
Council

OPEN MINUTES

Minutes of a meeting of Council held in the Council Chambers, 126-148 Oxford St, Levin on Wednesday 3 August 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	(until 5.55 pm)
	Mr M Feyen	(until 5.55 pm)
	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 M Blackler	(Senior Manager – People & Capability)
Mrs N Brady	(Senior Manager – Business Services)
Mrs D Kidd	(Community Services Manager)
Mr S Grainger	(Economic Development Manager)
Mrs K Mitchell	(Communications Manager)
Mr M E Lepper	(Customer & Regulatory Services Manager)
Mrs K J Corkill	(Meeting Secretary)
Ms S Bowling	(Meeting Secretary)

ALSO IN ATTENDANCE

Mr E Hope-Pearson	(Stimpson & Co)
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MEDIA IN ATTENDANCE

Mr N McBride	(“Manawatu Standard”)
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PUBLIC IN ATTENDANCE

There were 12 members of the public in attendance at the commencement of the meeting.

Manawatu College – Duke of Edinburgh’s Hillary Award Programme

Kyle Williams-Simeon and Emma Green outlined the personal benefits of having been involved in the Duke of Edinburgh’s Hillary Award Programme which had been available at Manawatu College since 2008. The programme was run in 140 countries and encouraged young people to test themselves and to strive to achieve to the benefit of themselves personally and also their communities.

Their presentation received a well-deserved round of applause.

Recreational Services Presentation

Cameron Parr introduced himself and the senior team from Recreational Services. Mr Parr made a PowerPoint presentation giving a snapshot of the team and activities undertaken in the Horowhenua and spoke about the past ‘exciting’ twelve months since undertaking the contract with HDC.

In response, Mayor Duffy commented on the positive relationship between the two organisations which went way beyond the dollar value of the contract.

New Staff Introductions

New Council staff, Kathryn Pulley, Environmental Health Officer; Craig Kidd, Parks & Property Officer, Mereana Herbert, Administration & Projects Assistant, and Daryl Cuenca, Roading and Stormwater Engineer, introduced themselves.

The Chair advised the meeting, as a general warning to members, that he would not tolerate queries or comments he deemed inappropriate or unreasonable during Matters Arising or other reports on the Agenda. Members may lose the opportunity to speak further in the meeting if this warning was not adhered to.

1 Apologies

There were no apologies.

2 Public Speaking Rights

10.3 Local Government Act Amendment
Christina Paton

3 Late Items

There were no late items.

4 Declaration of Interest

None declared.

5 Confirmation of Open & In Committee Minutes – 6 July 2016

MOVED by Cr Bishop, seconded Cr Brannigan:

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

CARRIED

6 Matters Arising

Cr Feyen recorded his vote against the accuracy of the minutes.

7 Leave of absence

None requested.

8 Announcements

There were no announcements.

9 Proceedings of Committees

9.1 Proceedings of the Foxton Community Board 18 July 2016

Purpose

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

MOVED by Cr Brannigan, seconded Cr Kaye-Simmons:

THAT Report 16/412 Proceedings of the Foxton Community Board 18 July 2016 be received.

THAT the Council receives the minutes of the Foxton Community Board meeting held on 18 July 2016.

CARRIED

Responding to a query with regard to the Whirikino Bridge and Trestle and the Board's Community Board's interest in having it retained, Mr Clapperton said that whilst it was programmed for demolition, its retention was something that had yet to be explored with NZTA. Maintenance, If it was retained, would then need to be considered.

9.2 Proceedings of the Community Wellbeing Executive 19 July 2016

Purpose

To present to the Council the minutes of the Community Wellbeing Executive meeting held on 19 July 2016. .

MOVED by Cr Good, seconded Cr Rush:

THAT the report 16/428 Proceedings of the Community Wellbeing Executive 19 July 2016 be received.

THAT the Council receive the minutes of the Community Wellbeing Executive meeting held on 19 July 2016.

CARRIED

Deputy Mayor Good spoke in support of the adoption of the updated Community Wellbeing Strategy, which had come out of an extensive consultation process and which provided for a higher degree of accountability. It would see regular reports presented by the various agencies that would be part of the Wellbeing Group. He commended the Council Officers who had been involved in the Strategy's review.

MOVED by Cr Rush, seconded Cr Bishop:

THAT the Horowhenua District Council adopts the Community Wellbeing Strategy and CWE Terms of Reference 21016-2019, with amendments as discussed.

CARRIED

9.3 Proceedings of the Finance, Audit & Risk Subcommittee 27 July 2016

Purpose

To present to the Council the minutes of the Finance, Audit & Risk Subcommittee meeting held on 27 July 2016 and the Financial Report to 30 June 2016.

MOVED by Cr Bishop, seconded Cr Mason:

THAT Report 16/423 Proceedings of the Finance, Audit & Risk Subcommittee 27 July 2016 be received.

THAT the Council receive the minutes of the Finance, Audit & Risk Subcommittee meeting held on 27 July 2016 and the Financial Report to 30 June 2016.

CARRIED

Cr Bishop congratulated the Finance Team on the reduction in outstanding debtors and also for the explanation provided in layman's terms with regard to the Swaps valuation. With regard to the Swaps valuation, two words needed to be highlighted: "unrealised losses". This was a decision made five years ago in an environment of rising interest rates to secure Council's interest rate and exposure to any major changes. However, there were eleven years to go (2027) before there would be a positive or negative effect.

12 Executive

10.1 Monitoring Report to 3 August 2016

Purpose

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

MOVED by Cr Tukapua, seconded Cr Good:

THAT Report 16/365 Monitoring Report to 3 August 2016 be received.

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

CARRIED

Page 112 12/347 – North Eastern Quadrant Stormwater

A subsequent meeting had been held in July with the key stakeholders.

Page 113 14/585 – District Plan: Plan Change Timing

In response to a query if the Dunefields Assessment included the Foxton Beach Seawall, Mr McCorkindale advised it would be looking at significant dune fields that were more inland from the foreshore.

The reference to the Shannon 'War' Camps to be changed to 'Conscientious Objectors' Camps.

Page 115 16/293 – Local Government Excellence Programme

This item had been completed and would be removed from the

Monitoring Report. Council was awaiting confirmation whether it would be in the first tranche for the programme, or the second which would be towards Christmas.

16/342 – Adoption of Growth Targets

Mr Clapperton noted that the growth forecasts had come from a report commissioned by Council from NZIER. He would circulate the report for Councillors information.

10.2 Chief Executive's Report to 3 August 2016

Purpose

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

MOVED by Cr Good, seconded Cr Rush:

THAT Report 16/367 Chief Executive's Report to 3 August 2016 be received.

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

CARRIED

3.1 Economic Development

Mr Clapperton reported that new residential housing consents for the district for the past 12 months were 172 compared with 85 the previous year, which was significantly higher than the activity in neighbouring areas.

3.4 2015/2016 Year in Review

Mr Clapperton gave a PowerPoint presentation covering the highlights of the 2015/2016 financial year which included details on Council's strong financial performance, the various projects and initiatives undertaken by Council departments, and significant staff achievements, all of which contributed to a very successful year.

Following his presentation, Mr Clapperton received an unprecedented standing ovation from the Mayor and Councillors.

10.3 Local Government Act Amendment

Purpose

To present to Council the Local Government New Zealand (LGNZ) submission on the Local Government Act 2002 Amendment Bill (No 2) (the Bill).

MOVED by Cr Kaye-Simmons, seconded Cr Bishop:

THAT Report 16/403 on Local Government Act Amendment be received.

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

CARRIED

Whilst extending congratulations to Council for supporting the LGNZ submission, Mrs Paton, in speaking to this item, suggested it would have been more advantageous to get ratepayer input before submissions had closed. Numbers did count. She also queried how Council married the decision not to consult on this year's Annual Plan with the stated aim in the LGNZ submission to encourage participation of citizens. A copy of Mrs Paton's submissions is **attached** to the official minutes.

Responding to Mrs Paton's comment on the lack of Annual Plan consultation, Mayor Duffy said that Council had utilised a change in legislation that allowed it to be more efficient. Given that Council had publically consulted 12 months ago and there was no change in works proposed, there was no need for public engagement to occur. It had allowed Council to be three months further ahead in its work programme than it would have been if consultation had occurred. He thought it was fair, reasonable and efficient.

Cr Feyen spoke in support of the motion, but also expressed the view that Council could have done a better job by seeking supporting submissions from the public and also doing its own submission rather than just relying on the one from LGNZ.

Mayor Duffy responded that Council was a member of LGNZ and where appropriate, that was the body that represented this and other Councils' interests. Also 97% of the Councils at the recent LGNZ Conference had voted in favour of the LGNZ submission.

With Cr Feyen requesting a right of reply, Cr Rush raised a point of order saying that despite moving the motion, Cr Feyen did not have that right.

The Chair overruled the point of order.

MOVED by Cr Feyen, seconded Cr Kaye-Simmons:

THAT Council supports the Local Government New Zealand submission to the Local Government Act 2002 Amendment Bill (No 2).

CARRIED

10.4 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 Campbell, seconded Cr Mitchell:

THAT Report 16/368 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) *Bond binding William Allan Coleman to Horowhenua District Council in the sum of Five Thousand Dollars (\$5,000) to comply with conditions of consent LUC/501/2016/3758 relating to shifting a building onto site described as Lot 6 DP 402307 comprised in Certificate of Title 407294 with an area of 2.3021 hectares.*
- (b) *Bond binding Living Word Family Worship Centre Trust to Horowhenua District Council in the sum of Eight Thousand Dollars (\$8,000) to comply with conditions of consent LUC/501/2015/3703 relating to shifting a building onto site described as Part Lot 5 DP 1406 comprised in Certificate of Title 4WNE2/650 with an area of 1019 square metres.*

- (c) *Electronic Transaction Authority relating to sale of 12 Story Street, Foxton Beach to Peter John Hammond, contained in Certificate of Title 399478.*
- (d) *Electronic Transaction Authority relating to sale of 4 Forbes Road, Foxton Beach to Travis James Quin and Devlin Frances Quin, contained in Certificate of Title 399521.*
- (e) *Deed of Renewal and Variation of Lease with The Sovereign in Right of New Zealand acting by and through the Ministry of Social Development relating to part of the ground floor of the building situated at the corner of Salisbury & Durham Streets, Levin and five (5) carparks from 1 November 2015 for a period of three (3) years with a further two rights of renewals. The final expiry date being 31 October 2024.*
- (f) *Electronic Transaction Authority relating to sale of Lot 2 DP 459341 to Avenue Hall and Trotter Limited, contained in Certificate of Title 600321.*

CARRIED

11 Customer and Community Services

11.1 Liquor Licensing Matters from 1 April 2016 to 30 June 2016

Purpose

To report, for information purposes, on matters relating to liquor licensing for the period 1 April 2016 to 30 June 2016.

MOVED by Cr Brannigan, seconded Cr Rush:

THAT Report 16/360 Liquor Licensing Matters from 1 April 2016 to 30 June 2016 be received.

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

CARRIED

11.2 Annual Report - District Licensing Committee 2015 - 2016

Purpose

This Report has been prepared to report to Council on the 2014/15 financial year as required by the Sale and Supply of Alcohol (Fees) Regulations 2013.

MOVED by Cr Brannigan, seconded Cr Tukapua:

THAT Report 16/417 Annual Report - District Licensing Committee 2015 - 2016 be received.

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

THAT Council adopts the report attached as attachment A, Annual Report District Licensing Committee 2015/16, and that a copy be forwarded to Alcohol Regulatory Licensing Authority and a copy be placed on Council Website.

CARRIED

11.3 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 16/369 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 Subdivision Resource Consents Granted Under Delegated Authority
22/06/16 to 20/07/16**

Granted Date	File Ref	Applicant	Address
22 June 2016	SUB/3766	Ian Humphrey	6 Marine Parade, Foxton Beach
24 June 2016	SUB/3764	Samantha Rawiri & Richard Barnes	1362 State Highway 57, Tokomaru
01 July 2016	SUB/3525	Srinagar Limited	85 Parker Avenue, Levin
19 July 2016	SUB/3769	Russell & Glenis Davenport	Muhunoa East Road, Levin Rural

**All Land Use Resource Consents Granted Under Delegated Authority
22/06/16 to 20/07/16**

Granted Date	File Ref	Applicant	Address
22 June 2016	LUC/3762	Summerset Properties Ltd	106-112 Liverpool Street, Levin
05 July 2016	LUC/3772	Quin Buildings Direct	302 Kuku East Road, Levin Rural
06 July 2016	LUC/3770	Richard Cottle	30 Margaret Street, Shannon
13 July 2016	LUC/3785	Quin Buildings Direct	196 Bath Street, Levin

CARRIED

12 Procedural motion to exclude the public

MOVED by Cr Good, seconded Cr Kaye-Simmons:

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 Growth Response Update - Property Investment Vehicle

<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</i>	<i>s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.</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</i>

section 7.		under section 7.
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C2 Community Housing Project Update

<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)(g) - The withholding of the information is necessary to maintain legal professional privilege. s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities. s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</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>

AND FURTHER

THAT Mr Hope-Pearson, Stimpson & Co, remain for the In Committee portion of the meeting because of his advisory role in terms of the Community Housing Project.

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

Crs Campbell and Feyen advised they would not be remaining for In Committee items and withdrew from the meeting.

5.55 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.

6.30 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:.....