

MINUTES



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MEMBERSHIP: Mayor Meng Foon, Deputy Mayor Nona Aston,
Craig Bauld, Bill Burdett, Andy Cranston, Alan Davidson, Roger Haisman, Allan Hall, Hemi Hikawai,
Gary Hope, Atareta Poananga, Pat Seymour, Kathy Sheldrake, Graeme Thomson, Brian Wilson.

MINUTES of the GISBORNE DISTRICT COUNCIL

held in the Council Chambers, 15 Fitzherbert Street on Thursday 30 July 2009 at 9am

PRESENT:

Mayor Meng Foon (chair), Deputy Mayor Nona Aston, Councillors Craig Bauld, Bill Burdett, Andy Cranston, Alan Davidson, Allan Hall, Roger Haisman, Hemi Hikawai, Pat Seymour, Gary Hope, Kathy Sheldrake, Graeme Thomson and Brian Wilson

IN ATTENDANCE:

Corporate Affairs Manager Douglas Birt, Engineering and Works Manager Peter Higgs, Environment and Planning Manager Hans van Kregten, Community Planning and Development Manager Nedine Thatcher, Chief Financial Officer Mike Drummond, Maori Liaison Officer Nick Tupara, Policy Analyst Allan Cheesman, Strategic and Social Policy Leader Vance Walker, Team Leader Parking Paul Stuart, Community Facilities Asset Manager Terry McMillan, Utilities Asset Manager Kevin Strongman, Land Transport Manager Dave Hadfield, Utilities Engineer (Stormwater) Joss Ruifrok, Asset Administrator Angus Glengarry, Legal Officer Melanie Walker and Committee Secretary Eileen Marshall

OPENING PRAYER

His Worship the Mayor commenced the meeting with a prayer.

APOLOGY:

Cr A Poananga

1. **Apology**

MOVED by Mayor Foon, seconded Cr Seymour

That the apology from Cr Poananga be sustained.

CARRIED

2. **Public forum, petitions, deputations and representation from tangata whenua**

- (a) (See ITEM 7.1 – 09/351 Petition for new footbridge Peel Street to Railway Station Market)
- (b) Clare Radomske (Tairawhiti Employment Strategy Co-ordinator) spoke to the Councillors and advised there would be a hui on 31 July 2009 regarding the loss of jobs in the district. He requested that consideration be given to local contractors tendering for contracts to assist employment in the region.

3. Confirmation of Minutes

Gisborne District Council – Meeting 25 June 2009

MOVED by Cr Burdett, seconded Mayor Foon

That

the minutes of 25 June 2009 be confirmed.

CARRIED

Action Sheet

Report No 09/014 – Strategy and Vision Project – Workshop scheduled for August

Cr Seymour requested that sufficient notice be given to Councillors to enable them to attend this workshop.

4. Matters arising

There were no matters arising.

5. Notification of late items, questions and general business

Mayor Foon advised Councillors that there would be a deliberative meeting following this meeting to discuss port lands exchange and wastewater issues.

6. Committee Minutes

a) Hearings Committee – 17 June 2009

MOVED by Cr Davidson, seconded Cr Bauld

That

Item 2 be received

CARRIED

MOVED by Cr Davidson, seconded Cr Hikawai

That

Item 1 be adopted

CARRIED

b) Wastewater Management – 18 June 2009

MOVED by Cr Burdett seconded Cr Wilson

That

All items be received

CARRIED

c) Community Development – 10 June 2009

MOVED by Cr Hikawai, seconded Cr Hall

That

All items be received

CARRIED

(Report 09/287 included for Councillors and Management for consideration as resolved in 7.1 of the minutes)

Team Leader Parking Paul Stuart, advised that the proposal is that Council employ three full time staff for 101 patrol members with thirty hours per week being considered.

MOVED by Cr Seymour, seconded Cr Hikawai

That

Option 3 be adopted.

CARRIED

d) Finance & Monitoring – 16 July 2009

MOVED by Cr Bauld, seconded Cr Wilson

That

items 1 – 7 and 8 – 11 be received

CARRIED

Item 7.1 be adopted

CARRIED

MOVED by Cr Bauld, seconded Cr Hope

Item 7.2 be adopted

CARRIED

e) Operations – 16 July 2009

MOVED by Cr Thomson, seconded Cr Haisman

That

All items be received

CARRIED

7. Mayor's and Councillors' reports

For decision

7.1 09/351 – Petition for New Footbridge Peel Street to Railway Station Market

This petition was a mechanism to bring the matter to Council.

Cr Hope asked if the petitioners were aware of the cost of this project and the effect it would have on ratepayers.

Cr Wilson supported the project and said it should be investigated further for the next round of the LTCCP. It should be part of a wider project and would add value to the area.

Cr Seymour was prepared to consider the application with amendments.

Cr Sheldrake said the area where the footbridge was proposed was a complete mess and required tidying up.

Cr Sheldrake called for a division on the recommendation.

MOVED by Cr Sheldrake, seconded Cr Davidson

That the Council

- | | |
|----|--|
| 1. | receives the report |
| 2. | receives the petition |
| 3. | considers the project in the next 3 yearly review of the LTCCP |
| 4. | notifies the petitioners of Council's decision. |

DIVISION

For the Motion

Cr Bauld

Cr Cranston

Cr Davidson

Cr Aston

Cr Wilson

Cr Hall

Cr Sheldrake

Cr Hikawai

Against the Motion

Cr Burdett

Cr Haisman

Cr Hope

Cr Thomson

Abstention

Cr Seymour

CARRIED

7.2 09/352 – National Council Maori Advisory Committee

This report was to inform Council of the elected members to the LGNZ National Council Maori Advisory Committee.

MOVED by Cr Seymour, seconded Cr Hope

That the Council

- | | |
|----|---|
| 1. | receives the report |
| 2. | thank Cr Poananga and Cr Burdett for their participation. |

CARRIED

For noting

Nil

8. Staff Reports

For decision

8.9 09/339 - Oval Recreation Reserve Leasing Decision

The lease of the OBM Rugby Clubrooms expired in 1996 and it was proposed that Council enter into a new lease agreement to formalise the club's occupation of Council reserve land.

MOVED by Mayor Foon, seconded Cr Wilson

That the Council

1. receives the report
2. agrees to enter into a lease agreement with OBM Rugby Football Club Incorporated for part Lot 38 DP 3061 pursuant to section 54(1)(b) of the Reserves Act 1977
3. agrees to a lease term of 10 years within two 10 year rights of renewal for an annual rental of \$725, excluding GST, to be reviewed every five years in accordance with the Gisborne District Council Rental Policy. The final expiry date is 31 July 2039.

CARRIED

8.1 09/340 - Blackpool Scholarship

The Blackpool Scholarship was set up in 1971 to provide an annuity to support Gisborne students with their university study. The ship's company raised \$5000 with the aim of using the income to provide the annuity. The gift of the Trust was made when the HMNZS Blackpool was finally farewelled after her adoption by Gisborne during the ship's loan service from the Royal Navy (1966 – 1971).

Over the years the level of grants under the scholarship have reduced the capital. The Council has primarily funded the scholarship through rates revenue in recent years. Budget pressure has limited funding of the scholarship. The Chief of Navy has proposed, in response to a request for funds, to wind the Trust up and to establish a Navy Scholarship with a similar purpose. Any residue of Trust funds would be paid to the Navy Scholarship. The Navy will contribute \$3000 per annum to the scholarship for the next five years.

Winding up the Trust requires a formal process, including an application to the High Court. The Trustee is the "Mayor, Councillors and Citizens of the City of Gisborne".

MOVED by Cr Seymour, seconded Cr Hope

That the Council

1. receives the report
2. requests that the Mayor obtain an agreement from members of the Blackpool Scholarship Selection Committee to the terms of a Navy Scholarship to replace the Blackpool Scholarship
3. requests that the Mayor as Trustee representative, make an application to the High Court seeking the winding up of the HMNZS Blackpool Scholarship Trust and to transfer the balance of funds to the Navy for administration under its replacement scholarship.

CARRIED

8.2 09/341 - Wastewater Treatment Project – Eastland Community Trust

The working party is seen as a way forward from a political viewpoint to explore options with Eastland Community Trust for funding or otherwise supporting the wastewater treatment project.

MOVED by Cr Sheldrake, seconded Cr Burdett

That the Council

1. receives the report
2. forms a Working Party comprising the Mayor, Cr Bauld, Cr Seymour, Cr Thomson, Chief Executive and Engineering & Works Manager, to work with the Eastland Community Trust to explore options for reducing the cost of the wastewater treatment project to ratepayers.

CARRIED

8.3 09/347 - Wastewater Treatment Plant (WWTP) – Registrations of Interest for Main Contracts

The Engineering and Works Manager said the key issues in tendering are that Council has entered into a process and we need to make sure that the process is followed. The rules cannot be changed but there are options that can be considered.

There were no tenderers that failed to qualify but evaluation identified the ones with least risk. There is nothing to stop Council from opening up the tender to everyone who qualified.

Another option discussed was an emphasis on local contractors. It is difficult on face value to assess as to what is local. Out of town contractors having local sub contractors.

Cr Seymour requested the report lie on the table until the August Council Meeting if one month would mean a substantial saving.

Engineering and Works Manager Peter Higgs said the existing consent requires completion by December 2010. The construction timeline needs tenders let by the end of October and time is needed for any contractor to deliver.

Cr Seymour said both decisions could be made in one month's time and there is no need to go back to the beginning.

Mayor Foon called for a division

MOVED by Cr Seymour, seconded Cr Aston

That the matter lie on the table

DIVISION

For the Motion

Cr Aston
Cr Hikawai
Cr Seymour
Cr Sheldrake

Against the Motion

Cr Bauld
Cr Burdett
Cr Cranston
Cr Davidson
Cr Hall
Cr Haisman
Cr Hope
Cr Thomson
Cr Wilson

LOST

The meeting adjourned for morning tea at 10.05 am.

The meeting reconvened at 10.15 am.

Cr Hikawai left the meeting at 10.05 am.

MOVED by Cr Hope, seconded Cr Davidson

That the Council

1. receives the report
2. notifies all contractors that qualify under the ROI that they will be invited to tender
3. invites tenders from contractors for the components of the WWTP project that they have pre-qualified for subject to discussions between Council and ECT.

CARRIED

Cr Seymour requested her vote against the motion be recorded.

8.4 09/343 - Bay of Plenty Local Authority Shared Services – BOPLASS

The Gisborne District Council has been invited to take a shareholding in the company and to participate in its work and benefits. It was necessary for Council to confirm, or otherwise, that it wishes to become a shareholding partner in BOPLASS.

Corporate Affairs Manager Douglas Birt advised that shared services provided savings to Council and benefits far outweigh costs. Meetings are held once a month and attending these meetings is an overhead.

Mayor Foon asked the Corporate Affairs Manager Douglas Birt to prepare a report to the Finance and Monitoring Committee on the costs and benefits involved.

MOVED by Cr Burdett, seconded Cr Bauld

That the Council

1. receives the report
2. notes the Statement of Intent
3. takes one share in Bay of Plenty Shared Local Authority Services Limited for \$1000
4. agrees to the Chief Executive becoming a Director
5. authorises the Chief Executive to sign the Consent as a Shareholder and Deed of Accession joining Council to the shareholder agreement
6. authorises the Chief Executive (or, in his absence, the Acting Chief Executive) to act as shareholder, in particular to:
 - (a) hold a proxy for the shareholder; and
 - (b) execute documents on behalf of the Council, as shareholder.

CARRIED

Crs Haisman, Seymour and Hope requested their vote against the motion be recorded.

8.5 09/189 - Code of Conduct for Effective Governance

The Code of Conduct applies to all elected members of Council and persons appointed to a committee or a sub-committee of Council.

MOVED by Cr Sheldrake, seconded Mayor Foon

That the Council

1. receives the report
2. adopts the revised Code of Conduct

CARRIED

8.6 09/336 - Chief Executive's Activity Report – July 2009

The Chief Executive apologised for not attending this meeting of Council.

MOVED by Cr Wilson, seconded Cr Seymour

That the Council

1. receives the report
2. commences the process for recruiting two directors for the Boards of Gisborne Holdings Limited and Tauwhareparae Farms Limited, according to policy.

CARRIED

8.7 09/334 - Tender Appraisal – Contract EW09/17 2009/10 Sealed Road Resurfacing

MOVED by Cr Burdett, seconded Mayor Foon

That the Council

1. receives the report
2. awards Contract EW09/17 – 2009/10 Sealed Road Resurfacing to Johnstone & Masters Limited for \$1,469,662.67, GST exclusive.

CARRIED

Mayor Foon welcomed 16 school children and three adults from Makaraka School and other schools to attend the rest of the Council meeting before making their presentation to Councillors after the meeting.

8.8 09/344 - Tender Appraisal – Contract EW08/35 Gardner Place Catchment Stormwater Upgrade

MOVED by Mayor Foon, seconded Cr Aston

That the Council

1. receives the report
2. awards Contract EW08/35 – Gardner Place Catchment Stormwater Upgrade to Quality Roding Services (Wairoa) Limited for \$569,933.22, GST inclusive.

CARRIED

For noting

8.10 09/345 - Use of Council Seal, June – July 2009

MOVED by Cr Seymour, seconded Cr Aston

That the Council

1. receives the report.

CARRIED

8.11 09/346 - Community Partnership Scheme: Computers in Homes: Grant

MOVED by Cr Aston, seconded Cr Seymour

That the Council

1. receives the report.

CARRIED

8.12 09/335 - Elected Members' Remuneration Determination 2009

MOVED by Cr Wilson, seconded Cr Seymour

That the Council

1. receives the report.

CARRIED

9. Late items

Items for decision

Nil

Items for noting

Nil

10. Questions

Nil

11. General Business

(i) *Savings on Tenders*

Cr Bauld advised that savings had been made in sealed road resurfacing and these savings should be reassessed by the Committee rather than spending on more work.

Cr Haisman said that the savings made must be used for roading as the amount was rated for roading.

(ii) *Turanganui Riverside Walkway Highly Commended by the Golden Foot Awards 2009*

Environment & Planning Manager Hans van Kregten tabled a memo and certificate to Council for the Highly Commended Golden Foot Award 2009 for the Turanganui Riverside Walkway for the New Zealand Best Practice Walking Facility.

The judges commended the Council on its outstanding integrated design which was seen as national best practice.

The winner of the category was the Twin Streams Walkway Project in Waitakere City.

(iii) ***Support for Families Affected by Business Closures***

Mayor Foon advised that there would be a meeting on 31 July 2009 for the businesses affected by closure. The impact will be on the following businesses:

- (a) Cedenco Retort Line
- (b) Pernod Ricard
- (c) Prime Saw Mill

Advice will be given on agencies and schemes available to families for budgeting.

He said some people have never been in this situation before and we should give them our full support.

12. Public Excluded Business

12.1 09/342 – Gisborne Holdings Group - Statement of Intent

MOVED by Cr Hope, seconded Cr Aston

That the Council

not exclude the public from this item

CARRIED

The Finance & Monitoring Committee considered the draft Statement of Intent and this is still a draft document. The Statement of Intent is the only document Council have to hold directors accountable.

Concern was expressed that there are no KPIs that can identify directors have achieved the level of performance they have stated.

MOVED by Cr Hope, seconded Cr Aston

That the Council

1. receives the report
2. requests that the Board include the proposed financial ratios and KPIs in the Statement of Intent for Gisborne Holdings Limited (and in the Statement of Corporate Intent for Tauwhareparae Farms Limited when that is prepared), that the KPIs be based on district averages and the return on equity include capital movements
3. asks the Chief Executive to liaise with the Company Secretary in the first instance on the detail of Council's request.

CARRIED

13. CEO Matters

Nil

There being no further business the meeting concluded at 11.20am.

Meng Foon
Mayor

Following the meeting a presentation was made to Councillors from school children and from Te Matatini Kapa Haka Group.