

# 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.

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## MINUTES of the GISBORNE DISTRICT COUNCIL

Held in the Council Chambers, 15 Fitzherbert Street on Thursday 29 July 2010 at 9am.

### PRESENT:

Mayor Meng Foon (chair), Deputy Mayor Nona Aston, Councillors Craig Bauld, Bill Burdett, Andy Cranston, Alan Davidson, Allan Hall, 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 (part), Chief Financial Officer Mike Drummond, Maori Liaison Officer Nick Tupara (part), Community Facilities Assets Manager Terry McMillan, Team Leader Natural Resources Yvette Kinsella and Committee Secretary Lesley Hillan

### APOLOGIES:

Councillor Roger Haisman and for lateness Councillor Hemi Hikawai

The meeting commenced with a prayer.

### 1. Apologies

MOVED by Cr Seymour, seconded by Cr Davidson

That the apologies from Councillor Roger Haisman and for lateness Councillor Hemi Hikawai be sustained.

**CARRIED**

### 3. Confirmation of Minutes - Gisborne District Council – 24 June 2010

MOVED by Cr Burdett, seconded by Cr Poananga

That the minutes of 24 June 2010 be accepted.

**CARRIED**

### Action Sheet

- a) Cr Seymour referred to an action point under 27 August 2009, Report No. 09/396 Chief Executive's Activity Report – prepare generic policies for Gisborne Disaster Relief Trust – still awaiting action.

Chief Executive Lindsay McKenzie said that administrative requirements had just recently been completed and that the policies had been assigned to Mr Birt to prepare.

- b) Cr Burdett spoke regarding Report No. 327 under 27 May 2010 – Proposed Te Araroa Domain Lease which referred to the signing of a lease agreement and the note that it was to be drafted.

Chief Executive Lindsay McKenzie undertook to investigate and provide his findings through Mr Walker.

#### 4. Matters arising

There were no matters arising.

#### 5. Notification of late items, questions and general business

There was no notification of late items, questions or general business.

#### 6. Committee Minutes

- a) Hearings – 2 June 2010

MOVED by Cr Davidson, seconded by Cr Sheldrake

That all items be received.

**CARRIED**

Councillor Hall declared a conflict of interest and neither spoke nor voted on the above matter.

- b) Wastewater Management – 17 June 2010

MOVED by Cr Burdett, seconded by Cr Wilson

That all items be received.

**CARRIED**

- c) Environment & Policy – 14 July 2010

MOVED by Cr Seymour, seconded by Cr Bauld

That items 1 – 7.7(1), 7.8(1), 7.9(1) and 7.10 – 11 be received.

**CARRIED**

Councillor Hope asked that his vote against 7.5 be recorded.

MOVED by Cr Seymour, seconded by Cr Bauld

That items 7.7(2), 7.8(2) and 7.9(2) be adopted.

**CARRIED**

- d) Finance & Monitoring – 15 July 2010

MOVED by Cr Bauld, seconded by Cr Wilson

That items 1 – 7.10(a) and 7.11 – 11 be received.

**CARRIED**

MOVED by Cr Bauld, seconded by Cr Wilson

That item 7.10(2) be adopted.

**CARRIED**

- e) Operations – 15 July 2010  
MOVED by Cr Thomson, seconded by Cr Hall  
That all items be received.

**CARRIED**

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

- a) Artificial Hockey Turf: Matt Skuse attended the meeting and spoke on the artificial hockey turf on behalf of PB Hockey. He was critical of Council for a lack of action and not 'walking the talk'.

Cr Sheldrake asked where hockey was with this right now.

Mr Skuse advised that a meeting had been held with Eastland Community Trust and they are going to give quite a bit of money but it will not get them to the target required.

The Resource Consent was being worked on at Council.

In answer to a question from Cr Davidson as to when they would be able to present their application, Mr Skuse explained that he was in the process of getting resource consent for Churchill Park.

Cr Hall asked what other sites had been looked at and what their suitability was.

Mr Skuse said that feasibility studies and geotechnical reports had been undertaken and the only place they hadn't looked at would be the racecourse. Nearly every park in town had been investigated.

Cr Seymour asked if it was correct that advertising for submissions had been undertaken.

Mr Skuse said that had been done last year after the decision in principle was made by Council.

## **7. Mayor's and Councillors' Reports**

### **For decision**

Nil

### **For noting**

#### **7.1 No. 10/478 Tairawhiti Navigation Project**

In late 2006 the Tairawhiti Development Partnership agreed to take over ownership of the Tairawhiti Navigations project which had been initiated by the Tairawhiti Museum. In 2007 Council agreed to support the project in principle and resolved that if necessary, allow a parcel of land by the Waikanae Creek on the Waikanae Reserve to be used for this project.

Mayor Foon confirmed that the NZTE money had been received, that the contract hadn't yet been received and that things were tracking along pretty well. He advised that the objective of the funding was to get the various projects that had been identified in the report to the tendering stage.

Councillor Hall congratulated the people involved in the project and said that he felt that this could be one of the projects to help Gisborne to grow.

MOVED by Cr Wilson, seconded by Cr Seymour

That the Council

1. receives the report

**CARRIED**

## **8. Staff Reports**

### **For decision**

#### **8.1 No. 10/468 Eastland Community Trust – Tax Status and Deed Variation**

Council had been advised by the Eastland Community Trust General Manager that the Trust is not proceeding with the proposals to vary the Trust Deed. The proposals related to the status of Council as capital beneficiary and its role in appointing Trustees. The Trust's stated aim was to achieve tax exempt status. The decisions that were taken by Council on 24 June 2010 meant that, among other things, Vicky Thorpe and Michael Muir are now Trustees. Richard Brooking is the interim Chair.

MOVED by Cr Hope, seconded by Cr Davidson

That the Council

1. receives the report
2. advises the Eastland Community Trust that Council welcomes the opportunity to collaborate with the Trust in its efforts to try to achieve charitable and tax exempt status with the aim of increasing the return to the beneficiary community.

**CARRIED**

#### **8.2 No. 10/476 Gisborne Holdings Ltd - Governance**

The Directors of Gisborne Holdings Limited (GHL) had undertaken a process to amalgamate Tauwhareparae Farms Limited and Tauwhareparae Holdings Limited – the surviving entity. The name of the surviving entity was changed to Tauwhareparae Farms Limited in the process. These actions were endorsed by Council as shareholder and supported by Council staff.

MOVED by Cr Seymour, seconded by Cr Hope

That the Council

1. receives the report
2. invites the Chairman of Gisborne Holdings Limited to the August Finance & Monitoring Committee meeting for an in-committee discussion on future company governance and directorships with a view to obtaining Council's endorsement of the outcome and process at its August meeting.

**CARRIED**

#### **8.3 No. 10/416 Business led Economic Development Agency Proposal**

Through the 2010/11 Annual Plan process the Chamber of Commerce made a submission to Council for a business led economic development agency. The submission resulted in a

Council resolution to investigate the proposal and decide what role Council should have in it.

Councillor Poananga felt that the proposal was an excellent idea which was better than having different entities around the district not collaborating.

Councillor Cranston spoke of Venture Southland and Venture Taranaki and said that they were essentially local government led. He felt there were real issues with funding. He said Tourism Eastland worked on a very thin margin and he asked whether they needed an umbrella organisation over them. He felt that including Heart of Gisborne had totally confused the issue and that further work was required.

Councillor Hope was very supportive of the Chamber's proposal to form a new entity and said that his understanding was that the Economic Development Agency was to be a private entity and Council would save \$820,000; there would be no Economic Development Unit whatsoever and he felt that this was an activity that Council didn't need to do.

Councillor Seymour totally supported the principle of the proposal, but said that she did have concerns about some aspects of it.

Councillor Aston explained that she had seconded the motion for the reason that if the recommendations were put now, it would start something.

Councillor Wilson supported the proposal as he had initiated it with an earlier paper. His view on the structure of the governance group was that it didn't necessarily have to be a representative body, it could be a corporate body. ECT would not be involved with it unless it can see some economic opportunities and he said that some very focussed people were needed on this governance group.

Chamber of Commerce President Fraser Brown was in attendance at the meeting and said that he agreed with a lot of the issues that had been raised but felt that things could get a bit ahead of themselves. He said that all that was being asked was to take it to the next level. He felt that the Priority One organisation in Tauranga (a joint venture between business and the Council) was a better model than Venture Southland or Taranaki.

Councillor Burdett congratulated Community Planning & Development Manager Nedine Thatcher-Swann on her report. He said that economic activity in this area provides jobs and urged Councillors to give the matter some more thought and discussion.

Community Planning & Development Manager Nedine Thatcher-Swann advised that the matter may require an amendment to the Ten Year Plan if it is to proceed on the timeline sought by the Chamber of Commerce.

MOVED by Cr Poananga, seconded by Cr Aston

That the Council

1. receives the report
2. instructs staff to collaborate with the Chamber of Commerce and other key stakeholders on a foundation group to fully develop the proposal for an Economic Development Agency for consultation through the 2011/12 Annual Plan process
3. requests the foundation group to provide a terms of reference to Council for endorsement

4. agrees that the foundation group reports monthly to the Council on its progress and actions and ensures that Council is kept informed of key decision points in the process.

**CARRIED**

#### **8.4 No. 10/473 Site Selection "Evolution" – Beijing Olympic Sculpture**

The Gisborne District Council hosted the Beijing Olympic Sculpture Exhibition in September 2007. At the conclusion of the Olympic Games, in a unique gesture, one full statue from the Beijing Olympics was presented to the Citizens of Gisborne.

Under the terms of reference for the Art in Public Places Committee, the committee was to make recommendations to Council on location and suitability of particular public art. The committee had recommended the installation of the "Evolution" statue in Marina Park between the Rose Garden and the river where the exhibition was presented.

MOVED by Cr Seymour, seconded by Cr Hope

That the Council

1. receives the report
2. adopts the recommendation of the Art in Public Places Committee to install the "Evolution" statue in Marina Park between the Rose Garden and the river
3. site approval is subject to obtaining resource consent and positive support for this site from tangata whenua
4. acknowledges the substantial contribution of Councillor Brian Wilson and his family and the Williams Family
5. thanks the Beijing Olympic Committee for the gift.

**CARRIED**

The meeting adjourned for morning tea at 10.08am and reconvened at 10.25am.

#### **8.5 No. 10/474 RSA and Masonic Lodge Acquisition**

The upgrade of the War Memorial Theatre was identified in the Ten Year Plan 2009-2019 as one of Council's major projects.

At the Council meeting on 27 May 2010 a report on the gifting of the RSA property and the Masonic Hall property were considered. It was resolved to authorise the Chief Executive to negotiate final terms and conditions with the owners and report back to Council for a final decision.

Councillor Seymour spoke on the project and said she felt that it was the most exciting project Council has seen for a long time. She felt that it would encourage tourists to stay longer and encourage people to come to the district to live, work and play.

Councillor Bauld referred to the 75% grant funding noted in the LTCCP and said there was no sign it would be forthcoming.

Councillor Davidson pointed out that the project provides grant funding for the refurbishment of the RSA as well.

Community Facilities Asset Manager Terry McMillan explained that it was part of the whole project.

Councillor Thomson said that when Council first discussed this (LTCCP) the percentage was approximately 25%/75% split. He was concerned that a larger project would impose extra cost on the ratepayer.

Councillor Hall supported the motion. He said that it will lead to better facilities and he felt that it would be a great facility from which everyone would benefit.

Councillor Burdett noted that Council had approved the War Memorial Theatre project upgrade but was concerned about the programme for funding, renovations and the like. Community Facilities Asset Manager Terry McMillan said that if the resolutions were passed after today staff should be able to work with stakeholders, go to funders later this year and start construction next year.

Councillor Hall asked if it would put up the rates on the RSA building. Corporate Affairs Manager Douglas Birt explained that there was nothing to stop Council from rating the facility if that was what it wanted to do.

Mayor Foon felt that this was not just a local asset it was a national asset and could even be an international asset, which could generate more income and therefore lessen ratepayer burden.

MOVED by Cr Seymour, seconded by Cr Hope

That the Council

1. receives the report
2. accepts the offer from the RSA trustees of the land and buildings subject to the project proceeding
3. agrees to further investigate the offer by the Masonic Hall trustees and report back to Council.

**CARRIED**

### **8.6 No. 10/483 Former St Mary's Site Acquisition Proposal**

At a recent Council meeting a public presentation suggested that Council should pursue the option to purchase the former St Mary's school site. It was further suggested that the owner may be interested in land exchanges or part land exchanges.

A meeting was held with representatives of Ward Moss Ltd (current owners) to discuss possible acquisition and land exchanges.

A list of properties currently declared surplus or under consideration was provided and the representatives agreed to review properties on the list and come back to Council with a list that they were interested in acquiring as part exchange for the former St Mary's site.

There appeared to be a significant difference in expectations of a successful land exchange between the vendor and Council.

Councillor Hope said that he had asked the submitter if he had received a copy of the report – he had not. Cr Hope asked Chief Executive Lindsay McKenzie to ensure that submitters get a copy of reports in the future. He also requested that discussion take place with the public excluded.

Councillor Wilson said that this issue had considered by Council before and staff had been asked to look at it quite closely. He said that if there was going to be further discussion on the site then a plan for the whole of the Gisborne city should be looked at.

MOVED by Cr Sheldrake, seconded by Mayor Foon

That the Council

1. receives the report
2. declines the offer by Ward Moss Ltd.

**CARRIED**

**For noting**

**8.7 No. 10/472 Churchill Park Artificial Hockey Turf**

In December 2008 Council agreed in principle to lease part of Churchill Park for an artificial hockey turf. Matt Skuse, who is proactively promoting the project, had recently asked that the Council grant the lease as he was concerned that without a lease agreement, funding and the resource consent could not be finalised.

(See also commentary under Item 2 – Public Forum on page 3 of the minutes)

Mayor Foon explained the situation where Council had a resolution on the books to look at the foreshore area right through to Pacific Street.

He said that PB Hockey had raised over \$600,000 and ECT was supportive of the proposal.

Councillor Sheldrake said that last year Council didn't have the foreshore proposal. She said that for PB Hockey to get their funding they needed to have a Resource Consent. Public Consultation had taken place and she felt that the foreshore proposal could still go ahead.

Chief Executive Lindsay McKenzie explained that the resolution of Council to grant support in principle was first given nearly two years ago, conditional on funding being confirmed. Council's agreement in principle was sufficient to allow the funding applications and resource consent applications to proceed he said. He said that recreational reserve status of the land limited its use to sports and recreation.

Councillor Seymour asked if that information had been conveyed to the Hockey Association and why it was just being made available.

Chief Executive Lindsay McKenzie advised that it hadn't as he had just received a memo dated 28 July from Legal Officer Melanie Walker about it.

Councillor Davidson asked what message Council was sending to a person when it said it has other designs on the land. In 2008 it was agreed in principle and he felt Council should have some principles as well.

Councillor Wilson said that the land was Recreational Reserve and therefore no commercial enterprise can go there but it seemed that this isn't the case.

Chief Executive Lindsay McKenzie said that he asked for the advise because ECT's interest may be commercial and the status of the land may exclude that.

Councillor Sheldrake reiterated that it had taken over two years from when Council agreed in principle and she asked whether things can get back on track.

Councillor Burdett felt that "agreement in principle" meant yes anyway. He said that Cr Wilson had been working on something for quite a long time which was the multi-purpose one Council was in agreement with.

Councillor Hall felt that the resolution states that the hockey turf will be on a site at Churchill Park. Council should simply recommend that they are committed to somewhere in Churchill Park. Council and ECT are to meet to discuss the matter.

MOVED by Cr Seymour, seconded by Cr Thomson

That the Council

1. receives the report.

**CARRIED**

#### **8.8 No. 10/475 Cook Plaza Alterations**

The Cook Plaza and other facilities on Titirangi Reserve have historically suffered more than the average damage of vandalism and graffiti. Staff have undertaken an environmental scan of the Cook Plaza and recommendations have been made.

With agreement from the Historic Places Trust, a landscape architect was commissioned to provide some specifications for changes to the plaza as recommended.

Councillor Seymour was in favour of additional lighting. Community Facilities Asset Manager Terry McMillan explained that this was Stage 1, lighting would be put in at Stage 2.

MOVED by Cr Thomson, seconded by Cr Seymour

That the Council

1. receives the report.

**CARRIED**

#### **For decision**

#### **8.9 No. 10/492 Tairāwhiti Heritage Preservation and Restoration Trust**

It had been suggested by Councillor Cranston that it would be desirable to form a Trust to assist with the preservation of heritage buildings in Tairāwhiti. He was seeking support from the Eastland Community Trust and asked Council to endorse his request.

Councillor Sheldrake asked what the difference would be between the proposed trust and the Historic Places Trust. Cr Cranston explained that the purpose of the Trust was to be active in heritage building preservation such as funding. If an existing Trust could do the work that would be acceptable.

MOVED by Cr Cranston, seconded by Cr Seymour

That the Council

1. receives the report
2. endorses efforts to establish a Gisborne Heritage Restoration/Preservation Trust
3. supports, in principle, a feasibility study for future uses of the Gisborne Gaol in Churchill Park as part of the Waikanae Project currently being contemplated by Council and the Eastland Community Trust.

**CARRIED**

## For noting

### 8.10 No. 10/481 Use of Council Seal: May to July 2010

The schedule recorded the use of the Council Seal for the period May to July 2010.

MOVED by Cr Bauld, seconded by Cr Burdett

That the Council

1. receives the report.

**CARRIED**

### 8.11 No. 10/469 Chief Executive's Activity Report – July 2010

The report covered the period since Council's 24 June 2010 meeting.

Councillor Seymour asked to be advised when the next meeting on the Gisborne-Napier railway line was to take place. With respect to the Rugby World Cup Trust, Cr Seymour advised that the government has produced money and one of the things that it could be used for was a Mayoral reception. She felt that Council should apply for some of that funding but that it should be done quite soon.

Councillor Cranston referred to the Heart of Gisborne rate.

Chief Executive Lindsay McKenzie explained that Heart of Gisborne have been made aware that at some future time Council may want to look at that rate.

Councillor Aston asked if there had been any agreement on O'Waiapu. Chief Executive Lindsay McKenzie said that things were progressing and Mr McGreevy had been written to. Staff were meeting the Trustees to see if they wanted Council help to get the building fit for use again.

Councillor Poananga asked if there had been any further developments on the land purchase (Rongowhakaata Iwi). Chief Executive Lindsay McKenzie advised that there had been no further developments on the land purchase or on the co-management. He said that Council was awaiting agreement in principle to emerge from the negotiations.

MOVED by Cr Shel Drake, seconded by Cr Hope

That the Council

1. receives the report
2. agrees to meet the Eastland Community Trustees on 13 August 2010 in the Council Chamber commencing at 2pm for a joint presentation on the Waikanae project and to discuss issues of mutual interest.

**CARRIED**

## 9. Late items

### For decision

Nil

### For noting

Nil

## 10. Questions

There were no questions.

## 11. General Business

- a) Councillor Thomson voiced his concern regarding reports that the Police are not going to make crime statistics in the district available to the public in future. He felt that people needed to know so that they can do something about it.

Councillor Wilson said that he had talked to some of the staff in the Police and they are concerned about it too. He suggested that they be invited along to discuss the matter with Council.

Councillor Aston said that she would like to see a more balanced view as young people in our region are doing some amazing things which never get reported.

Councillor Poananga said that she would welcome the Police coming to the next Council meeting to discuss the matter.

## 12. Public excluded business

See 12.1 below.

## 13. CEO Matters

The Chief Executive's Performance Objectives were discussed under the public excluded section of the meeting.

### **Resolution to Exclude the Public**

#### **Section 48, Local Government Official Information and Meetings Act 1987**

**MOVED by Cr Seymour, seconded by Cr Thomson**

**That**

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

**ITEM 12.1 10/470 Port Land Exchange**

**Re-admittance of the public**

**MOVED by Mayor Foon, seconded Cr Bauld**

**That the public be re-admitted.**

**CARRIED**

There being no further business the meeting concluded at 12.30pm.

Meng Foon

**Mayor**