

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 25 March 2010 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, Gary Hope, Atareta Poananga, Pat Seymour, Kathy Sheldrake, Graeme Thomson and Brian Wilson

IN ATTENDANCE:

Chief Executive Lindsay McKenzie, Community Planning & Development Manager Nedine Thatcher-Swann, Corporate Affairs Manager Douglas Birt, Engineering & Works Manager Peter Higgs, Environment & Planning Manager Hans van Kregten, Chief Financial Officer Mike Drummond, Community Facilities Asset Manager Terry McMillan, Community Property Officer Angus Glengarry, Commercial Property Officer Matt Fiest, Committee Secretary Lesley Hillan

APOLOGY:

Councillor Brian Wilson for early departure.

The meeting commenced with a prayer.

1. Apology

MOVED by Mayor Foon, seconded by Cr Burdett

That the apology from Cr Brian Wilson for early departure be sustained.

CARRIED

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

- (i) Manu Caddie on behalf of Ka Pai Kaiti re proposed rent rises for Council housing: Mr Caddie tabled a paper relating to proposed rent rises for Council housing in which the rationale for rent rises, cost increases and cost saving options were discussed. In answer to a question from Cr Burdett as to what Ka Pai Kaiti would have Council do, Mr Caddie explained that a proposal would be presented in a submission to the Annual Plan.
- (ii) Clare Radomske re Challenges as a community: Mr Radomske spoke on the potential changes to the ECT Trust Deed and said he would like to see the item not taken in public excluded. He urged Council to explore and think hard about it being in open forum for transparent local governance.

3. Confirmation of Minutes

Gisborne District Council – Ordinary Meeting 25 February 2010

MOVED by Cr Burdett, seconded by Cr Hope

That the Minutes of 25 February 2010 be accepted.

CARRIED

Action Sheet

Cr Burdett referred to Item 9.1 - Lease of Land for C Company Permanent Exhibition Facility which the recommendation supported in principle, but the Action Sheet is noted "awaiting further details".

Chief Executive Lindsay McKenzie said that these comments related to Community Facilities and that they now had the details.

A further report would be presented to the April Council meeting.

4. Matters Arising

a) Item 8.4 Page 6 Proposed Reserve Revocation: Cr Seymour felt that it would be helpful to record the location of the property in resolutions of this nature.

5. Notification of late items, questions and general business

(i) Appeal to Walkway – Salisbury Road: Mayor Foon gave notice that the Appeal to the Walkway in Salisbury Road would be discussed under general business.

6. Committee Minutes

a) Wastewater Management – 18 February 2010

MOVED by Cr Cranston, seconded by Cr Burdett

That all items be received.

CARRIED

b) Community Development – 10 March 2010

MOVED by Cr Hikawai, seconded by Cr Cranston

That all items be received.

CARRIED

Items 7.1(2) – Older Persons Policy and 7.2(3) Navigation Traditions were the subject of reports considered later in the meeting.

c) Finance & Monitoring – 11 March 2010

MOVED by Cr Bauld, seconded by Cr Wilson

That items 1 – 7.1(1), 7.2, 7.3 – 11.1 and 11.2(1), 11.3(1), 11.4 and 11.5 be received.

CARRIED

MOVED by Cr Bauld, seconded by Cr Wilson

That item 7.1 (a and b) be adopted.

CARRIED

Item 11.2(2-4) – Tauwhareparae Farms Ltd – Statement of Corporate Intent was considered later in the meeting.

MOVED by Cr Bauld, seconded by Cr Seymour

That item 11.3 (a, b and c) be adopted.

CARRIED

d) Operations – 11 March 2010

MOVED by Cr Thomson, seconded by Cr Hope

That items 1 – 7(1) and 7.2 – 11 be received.

CARRIED

MOVED by Cr Thomson, seconded by Cr Hope

That items 7.1 (a and b) be adopted.

CARRIED

v) Regional Transport – 18 March 2010

To be presented to the April Council meeting.

7. Mayor's and Councillors' Reports

For decision

Nil

For noting

Nil

8. Staff Reports

For decision

8.1 No. 10/146 Chief Executive's Activity Report – March 2010

The report covered the period from 25 February 2010. Chief Executive Lindsay McKenzie advised that the Chairman of Tauwhareparae Farms Ltd had presented a cheque for \$1M being the dividend for the 2008/09 year.

Cr Seymour requested that the Mayor acknowledge the efforts of the staff at the farms.

A report on the Rugby World Cup is to be presented to the April Council meeting.

Community Consultation meetings were also reported on as was the completion of the Makorori land purchase.

MOVED by Cr Hope, seconded by Mayor Foon

That the Council

1. receives the report
2. thanks the Board of Tauwhareparae Farms Limited for the \$1M dividend for 2008/09.

CARRIED

MOVED by Cr Seymour, seconded by Mayor Foon

That the Council

3. agrees that the nomination of Lindsay McKenzie to the proposed Tairāwhiti Stadium Trust Board lie on the table until the next Council meeting.

CARRIED

8.2 No. 10/155 Results of Consultation on Community Housing Rent Increases

The report outlined the results of targeted consultation with affected parties on the proposed community housing rent increases.

MOVED by Cr Davidson, seconded by Cr Burdett

That the Council

1. receives the report
2. agrees to notify tenants by 6 April 2010 of a rental increase of \$10 per week applied from 5 June 2010, if applicable. This will apply for the 2011 financial year
3. agrees to implement annual rent increases from 2011 through the 2014 financial year of \$10 per week plus the market increase as at 31 March of each year, if applicable
4. agrees to reassess rents in the 2015 annual plan to confirm the level is at 90% of market rate
5. applies 90% of market rental to all new tenants.

CARRIED

8.3 No. 10/160 Recreation Reserve Leasing Decisions

Community Property Officer Angus Glengarry advised that resolutions relating to the BMX track on Lytton Road Reserve had been omitted and should be included with the other resolutions.

MOVED by Cr Bauld, seconded by Cr Thomson

That the Council

1. receives the report
2. agrees to enter into a lease agreement with Poverty Bay Cricket and Hockey Associations' for Part Lot 67 DP 5189 (Harry Barker Reserve, Lytton Road)
3. agrees to a lease term of 10 years with two 10 year rights of renewal expiring 30 September 2039. The annual rental shall be \$665 excluding GST, to be reviewed every five years in accordance with the GDC Rental Policy
4. agrees to enter into a new lease agreement with Muller Whanau Limited for part of Section 20 Block IV Tuatini Maori Township (Tokomaru Bay Mayfair Store)
5. agrees to a lease term of five years with three five year rights of renewal expiring March 2030. The annual rental shall be \$1,115 excluding GST, to be reviewed every five years
6. agrees to enter into a lease agreement for the BMX track on Lytton Road Reserve legally described as Part Lot 14 DP 4812
7. agrees to a lease term of 10 years with two 10 year rights of renewal expiring 30 September 2039. The annual rental shall be \$910 excluding GST, to be reviewed every five years in accordance with the GDC Rental Policy
8. instructs staff to add commonly known geographic location to each decision to lease.

CARRIED

The meeting adjourned for morning tea at 10.03am and reconvened at 1025am.

Cr Wilson did not return to the meeting after the morning tea adjournment.

8.4 No. 10/164 Appointment of Hearings Commissioners

Cr Poananga felt that the proposed Commissioners were not representative of the Council. She said that there were 4 women Councillors, there were no women and no Maori women.

Cr Haisman asked why there were 4 Commissioners.

Environment & Planning Manager Hans van Kregten explained there were 4 Commissioners because of the complexity of the issue and the requirement for one to be a Minister for Conservation appointee.

MOVED by Cr Seymour, seconded by Cr Burdett

That the Council

1. receives the report
2. appoints Mr John Matthews, Mr Ross Muir, Mr Alan Davidson and Mr Jim Dahm as Commissioners and delegates to them, pursuant to Section 34A(1) of the Resource Management Act 1991, all the functions, powers and duties of the Council under the Resource Management Act 1991 necessary to hear and decide on:
 - a) application for the coastal permit for protection work at Wainui Beach from the southern side of the Wainui Stream to the concrete groyne near Tuahine Crescent, a distance of approximately 370 metres

- b) any other Resource Management Act matters ancillary or related to the coastal permit application
- c) Commissioner J Matthews be appointed to chair the panel of commissioners appointed in (2) above.

CARRIED

8.5 No. 10/152 Navigational Traditions Project

Mayor Foon explained the history of the project, what the project is, what the benefits are, key project sites and other potential sites.

Cr Hall felt the project had great merit as it recognises the historical nature of our region. He said that moving the obelisk needed to be looked at very carefully as there is a reserve there. He felt that the project was something we should grab and celebrate.

Cr Burdett asked if anyone internally had done an estimate as to what it is going to cost Council.

Mayor Foon suggested the total project cost was \$4M but said "let's take one step at a time" as Council's share was not determined. At the moment there were meetings being held once a month, application for funding to get the first project to tender stage, branding and working on a resolution of the Cone of Vision.

The Cone of Vision is to be the subject of a Deliberative Session at the Environment & Policy Committee meeting on 7 April 2010.

MOVED by Cr Hikawai, seconded by Mayor Foon

That the Council

1. receives the report
2. agrees to incorporate the Tairawhiti Navigational project into relevant Council plans and projects (existing and/or new)
3. notes the recommendation 2. (above) is still subject to statutory processes
4. notes that a decision to support recommendation 2. (above) does not mean that Council will be committing itself to any funding for the project unless Council resolves to do so.

CARRIED

8.6 No. 10/153 Older Persons' Policy

Several Councillors spoke for and against the merits of having policies for demographic or cohort groupings. The obligation to treat all people with fairness and equity was debated.

MOVED by Cr Aston, seconded by Cr Burdett

That the Council

1. receives the report
2. agrees to adopt the Older Persons' Policy as recommended by the Community Development Committee.

CARRIED

8.7 No. 10/144 Naming of Disc Golf Course

MOVED by Cr Poananga, seconded by Cr Hall

That the Council

1. receives the report
2. agrees to support the naming of the Gisborne Disc Golf Course the "Bob Clarke Gisborne Disc Golf Course".

CARRIED

9. Late items

Nil

10. Questions

Nil

11. General Business

a) Walkway at Salisbury Road: Mayor Foon advised Councillors that the walkway at Salisbury Road had been appealed. He urged Councillors to visit the area.

12. Public Excluded Business

MOVED by Cr Hope, seconded by Cr Haisman
That Council

1. considers Report 10/156 – Eastland Community Trust – Statement of Intent be taken with the **public included**.

Cr Hall explained that unless Council had asked ECT if the matter should be held with the **public included**, it is up to the trust to decide not Council

Chief Executive Lindsay McKenzie referred Council to Page 136 of the agenda under 16.9 which read " ... *the Trustees shall consult with the Council in Committee as to the content of the Statement of Intent ...*". He said that Council is statutorily bound by the Local Government Act (LGA) and the Local Government Official Information and Meetings Act (LGOIMA). His advice was that those Acts did not require the information before the meeting to be dealt with, with the public excluded. The Trust Deed required the matter to be considered in Committee and that was the basis of his recommendation.

DIVISION

For the Motion

Cr Hope
Cr Haisman

Against the Motion

Cr Bauld
Cr Burdett
Cr Cranston
Cr Davidson
Cr Aston
Cr Hall
Cr Seymour
Cr Poananga
Cr Sheldrake
Cr Thomson
Cr Hikawai
Mayor Foon

LOST

RESOLUTION TO EXCLUDE THE PUBLIC

Section 48, LOCAL GOVERNMENT OFFICIAL INFORMATION and MEETINGS ACT 1987

MOVED by Mayor Foon, seconded by Cr Burdett

That

(1) the public be excluded from the following part of the proceedings of this meeting, namely

ITEM 12.1 No. 10/156 - Eastland Community Trust – Statement of Intent

ITEM 12.2 Presentation by Tauwhareparae Farms Ltd – Interim Report for the 6 months to 31 December 2009

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

ITEM No.	MINUTES/ REPORT OF:	GENERAL SUBJECT OF EACH MATTER TO BE CONSIDERED	REASON FOR PASSING THIS RESOLUTION IN RELATION TO EACH MATTER	GROUND UNDER SECTION 48(1) FOR THE PASSING OF THIS RESOLUTION
12.1	Chief Executive	Eastland Community Trust – Statement of Intent	Section 7(2)(i)	48(1)(a)
12.2		Presentation by Tauwhareparae Farms Ltd – Interim Report for the 6 months to 31 December 2009	Section 7(2)(i)	48(1)(a)

- (2) This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information & Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows:

Section 7(2)(i): To enable Gisborne District Council to carry out without prejudice or disadvantage commercial activities.

CARRIED

RE-ADMITTANCE OF THE PUBLIC

MOVED by Cr Bauld, seconded by Mayor Foon

That the Council

1. re-admits the public.

CARRIED

There being no further business the meeting concluded at 1.48pm.

Meng Foon
Mayor