
Council

OPEN MINUTES

Minutes of a meeting of Council held in the Council Chambers, 126-148 Oxford St, Levin, on Wednesday 7 September 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 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	(Chief Financial Officer)
Mr G Saily	(Group Manager – Infrastructure Services)
Mrs N Brady	(Group Manager – Business Services)
Mrs D Kidd	(Community Services Manager)
Mr D McCorkindale	(Senior Manager – Strategic Planning)
Mr S Grainger	(Economic Development Manager)
Mr M E Lepper	(Customer & Regulatory Services Manager)
Mrs V Miller	(Customer Experience Lead)
Mrs K J Corkill	(Meeting Secretary)
Ms S Bowling	(Meeting Secretary)

MEDIA IN ATTENDANCE

Ms T Wood	(“Chronicle”)
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PUBLIC IN ATTENDANCE

There were 15 members of the public in attendance at the commencement of the meeting, plus Inspector David White, Acting Snr Sgt Sam Gilpin and Constable Tracey Wharehoka from the New Zealand Police.

Mayor Duffy opened the meeting with a Tongan greeting – Mālō e lava mai – acknowledging Tongan Language Week.

1 Apologies

An apology was recorded for Cr Brannigan.
NOTED.

2 Public Speaking Rights

The Chair advised the following requests to speak to Agenda items had been declined, with requesters having been notified:

10.2	<u>Chief Executive's Report</u>	
3.1	<u>Economic Development</u>	Anne Hunt
3.2	<u>Aquatics</u>	Anne Hunt
3.3	<u>Landfill</u>	Anne Hunt Malcolm Hadlum Corney Andrews David Moore Bryan Ten Have
3.4	<u>Community Services Reference Group</u>	Anne Hunt Christine Toms
3.8	<u>Growth Response – Levin Town Centre Strategy</u>	Christina Paton

3 Late Items

There were no late items.

4 Declaration of Interest

None declared

At this juncture, Mayor Duffy proposed receiving the presentation from the New Zealand Police and also the Foxton Community Board update from Chair, Janine Smart.

New Zealand Police

Inspector David White, Acting Senior Sergeant Sam Gilpin and Constable Tracey Wharehoka were welcomed to the table and gave an overview of what was occurring in the District in terms of new recruits assigned to the area and replacement appointments for Levin and Foxton, road policing, burglary response, prevention activities, and family violence response and intervention. Concluding on some good news, Inspector White reported that since 2011 victim crime was down 12%, shoplifting was down 20%, general theft was down 45% and theft from vehicles was also down 47%.

Mayor Duffy thanked the team for their update which had covered a broad spectrum of activities also noting the extraordinarily constructive relationship which existed between the Police, Council and the community.

Foxton Community Board

Ms Smart reported:

- the Main Street upgrade was starting in a week, which was fantastic: there was a press release going out today or tomorrow. A staged approach was being taken and the communication plan was excellent.
- TANS workshops were being held on Friday and Saturday to get into the detail of how the exhibitions would look.

- the multi-coloured water tower lights were now on. There were a few small issues but these would get ironed out. It was about vibrancy and about changing the way people saw Foxton.
- the third massive boat from Profab had arrived and there was more work to come;
- there was a meet the candidates evening coming up next Wednesday;
- on Monday evening there would be another session with Council's Urban Designer, Anna Wood, collating all the ideas collected during public consultation on how best to invest the money for the Beach Reserves Development;
- Dave Fraser would be joining the Foxton Police.

5 Confirmation of Open & In Committee Minutes

MOVED by Cr Kaye-Simmons, seconded Cr Rush:

THAT the Open and In Committee minutes of the meeting of the Council held on Wednesday, 3 August 2016, be confirmed as a true and correct record.

CARRIED

6 Matters Arising

There were no matters that required correction.

7 Leave of absence

None requested.

8 Announcements

There were no announcements.

9 Proceedings of Committees

9.1 Proceedings of the Foxton Community Board 15 August 2016

Purpose

To present to the Council the minutes of the Foxton Community Board meeting held on 15 August 2016.

MOVED by Cr Kaye-Simmons, seconded Cr Mason:

THAT Report 16/475 Proceedings of the Foxton Community Board 15 August 2016 be received.

THAT the Council receive the minutes of the Foxton Community Board meeting held on 15 August 2016.

CARRIED

It was noted that the Wildlife Foxton Trust, which had presented to the Foxton Community Board, would be presenting to Council's November 2016 meeting.

9.2 Proceedings of the Community Grants and Funding Committee 4 August 2016

Purpose

To present to the Council the minutes of the Community Grants & Funding Committee meeting held on 4 August 2016.

MOVED by Cr Campbell, seconded Cr Tukapua:

THAT Report 16/474 Proceedings of the Community Grants and Funding Committee 4 August 2016 be received.

THAT the Council receive the minutes of the Community Grants & Funding Committee meeting held on 4 August 2016.

CARRIED

Following the change in criteria for rural halls last year when it was widened to include halls such as the RSA at Foxton Beach where there was not a Council-owned facility, Cr Mitchell queried how the grant to Hinemoa House fitted in with that change.

Deputy Mayor Good responded that Hinemoa House was in the south eastern corner of Levin. The Trust had brought in a hall and had applied for some additional funding to finish the work and make it useable for the wider community. The Committee felt this was a very worthwhile group and the hall was going to benefit an area of Levin which did not have access to other facilities.

Noting recommendation 2.4 and the suggested delegation to the Pride and Vibrancy Working Party of the Vibrant Communities Grant, Cr Tukapua queried how many Working Parties had delegated authority to make such decisions.

Deputy Mayor Good said that whilst there were a number of committees, those funded by Council were fairly limited. This fund had been set in place last year and the Working Party would be seeking suggestions as to how the grant would be best used to encourage vibrancy in our communities and a recommendation would be made back to Council.

MOVED by Cr Campbell, seconded Cr Tukapua:

THAT the Horowhenua District Council ratifies the following allocation of Rural Hall fund grants for the 2016/2017 year totalling \$24,997.75 excluding GST:

Organisation	Amount
<i>Foxton Beach Senior Citizens Assn. Inc.</i>	<i>\$3,706.00</i>
<i>Ihakara Hall Society Inc.</i>	<i>\$0.00</i>
<i>Waitarere Beach Scout Group</i>	<i>\$0.00</i>
<i>Koputaroa Hall Society Inc.</i>	<i>\$0.00</i>
<i>Manakau District Community Assn. Inc.</i>	<i>\$3,994.00</i>
<i>Foxton Beach School</i>	<i>\$0.00</i>
<i>Opiki Hall Society Inc.</i>	<i>\$5,428.00</i>
<i>Tokomaru Hall Society Inc.</i>	<i>\$4,620.00</i>
<i>Hinemoa Kids, Teens and Family Trust</i>	<i>\$3,500.00</i>
<i>Mangaore Village Resident Assn.</i>	<i>\$3,749.75</i>
Total	\$24,997.75

THAT the Vibrant Communities Grant be delegated to the Pride and Vibrancy Working Party for a Horowhenua District Community Placemaking Initiative'

CARRIED

9.3 Proceedings of the Finance, Audit & Risk Subcommittee 31 August 2016

Purpose

To present to the Council the minutes of the Finance, Audit & Risk Subcommittee meeting held on 31 August 2016.

MOVED by Cr Bishop, seconded Cr Mitchell:

THAT Report 16/476 Proceedings of the Finance, Audit & Risk Subcommittee 31 August 2016 be received.

THAT the Council receive the minutes of the Finance, Audit & Risk Subcommittee meeting held on 31 August 2016.

CARRIED

10 Executive

10.1 Monitoring Report to 7 September 2016

Purpose

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

MOVED by Cr Good, seconded Cr Campbell:

THAT Report 16/366 Monitoring Report to 7 September 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 29 14/890 – Extension of N5 Part B Water and Wastewater Services Contract
Cr Feyen queried if this item also related to drinking water and why Council did not just have the DHB do the water testing.

Mr Clapperton explained this related to a s17A review in terms of the most effective and efficient way Council delivered services. Council had just undertaken a major review of its community services and this was a similar exercise.

16/342 – Adoption of Growth Targets

Mr Clapperton explained why statistical information had been obtained from other agencies as well as Statistics NZ, with Statistics NZ having a set criteria and not looking at any exceptions such as the impact that RONS may have on the district.

10.2 Chief Executive's Report to 7 September 2016

Purpose

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

MOVED by Cr Mason, seconded Cr Rush:

THAT Report 16/370 Chief Executive's Report to 7 September 2016 be received.

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

CARRIED

3.4 Horowhenua District Community Services Reference Group

Cr Campbell expressed a concern in relation to recommendation 2.3 and the appointment of a Community Services Reference Group as it appeared to usurp the role of elected members.

Deputy Mayor Good raised a point of order in relation to Cr Campbell's comments as this was not new and had been thoroughly advertised as part of the change in Council's community support structure.

Before addressing the point of order, Mayor Duffy asked Cr Campbell to explain his concern.

Cr Campbell said he wondered why he did not know anything about it. He said he saw the selection of community members as flying in the face of elected members. He had a problem with bringing people in and paying them to do the job that elected members should do. It was disrespectful.

To provide clarification, Mrs Kidd advised that the establishment of this group had been part of the Community Services Review and it had been widely promoted and advertised in the Community Services Action Plan and on Council's website inviting applicants for the Group. She explained the group would have an advisory role with no decision making power, informing the Community Services team and ensuring that there was connection between Council and key community groups across the district.

Cr Mason observed that she was part of the Community Wellbeing Executive, had been involved with the Disability Support Strategy, and had worked closely in the Community Services Review. She commended those who had put their names forward. Councillors sat in a governance role and had a wider role than this group. This was about consultation, it was about listening. As a Councillor she was pleased to have other people beside her.

Her comments were supported by Cr Rush who agreed that this group would be acting in an advisory capacity and it would be completely wrong for Councillors to step outside of their governance role.

3.11 Operational Activity

Deputy Mayor Good commended the CE and staff on the Pre-election Report which had a lot of valuable information in it. In terms of the perception held by some in the community that Council's debt was in the region of \$100m, he requested confirmation that the debt figure in the Pre-election Report was correct.

Mr Law, Council's Chief Financial Officer, confirmed that the current debt was \$68m.

3.1 Economic Development

Noting the project aims in the Quality Care and Lifestyle for Older People initiative, Cr Feyen suggested that Council should not therefore be selling off its pensioner housing but should be looking at different ideas; perhaps taking

over the Government's local housing stock.

3.2 Aquatics

Responding to a query as to how many variations there were in this contract and any cost implications, Mr Clapperton said that there had been 23 variations and only three of those had had a cost impact.

3.11 Operational Activity

In saying the *Thursday Night Street Feast* was a great idea, Cr Feyen suggested it could be localised a little more.

Mr Clapperton commented that this initiative had been very successful. Turnover for the two nights had been almost the same; however with everyone having come at 5.30 pm on the first evening, for the second event people had delayed their arrival time so did not have to wait so long in a queue.

With regard to *Tokomaru* residents now being able to access services from the *Palmerston North Library*, there had been submissions on this by residents for a number of years and it had now been organised. Residents had been advised.

MOVED by Cr Mason, seconded Cr Rush:

THAT the Horowhenua District Council endorses the following applicants for membership of the Community Services Reference Group to serve a term that will expire following the next Horowhenua District Council elections in 2019:

- . Allen Little*
- . Margaret Williams*
- . Peter Ward*
- . Deborah Burns*
- . Natalie Neill*
- . Diane Brown*
- . Hannah Rowan.*

CARRIED

Cr Feyen abstained from voting and Cr Campbell recorded his vote against the resolution.

10.3 KiwiRail - Selwyn District Council - Deed of Grant - Proposed New Deed

Purpose

To seek the Horowhenua District Council's support for the drafting and circulation of a letter from local authorities to appropriate Ministers expressing support for Selwyn District Council and raising concerns in relation to the approach taken by KiwiRail to determine liability for repair costs which could have implications for all Councils which have rail access through their boundaries.

MOVED by Cr Good, seconded Cr Mitchell:

THAT Report 16/468 on KiwiRail - Selwyn District Council - Deed of Grant - Proposed New Deed be received.

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

CARRIED

Responding to queries Mr Clapperton noted that whilst Council did have a good working relationship with KiwiRail, this issue had implications for all TLAs and it was proposed to deal with it collectively through Selwyn District Council.

MOVED by Cr Mason, seconded Cr Mitchell:

THAT the Horowhenua District Council supports the drafting and circulation of a letter from local authorities to appropriate Ministers supporting the stance taken by Selwyn District Council and raising concerns with the approach taken by KiwiRail to determine liability for repair costs and that Local Government New Zealand be advised accordingly.

CARRIED

Cr Feyen abstained from voting and Cr Campbell recorded his vote against the resolution.

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 Mason, seconded Cr Mitchell:

THAT Report 16/371 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 20 Forbes Road, Foxton Beach to John Peter Cotton, Rachel Louise Carr and Bruce Anthony Stuart, contained in Certificate of Title 399513.*
- (b) *Electronic Transaction Authority relating to sale of 25 Forbes Road, Foxton Beach to Alan Stuart McLeod and Kathleen Teresa Clayton, contained in Certificate of Title 399462.*

CARRIED

11 Customer and Community Services

11.1 Dog Control Policy and Practices Annual Report 2015/16

Purpose

This Report has been prepared to report Council on Dog Control Policy and Practice matters for the 2015/16 financial year as required by the Dog Control Act 1996.

MOVED by Cr Good, seconded Cr Rush:

THAT Report 16/473 Dog Control Policy and Practices Annual Report 2015/16 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 Dog Control Policy and Practices Annual Report 2015-2016, and that public notice then be given of the Report and a copy be forwarded to the Secretary for Local Government as required by Legislation.

CARRIED

Cr Mitchell said she recalled from last year that the issue of leashed and unleashed dogs had been raised specifically with regard to bird nesting places at Kuku Beach and she had understood that that had been addressed.

Mrs Miller acknowledged Cr Mitchell's comments and said Council would work with DOC in relation to the bird nesting area at Kuku and if there was any change needed it would be addressed.

11.2 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 Mason, seconded Cr Mitchell:

THAT Report 16/372 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 **21/07/16 to 20/08/16**

Approved Date	File Ref	Applicant	Address
16.07.2016	LUC/3798	Peter Nolan & Rosemarie Lardelli	14A Fairfield Road, Levin
02.08.2016	LUC/2570	Martin Wagner	3 Muhunoa East Road, Ohau
04.08.2016	LUC/3781	Hayley Brown	Tangimoana Road, Levin Rural
08.08.2016	LUC/3788	M J Davie Builder Limited	Weraroa Road, Levin
11.08.2016	LUC/3780	Mobil New Zealand Limited	4 State Highway 1, Foxton
12.08.2016	LUC/3791	Rodney & Lorraine Benning	28 Twin Peaks Grove, Levin Rural
16.08.2016	LUC/3792	Gavin Doughty	6 Muhunoa West Road, Ohau
17.08.2016	LUC/3797	Sandra Barclay	46 Beech Street, Tokomaru

All Land Use Resource Consents Granted Under Delegated Authority **21/07/16 to 20/08/16**

Approved Date	File Ref	Applicant	Address
22.07.2016	SUB/3773	Colin Cudby	454 Kaihinou Road, Tokomaru Rural
22.07.2016	SUB/3771	Jan & Barry Kinchin	55 Muhunoa East Road, Levin Rural
28.07.2016	SUB/3767	Cody De La Croix	571 Queen Street, Levin
03/08/2016	SUB/3786	Richard Shiel	68 MacArthur Street, Levin
05.08.2016	SUB/3787	Fairfield Estate Limited	65 Fairfield Road, Levin Rural
11.08.2016	SUB/3790	Paula Loader	64 Parker Avenue, Levin
12.08.2016	SUB/3794	Waitarere Rise Limited	Mowhia Grove, Waitarere Beach

CARRIED

112 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 Disposal of Surplus Land - Gladstone Road, Levin

<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)(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 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

5.20 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.

5.55 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:.....