
Council

OPEN MINUTES

Minutes of a meeting of Council held in the Council Chambers, 126-148 Oxford St, Levin, on Wednesday 4 May 2016 at 4.00 pm.

PRESENT

Mayor	Mr B J Duffy
Deputy Mayor	Mr G G Good
Councillors	Mr W E R Bishop
	Mr R J Brannigan
	Mr R H Campbell
	Mr M Feyen
	Mrs V M Kaye-Simmons
	Mrs J Mason
	Mrs C B Mitchell
	Mr A D Rush
	Ms P Tukapua

IN ATTENDANCE

Mr D M Clapperton	(Chief Executive)
Mr D Law	(Group Manager – Finance)
Mr G Saidy	(Group Manager – Infrastructure Services)
Mrs M Davidson	(Group Manager – Customer & Community Services)
Mr D McCorkindale	(Senior Manager – Strategic Planning)
Mrs N Brady	(Senior Manager – Business Services)
Mrs K Mitchell	(Communications Manager)
Mr M E Lepper	(Customer & Regulatory Services Manager)
Mr J Paulin	(Finance Manager)
Mr G O’Neill	(Projects Manager)
Mrs C McCartney	(Project Manager – Strategic Projects)
Mrs K J Corkill	(Meeting Secretary)
Ms S Bowling	(Meeting Secretary)

MEDIA IN ATTENDANCE

Mr N McBride	(“Manawatu Standard”)
Ms C Taylor	(“Chronicle”)

PUBLIC IN ATTENDANCE

There were approximately 43 members of the public in attendance at the commencement of the meeting, including supporters of the Te Rito Maioha Early Childhood graduates.

Acknowledging Early Childhood Graduates

Before the meeting formally commenced, Mayor Duffy presented certificates to graduates - Ricky Fonoti, Kirstie Holtham, Sandy Green and Jessica Williams - from Te Rito Maioha Early Childhood, with his congratulatory comments supported by further endorsement from Caryll Resink on behalf of the education sector. The graduates of the programme, of whom there were eight, had undertaken a three year programme and had graduated with a Bachelor of Teaching (Early Childhood Education) degree which was a significant achievement.

1 Apologies

There were no apologies.

2 Public Speaking Rights

3. Late Item – Notice of Motion – Foxton Main Street

Hannah Street
Jenny Lundie
Jim White
Anne Hunt
Jake Slijkhuis, Foxton Hammer Hardware
Judy Sanson
Paul Andrews, FTDA
Tricia Metcalf
Neville Gimblett
Janine Smart

10.2 Stormwater Strategy

Anne Hunt

3 Late Items

The Chair suggested, and the meeting agreed, that the late item, Notice of Motion – Foxton Main Street - would be taken in place of the withdrawn report 10.1 on Urban Rainwater Systems.

4 Declaration of Interest

There were no declarations of interest.

5 Confirmation of Minutes

MOVED by Cr Rush, seconded Cr Campbell:

THAT the Open and In Committee minutes of the meeting of the Council held on Wednesday, 6 April 2016, be confirmed as a true and correct record.

CARRIED

MOVED by Cr Brannigan, seconded Cr Kaye-Simmons:

THAT the Open and In Committee minutes of the meeting of the Extraordinary Meeting of Council held on Wednesday, 13 April 2016, be confirmed as a true and correct record.

CARRIED

6 Matters Arising

There were no matters relating to either set of minutes that required correction.

7 Leave of absence

None requested..

8 Announcements

With the meetings agreement, it was noted that, for efficiency, Item 12.2 Alcohol (Liquor) Bylaw Adoption would be addressed in conjunction with 9.2 Proceedings of the Hearings Committee 8 March 2016.

The Chair reiterated that Item 10.1, Urban Rainwater Systems had been withdrawn from the Agenda, with Councillors having been notified of this by the Chief Executive.

Brand Refresh

Council's Communications Manager, Kathy Mitchell, gave a PowerPoint presentation on the recent Brand Refresh recently undertaken by Council.

Foxton Community Board

As the Community Board Chair, Janine Smart, was speaking in relation to the Notice of Motion on Foxton Main Street, her regular update was deferred to the next Council meeting.

9 Proceedings of Committees

9.1 Proceedings of the Foxton Community Board 18 April 2016

Purpose

To present to the Council the minutes of the Foxton Community Board meeting held on 18 April 2016.

MOVED by Cr Brannigan, seconded Cr Campbell:

THAT Report 16/207 Proceedings of the Foxton Community Board 18 April 2016 be received.

THAT the Council receive the minutes of the Foxton Community Board meeting held on 18 April 2016.

CARRIED

9.2 Proceedings of the Hearings Committee 8 March 2016

Purpose

To present to the Council the minutes of the Hearings Committee meeting held on 8 March 2016.

MOVED by Cr Kaye-Simmons, seconded Cr Rush:

THAT Report 16/214 Proceedings of the Hearings Committee 8 March 2016 be received.

THAT the Council receive the minutes of the Hearings Committee meeting held on 8 March 2016.

CARRIED

MOVED by Cr Rush, seconded Cr Brannigan:

THAT the Horowhenua District Council adopts the Public Places Bylaw 2015 (as may have been amended by the Committee following the hearing of submissions) and that upon adoption the Public Places Bylaw 2006 and the Skateboard Bylaw 2007 be repealed effective 5 May 2016.

CARRIED

12.2 Alcohol (Liquor) Bylaw Adoption

Purpose

The purpose of this report is to present to Council the Horowhenua District Council Alcohol (Liquor) Bylaw 2015 for adoption, and the subsequent repeal of the Horowhenua District Council Liquor Bylaw 2004.

MOVED by Cr Rush, seconded Cr Tukapua:

THAT Report 16/174 Alcohol (Liquor) Bylaw Adoption be received.

THAT this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

CARRIED

In noting the matters that Council had to consider under the Local Government Act, Mr Lepper speaking to this report said that the Police had supported the continuation of an Alcohol Liquor Bylaw as it had “a positive impact on preventing disorder and criminal offending and provided an effective tool for Police to prevent alcohol related harm in the areas to which the liquor ban applied”.

MOVED by Cr Rush, seconded Cr Tukapua:

THAT Council resolves the consideration of section 147A of the Local Government Act 2002 has been made.

THAT Council adopts the Horowhenua District Council Alcohol (Liquor) Bylaw 2015 as an operative bylaw of Council effective 5 May 2016.

THAT Council resolves that the Horowhenua District Council Liquor Bylaw 2004 be repealed effective 5 May 2016.

CARRIED

9.3 Proceedings of the Hearings Committee 6 April 2016

Purpose

To present to the Council the minutes of the Hearings Committee meeting held on 6 April 2016.

MOVED by Cr Feyen, seconded Cr Mason:

THAT Report 16/213 Proceedings of the Hearings Committee 6 April 2016 be received.

THAT the Council receive the minutes of the Hearings Committee meeting held on 6 April 2016.

CARRIED

9.4 Proceedings of the Finance, Audit & Risk Subcommittee 27 April 2016

Purpose

To present to the Council the minutes of the Finance, Audit & Risk Subcommittee meeting held on 27 April 2016 and the Financial Report to 31 March 2016.

MOVED by Cr Bishop, seconded Cr Good:

THAT Report 16/220 on Proceedings of the Finance, Audit & Risk Subcommittee 27 April 2016 be received.

THAT the Council receive the minutes of the Finance, Audit & Risk Subcommittee meeting held on 27 April 2016 and the Financial Report to 31 March 2016.

CARRIED

10 Infrastructure Services

3.1 Notice of Motion – Foxton Main Street

Purpose

In accordance with Standing Order 3.10, to place the following Notice of Motion as a late item on the agenda for the Council meeting being held on 4 May 2016.

MOVED by Cr Bishop, seconded Cr Good:

THAT Report 16/234 on Notice of Motion - Foxton Main Street be received.

THAT this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

CARRIED

The following speaking rights were exercised in relation to this item, with speakers also responding to questions from Councillors::

Hannah Street – spoke against the resolution saying the proposed Foxton Main Street upgrade was great and she outlined what she saw as the advantages of what was planned in terms of catering for the various ages in the community, road safety, community pride and future growth.

Jennie Lundie – as a Foxton Beach resident, property owner, someone who worked in Main Street and as an initiator of the community petition objecting to the current plans for the Foxton Main Street redevelopment, spoke in support of the resolution. She expressed concerns about the removal of car parks, the cost of the project, safety, and the way consultation had been undertaken.

Jim White – spoke on behalf of the Horse Tram Society, also giving a background not only to the Horse Drawn Tram's history and operation, but also his own relationship with the area. He noted the original concerns that had been expressed by the Society when it came to accommodating the Tram's operations, including safety issues. He suggested putting out a further questionnaire seeking a yes or no response from the public as to whether this should proceed.

Anne Hunt – spoke on behalf of the Horowhenua Ratepayers & Residents Association. She covered historical facts concerning Main Street and discussions that had taken place over the years in relation to upgrading the street. She further raised

issues that she suggested Council needed to consider under the Local Government Act 1974 when it came to consultation and any road stopping that may be involved.

In response to Mrs Hunt's comments about Council's legal responsibilities, Mr Clapperton said he had a legal opinion in relation to the matters raised by Mrs Hunt and a legal road stopping process would not be required with what was proposed.

Jake Slykhuis, Foxton Hammer Hardware - as a business owner and long-time Foxton resident, spoke against the resolution. He commented that nothing was perfect, but the present plans did go a long way to sorting out some of the problems identified and to making the area more pedestrian-friendly and safer, with Whanganui being a good example of where that had been undertaken successfully.

Judy Sanson – introduced herself to the meeting, noting that she was John Langen's daughter. She and her husband owned businesses in Foxton and they wanted to see more people come to Foxton as they had a vested interest in seeing the town progress. Mrs Sanson read a letter from her husband, Lindsay, in which he outlined the consultation process on the proposed upgrade that had been undertaken to date, the fact that what was proposed would curtail some of the dangerous issues that currently existed, and he said he did not support sending the upgrade back to another working group of residents and HDC reps for further consultation. A copy of Mr Sanson's letter is **attached** to the official minutes.

Paul Andrews – spoke on his own behalf as a business owner and also for the Foxton Tourist & Development Association. Mr Andrews said the upgrade of Main Street needed to be carried out; in fact it was overdue. With tourism now being New Zealand's number one earner, Foxton was in a great position as Horowhenua's Tourism hub to expand and grow that sector. The proposed development would increase the number of people coming to the town rather than them choosing to go elsewhere.

Tricia Metcalf – in providing a background to the consultation on upgrading Foxton Main Street that had taken place during her six years as a Foxton Community Board Member, said there would never be a perfect solution to keep everybody happy therefore it would be imprudent to spend more and more money trying to do the impossible. Foxton needed to move ahead. Now was the time to upgrade Main Street – procrastination would rob our district and children of a profitable future. A copy of Ms Metcalf's written comments is **attached** to the official minutes.

Neville Gimblett – as a business owner for 13 years in Foxton's Main Street and during that time having renovated an historic building there, but with now no vested interest other than that of any other ratepayer in the district, requested that the Notice of Motion be thrown out. He commented on some of the earlier consultation that had taken place with regard to upgrading Main Street, and some of the benefits that could accrue as TANS edged closer and with the river loop recovery on the agenda. A copy of Mr Gimblett's written comments is **attached** to the official minutes.

Janine Smart – in commencing speaking to this item, Ms Smart tabled two letters, one from the Foxton RSA supporting the relocation of the Cenotaph and the other from the Horse Drawn Tram Society, dated 19 January 2016, which also supported, once further consultation had been undertaken, the upgrade. She also read out three letters – from Jim & Sarah Harper, Simon & Carla Hill-Hayr, and Charlie & Chrissie Pedersen (who owned 8 of the buildings in Main Street) expressing their frustration at the possibility of the upgrade being put on hold.

Ms Smart also noted that the Foxton Community Board unanimously supported the upgrade. They thought it was imperative that it proceeded and were more than happy

with the consultation that had been undertaken. From a personal perspective she was not happy with the negative action taken by the two Councillors who had proposed this notice of motion which undermined a positive project for the district.

Cr Feyen raised a point of order saying Ms Smart was not correct. He was not naysaying anything.

The Chair did not uphold the point of order and he asked Ms Smart to continue.

Ms Smart said she wanted to ask the two Councillors why they did not come and help with the projects instead of trying to block progress. What an upgrade that would be!! Responding to a query with regard to any impact there could be on parking, Ms Smart said there would not be one car park lost; there were currently 164 car parks and after the upgrade there would still be 164 parks.

In speaking to the resolution, Cr Feyen noted that the motion was not as he had originally intended with a change having been suggested by the CE.

Cr Feyen further commented that he did think Main Street needed to be revitalised, but he took offence at the suggestion that his current stance was negative. He had done a lot to encourage tourism in Foxton and try and promote Foxton as a destination. He was not against something being done; what he was against was that many people had no idea of what was happening despite a consultation process having taken place. People were telling him that they did not want the road width decreased; they did not want the Cenotaph moved; they did not want a one way street or traffic calming. The straw pole conducted did show him that a considerable number of people did not know what was going on. He was not against Main Street changes, but he was against lack of consultation and also questioned the spend of \$1.6m..

For clarification, Mr Clapperton said he had suggested the change to what Cr Feyen's had initially proposed because the original motion had been ambiguous.

As the seconder to the motion, Cr Campbell said what caused him to support the motion was that he had wanted to find out what the real feeling was in Foxton towards the proposed upgrade and to ensure that people in Foxton had their say. The motion was not about putting the upgrade on hold for years, but only until people were listened to.

Cr Brannigan spoke against the resolution, noting for clarity that the width of the street would only lessen by 1.2m and that Ravensorth Place and Liddell Street would still have adequate access. He did not see any point in leaving this on the table. At some stage a decision had to be made and he was confident that Councillors would support the work of the Foxton Community Board and Council Officers to progress this project.

His comments were supported by Cr Rush who also spoke against the motion.

In his right of reply, Cr Feyen reiterated, amongst other things, that he was not against change, but he did want people to be properly consulted.

MOVED by Cr Feyen, seconded Cr Campbell:

THAT the Horowhenua District Council puts the redevelopment of Foxton Main Street on hold and establishes a working group of appropriate Foxton and Foxton Beach residents, in consultation with HDC, to develop a more streamlined and less expensive option appropriate for Foxton.

A division was called for, voting on which was as follows:

For:

Councillors: Ross Campbell
Michael Feyen

Against:

Councillors: Wayne Bishop
Ross Brannigan
Garry Good
Victoria Kaye-Simmons
Joanna Mason
Christine Mitchell
Tony Rush
Piri-Hira Tukapua

The division was declared LOST by 2 votes to 8.

10.2 Stormwater Strategy 2016

Purpose

The purpose of this report is to present to Council for adoption the 2016 Stormwater Strategy.

MOVED by Cr Rush, seconded Cr Tukapua:

THAT Report 16/209 Stormwater Strategy 2016 be received.

THAT this decision is recognised as not significant in terms of S76 of the Local Government Act

CARRIED

In exercising her speaking rights, Mrs Hunt, after highlighting some stormwater problems at Foxton Beach and also in Levin, said she had been looking forward to this Strategy but she was disappointed as it appeared to be just a lot of words. It did not say anything or do anything that gave her any confidence that anything was going to be achieved. If the High Court decided that stormwater could not go into the Lake, with a decision expected soon, she queried where was it going to go? She also raised other legal issues under the RMA and Local Government Act that she thought needed to be addressed.

Mr Saidy, in speaking to this report, said the Strategy was a high level document which set out Council's goals and objectives and what it wanted to achieve. Underneath this would sit Catchment Management Plans and there was a lot of work being done in that space.

MOVED by Cr Bishop, seconded Cr Rush:

THAT the Horowhenua District Council adopts the Stormwater Strategy 2016.

CARRIED

Cr Feyen ABSTAINED from voting.

10.3 North East Levin Stormwater Improvement Project

Purpose

The purpose of this report is for Council to resolve for officers to proceed to implement the North East Levin Stormwater Development Project.

MOVED by Cr Kaye-Simmons, seconded Cr Mason:

THAT Report 16/221 North East Levin Stormwater Improvement Project be received.

THAT this decision is recognised as not significant in terms of S76 of the Local Government Act.

CARRIED

Mr Saidy noted that this was to implement the development project, funding for which was included in the LTP, and the green light was sought from Council to proceed. He responded to questions with regard to flow options advising that the North East Levin Stormwater catchment flowed into the tributary at Koputaroa. It was easier for Council to work with affected farmers than it would be to divert the stormwater to Lake Horowhenua. All affected farmers had been or would be consulted with and their issues, which were minor, would be addressed.

MOVED by Cr Bishop, seconded Cr Kaye-Simmons:

THAT officers proceed with the implementation of the development project to mitigate flooding in the North East Levin area whilst taking into account the need for enabling residential growth as defined in the district plan.

CARRIED

Cr Feyen ABSTAINED from voting.

11 Executive

11.1 Monitoring Report to 4 May 2016

Purpose

To present to Council the updated monitoring report covering requested actions from previous meetings of Council.

MOVED by Cr Brannigan, seconded Cr Kaye-Simmons:

THAT Report 16/225 Monitoring Report to 4 May 2016 be received.

THAT this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

CARRIED

Working through the Monitoring Report, Mr Clapperton provided further comment or responded to queries:

Page 205 16/10 – Aquatics Centre Redevelopment
Information would be circulated tomorrow to Councillors in relation to the Tender Evaluation process that had been undertaken.

Page 206 16/87 – Reinstatement of Council Building Access – Crs Campbell & Feyen
The second sentence under Officer Comment to be deleted.

Page 207 16/122 – Code of Conduct Complaint – Cr Ross Campbell
The Code of Conduct complaint hearing would take place next Wednesday, 11 May 2016, which was not known when the Agenda was compiled. This would also include the CoC complaints against Mayor Duffy and Cr Rush.

Page 208 16/163 – Community Housing Proposal – Amendment to Long Term Plan 2015-2025

In response to a query as to how many land parcels tagged for future Pensioner Housing would be included in the proposal, Mr Clapperton said he understood there was only one parcel and it was aligned with an existing area of housing.

11.2 Chief Executive's Report to 4 May 2016

Purpose

For the Chief Executive to update Councillors, or seek endorsement on, a number of matters being dealt with.

MOVED by Cr Rush, seconded Cr Bishop:

THAT Report 16/119 Chief Executive's Report to 4 May 2016 be received.

THAT this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

CARRIED

Mr Clapperton spoke to his report and responded to Councillors' questions.

Cr Rush also gave a summary of his report on his attendance at the NZPI 2016 Planning Conference.

MOVED by Cr Good, seconded Cr Campbell:

THAT the Horowhenua District Council adopts the Schedule of Fees and Charges 2016/17 for Food Act Premises:

Food Business Fees Under the Food Act 2014		
<i>Function</i>	<i>Fees (incl GST)</i>	<i>Notes</i>
<i>Registering a Food Control Plan that is based on a MPI template</i>	<i>\$180.00 fixed fee for up to 2 hours processing time, then additional time is charged at \$140.00 per hour</i>	<i>FCP training and resources are provided for free. Processing includes assessing whether the FCP has been tailored correctly and administration</i>
<i>Registering a business under a national programme</i>	<i>\$140.00 fixed fee for up to 1 hours processing time then additional time is charged at \$140.00 per hour</i>	
<i>Renewing the registration of a Food Control Plan that is based on a MPI template</i>	<i>\$140.00 fixed fee</i>	
<i>Renewing the registration of a business operating under a national programme</i>	<i>\$140.00 fixed fee</i>	
<i>Amendment to registration</i>	<i>Charged at hourly rate of \$140.00 per hour</i>	
<i>Verification of a Food Control Plan that is based on an MPI template</i>	<i>\$140.00 fixed fee for up to 1 hour then additional time is charged at \$140.00 per hour</i>	
<i>Verification of a National Programme</i>	<i>\$70.00 fixed fee (for up to 30 minutes then additional time is charged at \$140.00 per hour</i>	
<i>Compliance and Monitoring</i>	<i>Charged at hourly rate of</i>	

	\$140.00 per hour	
Charges for travel outside of Horowhenua District	Cost + 20%	If the verifier is required to travel outside of the Horowhenua District to verify a template Food Control Plan or a National Programme

and Planning Fees 2016/2017:

Planning Fees & Charges 2016/2017			
<p>Schedule of Fees and Charges under the Resource Management Act 1991. Horowhenua District Council's Planning fees and charges for the financial year 1 July 2015 - 30 June 2016 are provided below.</p> <p>All fees are stated as GST inclusive and are effective from 1 July 2015. Council reserves the right to review any fees and charges at any time. Please contact Council for any updates.</p> <p>Costs for Resource Consents and Other Applications Horowhenua District Council charges fees for processing of a wide variety of planning related applications processed under the Resource Management Act (RMA) 1991 or Local Government Act (LGA) 2002 as listed below. The fixed charge is a deposit paid up front to enable Council staff to commence the process, actual charges are billed in accordance with time spent by staff on processing the application together with other associated costs.</p> <p>Any work on applications will only commence on payment of the relevant fixed charge. Upon completion of processing an application the Council will invoice for any additional charges for any costs not covered by the fixed charge. The additional charges are set out below with the fixed charges.</p>			
Planning	Fixed Charge	Additional Charge per Hour Processing Time	Notes (Please refer below)
Land Use Consent			
Fast Track Consent	\$480.00	No	1
Minor Land Use Consent	\$750.00	Yes	2
Other Land Use Consent	\$980.00	Yes	2
Subdivision Consent			
Subdivision Consent	Fixed Charge	Additional Charge per Hour Processing Time	Notes (Please refer below)
Minor Subdivision / Boundary Adjustment	\$930.00	Yes	2
Other Subdivision			
Other Subdivision	Fixed Charge	Additional Charge per Hour Processing Time	Notes (Please refer below)
- 2 to 5 Additional Lots	\$1,735.00	Yes	
- 6 to 10 Additional Lots	\$2,790.00	Yes	
- More than 11 Lots	\$4,460.00 + \$270.00 per Lot over 15 Lots	Yes	
Certificate of Compliance	\$565.00	Yes	
Existing Use Certificate	\$565.00	Yes	
Vetting of Draft Applications (first hour free)	\$0.00	Yes	
Planning			
District Plan Amendments	Fixed Charge	Additional Charge	Notes (Please refer

			<i>below)</i>
<i>Private Plan Change</i>	\$5,485.00	Yes	3
<i>New Designation / Heritage Order</i>	\$2,230.00	Yes	
<i>Alteration of Designation / Heritage Order</i>	\$1,115.00	Yes	
Other Applications	Fixed Charge	Additional Charge	Notes (Please refer below)
<i>Section 223 Application</i>	\$155.00	No	
<i>Section 224 (c) or (f) Application</i>	\$340.00	Yes	
<i>Section 221 Consent Notice or Amendment / Cancellation</i>	\$205.00	Yes	
<i>Section 125 Application</i>	\$360.00	Yes	
<i>Section 127 Application</i>	\$465.00	Yes	
<i>Section 357 Lodgement Fee</i>	\$560.00	Yes	6
<i>Outline Plan Approval or Waiver</i>	\$360.00	Yes	
<i>Bond Preparation</i>	\$165.00	Yes	
<i>Any other Application or Certificate under the RMA</i>	\$205.00	Yes	
<i>Any application under those provisions of the Local Government Act 1974 not repealed (eg. Section 348)</i>	\$205.00	Yes	
Notification and Hearing Costs	Fixed Charge	Additional Charge	Notes (Please refer below)
<i>Limited Notification</i>	\$1,115.00	Yes	
<i>Full Notification</i>	\$2,230.00	Yes	
<i>Hearing Costs</i>	\$3,285.00	Yes	4
<i>Commissioner Costs (at applicant's request)</i>	\$1,675.00	At Cost	
<i>Commissioner Costs (at submitter's request)</i>		At Cost	7
<i>Commissioner Costs (at Council appointment)</i>		At Cost	5
Monitoring Costs	Fixed Charge	Additional Charge	Notes (Please refer below)
<i>Land Use Consents</i>			
<i>– Per Inspection</i>	\$145.00	Yes	
<i>Subdivision Consents</i>			
<i>– Per Inspection</i>	\$145.00	Yes	
<i>Residential Relocated Buildings</i>			
<i>- Refundable Monitoring Fee</i>	\$1500.00	No	8
Council Officer's Hourly Rates	Fixed Charge	Additional Charge	Notes (Please refer below)
<i>Planning Services Manager</i>		\$172.00	
<i>Senior Planner</i>		\$162.00	
<i>Urban Designer</i>		\$162.00	
<i>Planner</i>		\$145.00	
<i>Engineer</i>		\$145.00	
<i>Monitoring Officer</i>		\$145.00	
<i>Administration Officer</i>		\$ 103.00	
Other Charges	Fixed Charge	Additional Charge	Notes (Please refer below)
<i>Consultant S42A Planning Reports (at applicant's request)</i>		At Cost	
<i>Consultant S42A Planning Reports (at</i>		At Cost	

<i>Council's request</i>			
<i>Specialist Reports</i>			<i>At Cost</i>
<i>Mileage</i>			<i>At AA Rates</i>
<i>Disbursements (Photocopying, Printing Docs & Maps, Food, etc).</i>			<i>At Cost</i>
<i>Documents on CD</i>	\$10.00		<i>No</i>
<i>Digital Capture Levy</i>	\$25.00		<i>No</i>
<i>Pre-Hearing Meetings</i>			<i>At Cost</i>
<i>Title Searches</i>			<i>At Cost</i>

Applicants may apply for the remission of any charges, and have the right of objection and appeal to any "Additional" charges incurred (S36(6) of the Resource Management Act). Objections shall be heard by the Hearings Committee.

Notes to Fee Schedule:

- 1. Fast Track Consents are consents for controlled or restricted discretionary land use consents with little or no adverse effects at the discretion of the Planning Team.*
- 2. Minor land use consent is defined as any non-notified land use application for an activity in any one zone (not being a Fast Track Consent) which is a controlled activity or does not comply with one standard specified in the District Plan and for which the applicant supplies with the application sufficient evidence of consultation with potentially affected persons. A minor subdivision is a controlled activity subdivision for up to 1 additional lot including a boundary adjustment and not needing land use consent. Other "land use" or "subdivision" applications are any applications other than a minor application as defined above, made under sections 9 and/or 11 of the RMA.*
- 3. Where the Council, in its own discretion, adopts a Private Plan Change no further fee above the fixed charge shall be due.*
- 4. Based on a Chair at \$100/hr plus 2 Councillors' at \$80/hr – average hearing 6 hours. Plus Administration & Technical Assistance 6 hrs at the prescribed rates.*
- 5. Commissioners' costs shall not exceed the equivalent cumulative cost as if a quorum of the Hearings Committee had heard the application. It includes time in pre-hearings, site visits, deliberations and costs for drafting the decision. Commissioner charges in the case of hearings where Council has vested interests are justified on the basis that the applicant is not entitled to a free hearing, but should not have to pay more than would have occurred otherwise. Specialist costs shall include Consultants as appointed by the Council and the costs of legal advice, provided that in the latter instance such costs may be waived in whole or in part at the discretion of the Planning Services Manager and/or the Chief Executive Officer.*
- 6. The Council will charge a fixed lodgement fee for objections lodged under Section 357 of the Resource Management Act. There will be no hearing fee although additional charges will be tracked. Where the decision is to uphold the objection in full the fixed lodgement fee will be refunded in full and there will be no additional charges. Where the objection is dismissed or partially upheld then the lodgement fee shall not be contestable and additional charges shall be split equitably where a partial decision is reached according to the opinion of the Chief Executive Officer.*
- 7. The submitter(s) pay the actual cost of the application being heard and decided less any charges payable by the applicant for the amount that it is estimated by the Group Manager – Customer & Community Services it would cost for the application to be heard and decided if the request has not been made. (Section 36 (1)(ab) of the RMA refers).*
- 8. The refundable monitoring fee is to be required for residential relocated buildings (over 40m² gross floor area) in the Residential, Rural, Greenbelt Residential and Commercial Zones that comply with the requirements of the Plan as a permitted activity. The refundable monitoring fee will be used by the Horowhenua District Council to cover the costs of monitoring inspections necessary to ensure that the reinstatement required is*

completed. Should the reinstatement work not be completed within 9 months of the building being delivered to the destination site, the monitoring fee may be used by Horowhenua District Council officers to fulfil the requirements of lodging and processing a resource consent application for the relocated building.

Procedure for processing fast track consents:

An application for a fast track consent will need to be made using the standard 'form 9' application form for a resource consent and it must be accompanied by all the usual information (i.e. a certificate of title with any relevant interests, a site plan and elevations, an assessment of environmental effects, photographs of the site, and written approvals of affected persons, if applicable). A fee of \$480.00 must be paid upfront when a fast track application is lodged with the Council.

Note:

Should the processing planner become aware of any additional non-compliance with the District Plan, the applicant will be notified that the application will no longer be processed as a fast track consent and the applicant will be informed that additional fees may apply.

Policy

The Horowhenua District Council will utilise the following as policy in the recovery of costs under the Resource Management Act.

1. The Council, in accordance with its Revenue and Financing Policy, will recover 60-70% of actual and reasonable costs associated with the consent processing function under the RMA as defined by a schedule of fees and charges approved in the required manner.
2. Costs will be recovered through the application of 'fixed' and 'additional' charges to be applied in accordance with a schedule of charges. That schedule will define both 'fixed' charges (a deposit) and 'additional' charges as determined in respect of each type of application defined in the schedule. Where the costs of any application are less or greater than the fixed charge by more than one hour's value the Council will refund or invoice the applicant respectively by an amount equivalent to the difference between the final amount and the fixed charge.
3. Fixed charges are refundable where the fixed charges received total less than the actual cost of the activity subject to point 2 above.
4. Where requested, an estimate of additional charges will be given as required under the Resource Management Act.
5. The Council will not commence (or continue if applicable) processing of any application without the pre-payment of any fixed charge.
6. Costs against each application will be recorded for all costs incurred in processing the application and a final account will be drawn up in accordance with the procedures set out below.
7. A minimum charge equivalent to one hour's time shall be accrued in respect of any application. This charge shall not be refundable.
8. Where additional charges are incurred and are not met, the Council will administer the debt in accordance with normal practice. This may include the use of a debt recovery service.
9. Where an application is heard by an independent Commissioner at the request of the applicant, the applicant shall bear the full costs of that Commissioner.
10. Where an application is heard by an independent Commissioner at the request of the submitter(s), cost will be allocated in accordance with the procedure described under Note 7 of the Fee Schedule.

11. *Objections to additional charges will be heard by the Hearings Committee where not resolved by Officers under delegated authority to remit such charges.*
12. *Administrative charges are payable regardless of the outcome of the application.*
13. *Where an application is for both subdivision and land use consent, the subdivision "fixed" fee shall apply.*

CARRIED

11.3 Election Signage Policy

Purpose

To consider requirements for electoral signage for the purpose of the 2016 local elections, and any ensuing by-election.

MOVED by Cr Campbell, seconded Cr Rush:

THAT Report 16/218 Election Signage Policy be received.

THAT this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

THAT the "Local Election Signage Policy" dated 22 April 2016 be adopted.

CARRIED

11.4 Documents Executed and Electronic Transactions Authorities Signed

Purpose

To present to Council the documents that have been executed, Electronic Transactions Authorities and Contracts that have been signed by two elected Councillors, which now need ratification.

MOVED by Cr Rush, seconded Cr Good:

THAT Report 16/167 Documents Executed and Electronic Transactions Authorities Signed be received.

THAT this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

THAT the Horowhenua District Council hereby ratifies the signing of documents and Electronic Transaction Authorities as scheduled:

- (a) *Electronic Transaction Authority relating to sale of 21 Forbes Road, Foxton Beach to Stephen Mark Simmons, contained in Certificate of Title 399460.*
- (b) *Electronic Transaction Authority relating to sale of 35 Forbes Road, Foxton Beach to Gavin Lee Kotua, contained in Certificate of Title 399487.*

CARRIED

12 Customer and Community Services

12.1 Amendment to Long Term Plan 2015-2025 Adoption

Purpose

The purpose of this report is to adopt the Horowhenua District Council Long Term Plan 2015-2025 Amendment.

MOVED by Cr Good, seconded Cr Mitchell:

THAT Report 16/222 Amendment to Long Term Plan 2015-2025 Adoption be received.

THAT this decision is recognised as not significant in terms of S76 of the Local Government Act.

THAT the Horowhenua District Council receives the audit opinion for inclusion in the Amended 2015-2025 Long Term Plan

THAT the Horowhenua District Council adopts the Amended 2015-2025 Long Term Plan, including the policies and statements contained therein, in accordance with Section 83 and 93 of the Local Government Act.

THAT the Chief Executive be given delegated authority to make editorial changes that arise as part of the publication process for the Long Term Plan 2015-2025 amendment.

CARRIED

Cr Feyen recorded his vote AGAINST the motion.

12.3 Liquor Licensing Matters from 1 January 2016 to 31 March 2016

Purpose

To report, for information purposes, on matters relating to liquor licensing for the period 1 January 2016 to 31 March 2016.

MOVED by Cr Brannigan, seconded Cr Mason:

THAT Report 16/188 Liquor Licensing Matters from 1 January 2016 to 31 March 2016 be received.

THAT this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

CARRIED

12.4 Planning Services Matters Considered Under Delegated Authority

Purpose

To present details of decisions made under delegated authority in respect of Planning Services Matters.

MOVED by Cr Bishop, seconded Cr Kaye-Simmons:

THAT Report 16/168 Planning Services Matters Considered Under Delegated Authority be received.

THAT this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

THAT the matters decided under delegated authority (s104 of the Resource Management Act) as listed, be received:

**All Land Use Resource Consents Granted Under Delegated Authority
22/03/16 to 21/04/16**

Granted Date	File Ref	Applicant	Address
22 Mar 16	501/2016/3738	Quin Buildings Direct	237 North Manakau Road, Levin Rural
05 Apr 16	501/2015/3702	The Little White Rabbit	106 Seabury Avenue, Foxton Beach
08 Apr 16	501/2016/3739	Quin Buildings Direct	17 Henham Lane, Levin Rural
08 Apr 16	501/2016/3646	Mark Ronald Moody	88 Koputaroa Road, Levin Rural
13 Apr 16	501/2016/3745	J Olive Short & Tracy Nigel Short	215 Heatherlea East Road, Levin Rural
19 Apr 16	501/2016/3719	Mansfield Installations Limited	61 Seabury Avenue, Foxton Beach

CARRIED

Mr Clapperton reported that the level of activity for both Land Use and Building Consents was the best it had been since 2007. The number of new houses consented so far this year was 132, plus relocatables of approximately 24.

Cr Bishop noted that whilst there was increased activity with regard to Land Use Consents, this did not extend to Subdivision Consents and Land Use Consents did not produce growth. He requested a report on the level of activity with regard to Land Use and Subdivision consents since adoption of the new District Plan and how that compared with what had previously occurred.

With this report being a procedural mechanism to note consents approved under delegation and not an appropriate conduit for providing the information requested, Mr Clapperton said he would look at providing something separately.

13 Procedural motion to exclude the public

MOVED by Cr Tukapua, seconded Cr Brannigan:

THAT the public be excluded from the following part(s) of the proceedings of this meeting.

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 and Meetings Act 1987 for the passing of this resolution follows.

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and 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 relevant part of the proceedings of the meeting in public, as follows:

C1 Proceedings of the Hearings Committee 8 March 2016

<i>Reason for passing this resolution in relation to each matter</i>	<i>Particular interest(s) protected (where applicable)</i>	<i>Ground(s) under section 48(1) for the passing of this resolution</i>
<i>The public conduct of the part</i>	<i>s7(2)(g) - The withholding of the</i>	<i>s48(1)(a)</i>

<i>of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</i>	<i>information is necessary to maintain legal professional privilege.</i>	<i>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</i>
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C2 Levin Water Treatment Plant Upgrade - Civil, Electrical and Mechanical Main Works

<i>Reason for passing this resolution in relation to each matter</i>	<i>Particular interest(s) protected (where applicable)</i>	<i>Ground(s) under section 48(1) for the passing of this resolution</i>
<i>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</i>	<i>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.</i>	<i>s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</i>

The text of these resolutions is made available to the public who are present at the meeting and form part of the minutes of the meeting.

CARRIED

7.30 pm The public were excluded.

Resolutions in relation to the confidential items are recorded in the confidential section of these minutes and are not publicly available.

7.40 pm

There being no further business, the Chairperson declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD
AT A MEETING OF COUNCIL HELD ON

DATE:.....

CHAIRPERSON:.....