

**MINUTES OF WAIROA DISTRICT COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE VIA ZOOM  
ON TUESDAY, 19 OCTOBER 2021 AT 1.30PM**

**PRESENT:** His Worship the Mayor Craig Little, Cr Denise Eaglesome-Karekare, Cr Hine Flood (Deputy Mayor), Cr Danika Goldsack (via Zoom), Cr Melissa Kaimoana, Cr Chaans Tumataroa-Clarke

**IN ATTENDANCE:** **Kitea Tipuna** (Tumu Whakarae Chief Executive), **Kimberley Tuapawa** (Pouwhakarae – Pārongo/Wheako Kiritaki Group Manager Information and Customer Experience), **Gary Borg** (via Zoom, Pouwhakarae – Pūtea/Tautāwhi Rangapū Group Manager Finance and Corporate Support), **Stephen Heath** (Pouwhakarae – Hua Pūmau Hapori/Ratonga Group Manager Community Assets and Services), **Simon Mutohori** (Pouwhakarae-Whakamahere me te Waeture/Group Manager-Planning & Regulatory Services), **Matthew Lawson** (Wairoa District Council's Lawyer), **Mike Hardie** (Kaiwhakahaere Hua Pūmau Huarahi | Transport Asset Manager), **Lauren Jones** (Kaikate Pūtea /Financial Accountant), **Courtney Hayward** (Kaiurungi Matua Kaupapa Here me te Mana Ārahi | Senior Policy and Governance Advisor), **Gay Waikawa** (Kaiurungi Arahi Governance Officer), **Philip Jones** (via Zoom Independent Chairperson FAAR Committee), **Phil Lake** (via Zoom Lowe Environmental Impact), **Hamish Lowe** (Lowe Environmental Impact), **Richard Grimmett** (Kaiurungi Rawa – Property Officer)

**1 KARAKIA**

Karakia was given by Cr Tumataaroa-Clarke

**2 APOLOGY FOR ABSENCE**

**APOLOGY**

**RESOLUTION 2021/32**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Melissa Kaimoana

That the apology received from Cr Jeremy Harker be accepted and leave of absence granted.

**CARRIED**

**3 DECLARATIONS OF CONFLICT OF INTEREST**

None.

**4 CHAIRPERSON'S ANNOUNCEMENTS**

His Worship the Mayor advised Cr Jeremy Harker has stepped down as Chairperson of the Finance Audit & Risk Committee to mitigate any perception of conflict of interest given his new role. The Mayor has appointed the independent member Mr Philip Jones as the Chairperson of Finance Audit & Risk Committee.

**APPOINTMENT OF ELECTED MEMBER ON MAORI STANDING COMMITTEE****RESOLUTION 2021/33**

Moved: His Worship the Mayor Craig Little

Seconded: Cr Melissa Kaimoana

That Cr Chaans Tumataaroa-Clarke be appointed as elected member on the Maori Standing Committee.

**CARRIED**

**5 PUBLIC PARTICIPATION**

Public are able to participate via Zoom.

His Worship the Mayor advised movement of the Public Excluded Item 10.1 – Town Waste Water Discharge Consent – Appeal Considerations forward as per Sections 6(a) & 7(2)(g) of the Local Government Official and Meetings Act 1987.

**INDEPENDENT CHAIRPERSON, FINANCE AUDIT & RISK COMMITTEE – PARTICIPATE IN PUBLIC EXCLUDED PART OF THE MEETING****RESOLUTION 2021/34**

Moved: His Worship the Mayor Craig Little

Seconded: Cr Chaans Tumataroa-Clarke

That Mr Philip Jones, Independent Chairperson, Finance Audit & Risk Committee can participate in public excluded part of the Council meeting.

**CARRIED**

**PUBLIC EXCLUDED ITEM 10.1 – TOWN WASTE WATER DISCHARGE CONSENT – APPEAL CONSIDERATIONS****RESOLUTION 2021/35**

Moved: His Worship the Mayor Craig Little

Seconded: Cr Hine Flood

That the public be excluded from the following part of the proceeding of this meeting at 1.34pm.

The general subject matter 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 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
<b>10.1 - Town Waste Water Discharge Consent - appeal considerations</b>	s6(a) - the making available of the information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial  s7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege	s48(1)(a)(i) - the public conduct of 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 under section 6 or section 7

**CARRIED**

#### **RESOLUTION 2021/36**

Moved: His Worship the Mayor Craig Little

Seconded: Cr Chaans Tumataroa-Clarke

That Council moves out of Closed Council into Open Council at 2.10pm.

**CARRIED**

## **6 PUBLIC EXCLUDED LATE ITEMS OF URGENT BUSINESS**

### **PUBLIC EXCLUDED LATE ITEMS – HOUSING UPDATE (IAF) AND CHIEF EXECUTIVE REVIEW PANEL PERFORMANCE PROPOSAL**

#### **RESOLUTION 2021/37**

Moved: His Worship the Mayor Craig Little

Seconded: Cr Chaans Tumataroa-Clarke

That in accordance with Section 46A (7) of the Local Government Official Information and Meetings Act 1987 the **Public Excluded Item 1.1 Housing Update (IAF) and Item 1.2 – Chief Executive Review Panel Performance Proposal** be considered given the items had not come to hand at the time of Agenda compilation and consideration of this matter is required now in order to respond within the timeframe allowed.

**CARRIED**

**7 MINUTES OF THE PREVIOUS MEETING****RESOLUTION 2021/38**

Moved: Cr Chaans Tumataroa-Clarke

Seconded: Cr Hine Flood

That the minutes [and confidential minutes] of the Ordinary Meeting held on 7 September 2021 and the Extraordinary Meeting held on 28 September 2021 be confirmed.

**CARRIED**

**8 GENERAL ITEMS****8.1 CHIEF EXECUTIVE'S REPORT - OPERATIONS UPDATE****RESOLUTION 2021/39**

Moved: His Worship the Mayor Craig Little

Seconded: Cr Denise Eaglesome-Karekare

That Council receive this report.

**CARRIED**

The Chief Executive (CE) highlighted a few items in the report particularly Hawke's Bay Regional Council Representation Review and the contribution Council had made to Super Saturday.

His Worship the Mayor commented on Prime Minister's visit and Three Waters Reform Submission. The CE advised the submission had been received and Cabinet will make a decision by the end of the month.

His Worship the Mayor and Cr Tumataaroa-Clarke spoke on the submission to the Hawke's Bay Regional Council Representation Review. Maori Standing Committee members also attended and supported the submission.

**8.2 ANNUAL REPORT FOR THE YEAR ENDED 30 JUNE 2021****RESOLUTION 2021/40**

Moved: Cr Hine Flood

Seconded: Cr Denise Eaglesome-Karekare

That Council adopts the Annual Report for the year ended 30 June 2021, attached as Appendix 1, subject to minor editorial and formatting updates.

**CARRIED**

The Kaikaute Pūtea /Financial Accountant noted that audit partners are only appointed for six years and by rotation this is Stuart Mutch's last engagement as being Audit Partner for Wairoa.

His Worship the Mayor acknowledged Stuart Mutch.

His Worship the Mayor and elected members noted from the Joint Statement of the Annual Report the CouncilMARK report which saw Wairoa District Council receiving a BB result in the assessment, a significant improvement on the previous result and acknowledge the contribution of staff and contractors for the achievements outlined in the Annual Report.

#### **8.4 QUALITY ROADING & SERVICES (WAIROA) LTD ANNUAL REPORT YEAR ENDED 30 JUNE 2021**

##### **RESOLUTION 2021/41**

Moved: His Worship the Mayor Craig Little

Seconded: Cr Chaans Tumataroa-Clarke

That Council receives the Quality Roothing & Services (Wairoa) Ltd Annual Report 2020/2021.

**CARRIED**

Mr Guy Gaddum, Director, QRS thanked His Worship the Mayor and elected members for presenting QRS's 2020/21 Annual Report and advised a record profit for the year.

Mr Gaddum noted it has been great year for QRS and seen contribution to local community, drive for gross profit, reduce waste, highlights for year ie improving of health and safety, operations hub construction has begun and the ultimate being the supreme award in the Hawkes Bay Business Awards.

#### **PUBLIC EXCLUDED – PRESENTATION – QUALITY ROADING & SERVICES (WAIROA) LTD**

##### **RESOLUTION 2021/42**

Moved: Cr Hine Flood

Seconded: Cr Melissa Kaimoana

That the public be excluded from the following part of the proceeding of this meeting at 3.14pm.

The general subject matter 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 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>	<b>Ground(s) under section 48 for the passing of this resolution</b>
<b>Presentation - Quality Roothing &amp; Services (Wairoa) Ltd</b>	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage commercial activities.	s48(1)(a)(i) - the public conduct of 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 under

		section 6 or section 7
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**CARRIED**

**RESOLUTION 2021/43**

Moved: Cr Melissa Kaimoana

Seconded: Cr Chaans Tumataroa-Clarke

That Council moves out of Closed Council into Open Council at 3.57pm.

**CARRIED**

**8.3 CARRY FORWARDS AND OTHER VARIANCES TO THE ANNUAL PLAN 2021-22**

**RESOLUTION 2021/44**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Melissa Kaimoana

That Council:

- Approves carry-forwards totalling \$1,893,433 (subject to securing associated external funding) of Council funding for capital expenditure on projects not completed from the Annual Plan 2020-21, and the corresponding variances to budget against the Annual Plan 2021-22; to be funded from a combination of subsidies, loans and reserves.
- Approves a carry-forward of \$116,660 of operating expenses for health and safety training and an information services implementation project, and the corresponding variance to the Annual Plan 2021-22, to be funded from reserves.

**CARRIED**

**8.5 PLACING THE HAWKE'S BAY DRINKING WATER GOVERNANCE JOINT COMMITTEE INTO ABEYANCE**

**RESOLUTION 2021/45**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Hine Flood

That Council , in its role as a member agency of the Hawkes Bay Drinking Water Governance Joint Committee, supports

- a) placing the Hawke's Bay Drinking Water Governance Joint Committee into abeyance with governance oversight of drinking water safety being transferred to the Regional Leaders' Forum, who may consider incorporating the appropriate representation requirements, particularly public health, and Iwi
- b) retention of the Hawke's Bay Drinking Water Joint Working Group with reporting by the Group to go directly to the Regional Leaders' Forum, with future institutional and

administrative support to be agreed by the Regional Leaders' Forum.

**CARRIED**

## **8.6 LOCAL ALCOHOL POLICY REVIEW**

### **RESOLUTION 2021/46**

Moved: His Worship the Mayor Craig Little

Seconded: Cr Denise Eaglesome-Karekare

That no changes are to be made to the Local Alcohol Policy (LAP)

**CARRIED**

## **8.7 UPDATES TO DELEGATIONS MANUAL**

### **RESOLUTION 2021/47**

Moved: His Worship the Mayor Craig Little

Seconded: Cr Melissa Kaimoana

That Council approve that the updates (Identified in Appendix 1, attached) to the Wairoa District Council Delegations Manual be made to reflect the new format, changes to role titles and the establishment of new positions.

**CARRIED**

## **8.8 TENDER EVALUATION PROCEDURE - IMPLEMENTATION OF TENDER REVIEW PANEL**

### **RESOLUTION 2021/48**

Moved: Cr Hine Flood

Seconded: Cr Danika Goldsack

That Council Endorse and approve for the Tender Evaluation Process (TEP) as outlined in this report to be implemented in the tender process moving forward.

The TEP Process would be:

- TEP to receive tender evaluation and recommendation report (in specified format) from the Tender Evaluation Team (TET).
- TEP to consider this report in a reasonable timeframe (no more than a week)
- TEP to query TET on minor queries
- TEP to sign off report if unanimous, Council officers to award contract, the report then attached as an advisory report of the outcome at the following full Council meeting for minute and information purposes
- If not unanimous, or major queries/objections, report directed to next full Council meeting for approval/discussion.

**CARRIED****8.9 MEETING SCHEDULE 2022****RESOLUTION 2021/49**

Moved: Cr Hine Flood

Seconded: Cr Denise Eaglesome-Karekare

That Council receive the report and adopt the meeting schedule for 2022.

**CARRIED****8.10 ANNUAL DOG REPORT 2021****RESOLUTION 2021/50**

Moved: Cr Danika Goldsack

Seconded: Cr Chaans Tumataroa-Clarke

That Council:

- a) Pursuant to section 10A of the Dog Control Act (DCA), Council adopts the Annual Report on Dog Control Policy and Practices 2020 - 2021.
- b) Council gives public notice of the Annual Report on Dog Control Policy and Practices 2020 - 2021 by way of advertisement in the Wairoa Star.
- c) Within one month of adopting this report a copy of it be sent to the Secretary for Local Government.

**CARRIED****7 RECEIPT OF MINUTES FROM COMMITTEES/ACTION SHEETS****9.1 RECEIPT OF ECONOMIC DEVELOPMENT COMMITTEE MEETING - 16 FEBRUARY 2021****RESOLUTION 2021/51**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Melissa Kaimoana

That the Minutes of the Economic Development Committee Meeting held on Tuesday 16 February 2021 be received.

**CARRIED**



**9.2 RECEIPT OF ECONOMIC DEVELOPMENT COMMITTEE MEETING - 30 MARCH 2021****RESOLUTION 2021/52**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Melissa Kaimoana

That the Minutes of the Economic Development Committee Meeting held on Tuesday 30 March 2021 be received.

**CARRIED**

**9.3 RECEIPT OF ECONOMIC DEVELOPMENT COMMITTEE MEETING - 11 MAY 2021****RESOLUTION 2021/53**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Melissa Kaimoana

That the Minutes of the Economic Development Committee Meeting held on Tuesday 11 May 2021 be received.

**CARRIED**

**9.4 RECEIPT OF ECONOMIC DEVELOPMENT COMMITTEE MEETING - 22 JUNE 2021****RESOLUTION 2021/54**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Melissa Kaimoana

That the Minutes of the Economic Development Committee Meeting held on Tuesday 22 June 2021 be received.

**CARRIED**

**9.5 RECEIPT OF ECONOMIC DEVELOPMENT COMMITTEE MEETING - 3 AUGUST 2021****RESOLUTION 2021/55**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Melissa Kaimoana

That the Minutes of the Economic Development Committee Meeting held on Tuesday 3 August 2021 be received.

**CARRIED**

**9.6 RECEIPT OF INFRASTRUCTURE COMMITTEE MEETING - 23 FEBRUARY 2021****RESOLUTION 2021/56**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Melissa Kaimoana

That the Minutes of the Infrastructure Committee Meeting held on Tuesday 23 February 2021 be received.

**CARRIED**

**9.7 RECEIPT OF INFRASTRUCTURE COMMITTEE MEETING - 6 APRIL 2021****RESOLUTION 2021/57**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Melissa Kaimoana

That the Minutes of the Infrastructure Committee Meeting held on Tuesday 6 April 2021 be received.

**CARRIED**

**9.8 RECEIPT OF INFRASTRUCTURE COMMITTEE MEETING - 18 MAY 2021****RESOLUTION 2021/58**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Melissa Kaimoana

That the Minutes of the Infrastructure Committee Meeting held on Tuesday 18 May 2021 be received.

**CARRIED**

**9.9 RECEIPT OF INFRASTRUCTURE COMMITTEE MEETING - 29 JUNE 2021****RESOLUTION 2021/59**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Melissa Kaimoana

That the Minutes of the Infrastructure Committee Meeting held on Tuesday 29 June 2021 be received.

**CARRIED**

**9.10 RECEIPT OF INFRASTRUCTURE COMMITTEE MEETING - 10 AUGUST 2021****RESOLUTION 2021/60**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Melissa Kaimoana

That the Minutes of the Infrastructure Committee Meeting held on Tuesday 10 August 2021 be received.

**CARRIED**

**9.11 RECEIPT OF FINANCE, AUDIT & RISK COMMITTEE MEETING - 2 MARCH 2021****RESOLUTION 2021/61**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Melissa Kaimoana

That the Minutes of the Finance, Audit & Risk Committee Meeting held on Tuesday 2 March 2021 be received.

**CARRIED**

**9.12 RECEIPT OF FINANCE, AUDIT & RISK COMMITTEE MEETING - 13 APRIL 2021****RESOLUTION 2021/62**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Melissa Kaimoana

That the Minutes of the Finance, Audit & Risk Committee Meeting held on Tuesday 13 April 2021 be received.

**CARRIED**

**9.13 RECEIPT OF FINANCE, AUDIT & RISK COMMITTEE MEETING - 25 MAY 2021****RESOLUTION 2021/63**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Melissa Kaimoana

That the Minutes of the Finance, Audit & Risk Committee Meeting held on Tuesday 25 May 2021 be received.

**CARRIED**

**9.14 RECEIPT OF FINANCE, AUDIT & RISK COMMITTEE MEETING - 6 JULY 2021****RESOLUTION 2021/64**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Melissa Kaimoana

That the Minutes of the Finance, Audit & Risk Committee Meeting held on Tuesday 6 July 2021 be received.

**CARRIED**

**9.15 RECEIPT OF WAIROA YOUTH COUNCIL MEETING - 22 FEBRUARY 2021****RESOLUTION 2021/65**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Melissa Kaimoana

That the Minutes of the Wairoa Youth Council Meeting held on Monday 22 February 2021 be received.

**CARRIED**

**9.16 RECEIPT OF WAIROA YOUTH COUNCIL MEETING - 29 MARCH 2021****RESOLUTION 2021/66**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Melissa Kaimoana

That the Minutes of the Wairoa Youth Council Meeting held on Monday 29 March 2021 be received.

**CARRIED**

**9.17 RECEIPT OF WAIROA YOUTH COUNCIL MEETING - 17 MAY 2021****RESOLUTION 2021/67**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Melissa Kaimoana

That the Minutes of the Wairoa Youth Council Meeting held on Monday 17 May 2021 be received.

**CARRIED**

**9.18 RECEIPT OF WAIROA YOUTH COUNCIL MEETING - 28 JUNE 2021****RESOLUTION 2021/68**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Melissa Kaimoana

That the Minutes of the Wairoa Youth Council Meeting held on Monday 28 June 2021 be received.

**CARRIED**

**9.19 RECEIPT OF WAIROA YOUTH COUNCIL MEETING - 9 AUGUST 2021****RESOLUTION 2021/69**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Melissa Kaimoana

That the Minutes of the Wairoa Youth Council Meeting held on Monday 9 August 2021 be received.

**CARRIED**

**9.20 RECEIPT OF MĀORI STANDING COMMITTEE MEETING - 16 SEPTEMBER 2021****RECOMMENDATION**

1. That the recommendations from the Māori Standing Committee be workshopped:
  - a. The stance of Te Kuha Marae Trust via the Waikaremoana Takiwā is upheld by the Wairoa District Council through the Maori Standing Committee, that “Marae” be removed in its entirety from the Water Services Reform Bill 2020.
  - b. Tangata Whenua are encouraged and supported by the Wairoa District Council through the Maori Standing Committee to lead the development of te Mana o te Wai Framework subject to resources.

## 8 PUBLIC EXCLUDED ITEMS

## RESOLUTION TO EXCLUDE THE PUBLIC

**RESOLUTION 2021/70**

Moved: His Worship the Mayor Craig Little

Seconded: Cr Denise Eaglesome-Karekare

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter 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 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
<b>10.2 - Audit Closing Report to Council for the year ended 30 June 2021</b>	s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information	s48(1)(a)(i) - the public conduct of 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 under section 6 or section 7
<b>10.3 - Procurement - Contract 21/08 Matoitai Bridge Strengthening</b>	s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information  s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities  s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of 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 under section 6 or section 7

<b>10.4 - Procurement - Contract 21/09 Flood Damage Repairs, Mohaka Waiau Package 4</b>	<p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	<p>s48(1)(a)(i) - the public conduct of 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 under section 6 or section 7</p>
<b>CARRIED</b>		

**RESOLUTION 2021/71**

Moved: Cr Chaans Tumataroa-Clarke

Seconded: Cr Melissa Kaimoana

That Council moves out of Closed Council into Open Council at 4.31pm.

**CARRIED**

The Meeting closed at Cr Tumaataroa-Clarke.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 30 November 2021.

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**CHAIRPERSON**