to: | <b>Ground(s) under section 48(1) to the passing of this resolution</b><br>48(1)(a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist: |
|--|--|--|
| Confidential Minutes of Previous Council Meeting       | Section 7 (2)<br>(a) protect the privacy of natural persons, including that of deceased natural persons<br>(h) enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities   | (i) where the local authority is named or specified in the Schedule 1 to this Act, under section 6 or section 7 (except section 7(2)(f)(i)) [of the Local Government Official Information and Meetings Act 1987]   |
| Confidential Action Sheet                              | Section 7 (2)<br>(a) protect the privacy of natural persons, including that of deceased natural persons<br>(h) enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities   | (i) where the local authority is named or specified in the Schedule 1 to this Act, under section 6 or section 7 (except section 7(2)(f)(i)) [of the Local Government Official Information and Meetings Act 1987]   |
| Land gifted to Council                                 | (a) protect the privacy of natural persons, including that of deceased natural   | (i) where the local authority is named or specified in the Schedule 1  |

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|  |   | persons   | to this Act, under section 6 or section 7 (except section 7(2)(f)(i)) [of the Local Government Official Information and Meetings Act 1987]   |
|  | Late item –<br>Chief Executive<br>Employment<br>Matters | Section 7 (2)<br>(a) protect the privacy of natural persons, including that of deceased natural persons | (i) where the local authority is named or specified in the Schedule 1 to this Act, under section 6 or section 7 (except section 7(2)(f)(i)) [of the Local Government Official Information and Meetings Act 1987] |

***Eaglesome-Karekare/Cairns***

**PUBLIC EXCLUDED: 11.39am**

**RE-ADMITTED: 12.46pm**

Councillor Bird's late items were briefly discussed.

Councillors requested staff to explore options for what an ambulance scheme as part of the rates could look like, and to draft a letter to the Minister of Environment Hon Nick Smith regarding the build-up of timber in the rivers.

There being no further General Business His Worship the Mayor declared the meeting closed.

**CLOSED:** The meeting closed at **12.47pm.**

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Chair