
Council

OPEN MINUTES

Minutes of a meeting of Council held in the Council Chambers, 126-148 Oxford St, Levin, on Wednesday 26 April 2017 at 4.00 pm.

PRESENT

Mayor	Mr M Feyen
Deputy Mayor	Mr W E R Bishop
Councillors	Mr R J Brannigan
	Mr R H Campbell
	Mr N G Gimblett
	Mr B F Judd
	Mrs V M Kaye-Simmons
	Mrs C B Mitchell
	Ms P Tukapua
	Mr B P Wanden

IN ATTENDANCE

Mrs M R Davidson	(Acting Chief Executive)
Mr D Law	(Chief Financial Officer)
Mr M Lester	(Project Coordination Manager)
Mr K Peel	(Acting Group Manager – Infrastructure Services)
Mr S Grainger	(Economic Development Manager)
Mrs N Brady	(Senior Manager – Business Services)
Mr A Nelson	(Property Parks Manager)
Mr R Srivastava	(Asset Planning Manager)
Mr J Paulin	(Finance Manager)
Ms C O'Shea	(Graduate Strategic Planner)
Mr S Wood	(Legal Counsel)
Mr K Teixeira	(Communications Advisor)
Mrs K J Corkill	(Meeting Secretary)
Miss S Bowling	(Meeting Secretary)

MEDIA IN ATTENDANCE

Ms M Schroeter	("Manawatu Standard")
Mr A Shelton	("Chronicle")
Mr T Frewen	("Otaki Mail")

PUBLIC IN ATTENDANCE

There were approximately 55 people in attendance at the commencement of the meeting.

1 Apologies

Apologies were recorded for Cr Mason and for Community Board Chair, David Roache.

MOVED by Cr Wanden, seconded Cr Campbell:

THAT the apology from Cr Mason and Board Chair, Mr Roache, be accepted.

CARRIED

2 Public Participation

7.1 Breach of Council's Code of Conduct

Carolyn Leslie
Christine Moriarty

8.2 Proceedings of the Finance, Audit & Risk Subcommittee 5 April 2017

Nathan Murray

9.2 Chief Executive's Report

3.6 Petition – Halt Negotiation of the Sale of District Pensioner Houses

Lew Rohloff – Horowhenua GreyPower
Ethel Trenor

3 Late Items

There were no late items.

4 Declaration of Interest

There were no declarations of interest.

With the leave of the meeting, Mayor Feyen advised Announcements would be the next item addressed, to be following by the Confirmation of Minutes.

6 Announcements

Petition Presentation

Mr Willie McGregor was welcomed to the table to formally present to Council a 1,000 signature petition (dated 20 September 2016) in relation to the Foxton Cenotaph.

The petition's prayer states :

"We advise that without fair consultation with all local Tangata Whenua and the Foxton Community, we object to the removal of the Cenotaph. We believe this is demeaning and disrespectful to the relatives of both Māori and Pakeha, whose lives were lost during the First and Second World Wars. To relocate the Cenotaph is contrary to the Heritage Act of NZ and goes against the majority wishes of the Foxton Community. Therefore, the undersigned request that the Horowhenua District Council retain the Foxton Cenotaph in its current location as a mark of remembrance to honour those who were lost and safeguard our Urupa."

Mr McGregor then spoke to the petition, the importance of, and relationship to, the Cenotaph of the Foxton Community, and the significance of the number of people who had spontaneously signed the petition. He also spoke against the widening of Main Street which

he said took away the uniqueness of Foxton. Accompanying the petition was a letter from Te Roopu Taiao o Ngāti Whakarete on the Foxton Cenotaph removal and a letter to Mr McGregor from Council's CE.

Mr McGregor requested that once the petition was copied that the original be returned to him, which the Mayor undertook to do.

With the petition formally tabled, Acting CE Mrs Davidson said it would be included in the next Chief Executive's Report so Council could consider formally receiving it.

Prior to the minutes being considered for confirmation, His Worship stood and addressed the meeting saying that there were a number of procedural irregularities that needed to be raised in relation to the 11 April 2017 open minutes. He did not consider the minutes to be a true and accurate record of what transpired at the meeting. There was also no audio recording of the meeting undertaken on that evening.

Deputy Mayor Bishop raised a point of order saying it was inappropriate to be talking about what was spoken about In Committee at that meeting.

At some commotion in the public gallery, the Mayor asked that people quieten down or they would be asked to leave the meeting.

Continuing, Mayor Feyen spoke about a meeting with Deputy Mayor Bishop prior to the 11 April extraordinary meeting where a possible conflict of interest was raised and whether the Mayor should chair the meeting. As Mayor he had exercised his right to Chair the meeting as upheld by the Local Government Act. Council could not go against its own Standing Orders which did not allow for the Chairperson of a meeting nor the meeting itself to rule whether a member had a financial or non-financial interest. Only a member could decide whether he had a conflict of interest. Mayor Feyen said he would therefore exercise his right as Mayor to be a member of all committees ex officio and this right could not be overturned even by a majority vote of Council. As Mayor his appointment to the Committee formed during that meeting would be reinstated forthwith. In future Mayor Feyen said he would chair all meetings of the Horowhenua District Council without challenge unless he took leave of absence or delegated the Chair.

Mayor Feyen commented on Deputy Mayor Bishop chairing the Finance, Audit and Risk Subcommittee meeting held on 25 February. During that meeting Mayor Feyen said the Deputy Mayor had failed to disclose the general nature of the business to be discussed In Committee. The public were entitled to know that this matter related to the CE's business interests which were already in the public domain prior to the meeting.

Deputy Mayor Bishop raised a point of order saying that matters pertaining to the CEO should not be discussed when they were an In Committee item.

Citing The Local Authorities Interests Act 1968, Mayor Feyen said that did not allow a member to vote or take part in discussion on any matter before the governing body in which that person directly or indirectly had any pecuniary interest. The penalty was a fine not exceeding \$100.00 but the office of the member would be vacated. That would mean the member concerned would lose their seat on Council. As Mayor, His Worship said he may exercise his right to authorise a full investigation into the interests of all members on the basis of decisions made during the In Committee meetings of 22 February and 11 April 2017.

Commenting on his concerns at the actions in the media by Deputy Mayor Bishop and what he saw as the Deputy Mayor's actions to damage and usurp his position as Mayor, His Worship said he could no longer trust him to carry out the duties of Deputy Mayor. He therefore confirmed his original appointment of Ross Campbell as Deputy Mayor to take immediate effect.

Cr Judd raised a point of order saying that the Mayor did not have the authority to reverse the decision either under Standing Orders or the Local Government Act. He sought clarification of that through the Acting Chief Executive.

The meeting adjourned briefly (4.26-4.30 pm) for the Acting CE to seek advice from officers.

Upon the meeting resuming, Mrs Davidson advised that the Mayor under Section 41A(3)(a) had the power to appoint the Deputy Mayor. Under the same section, a local authority had the power to discharge the Mayor's powers and make its own appointment, which was what Council had done. Following the appointment of Cr Bishop as Deputy Mayor, upon the request of the Mayor Council had sought legal advice as to whether he could reappoint Cr Campbell as his deputy.

At Mrs Davidson's request, Mr Lester gave a summary of the legal advice received from Jonathan Salter of Simpson Grierson. The advice received essentially said that once Council had made a decision by way of majority vote, the Mayor did not have the power to reverse that decision. To do so would go against the democratic process.

Whilst acknowledging the legal advice received and commenting further, Mayor Feyen said he had spoken to a number of people about this matter which was a legal loophole. He said it was an idiotic law and part of the reason he was taking this stance was so the Government would look at the legislation. Also the information he had received from LGNZ was not at all helpful. Mayor Feyen reiterated that, as he saw it, Cr Campbell was his Deputy Mayor.

Mayor Feyen noted that there was a Code of Conduct complaint on the Agenda and also a malicious petition to remove him as Mayor. Standing Orders did not permit publication of any documentation made with ill-will or improper advantage being taken of the publication. Mayor Feyen said he considered both of those items to have been made with ill will and he understood they would be withdrawn from the Agenda.

Cr Gimblett raised a point of order saying the Notice of Motion had been presented in a proper manner and had fitted all the requirements so could not be withdrawn.

Offering his apologies and saying it was the petition about the Mayor's removal that was being withdrawn, His Worship advised that, while he thought it should not go ahead, the Code of Conduct Notice of Motion would be considered.

Mayor Feyen then spoke in some detail about his disappointment at the treatment he felt he had received even before he had been elected Mayor, with damaging reports in the media and with Councillors openly supporting the Chief Executive against him. He noted that the Code of Conduct did not permit any member of the Council to comment to the media without first obtaining the approval of the Mayor, which meant that no member, except the Mayor, was permitted to speak to the media on behalf of Council. There had been a number of unauthorised media releases by Councillors and he would be looking at further at that and taking appropriate action.

Mayor Feyen said his aim was to bring this divided Council together and, whilst he believed this was a possibility, there were some hard truths that must be addressed in the short term.

5 Confirmation of Minutes

MOVED by Cr Judd, seconded Cr Wanden:

THAT the minutes of the meeting of the Council held on Wednesday, 15 March 2017, be confirmed as a true and correct record.

CARRIED

MOVED by Cr Judd, seconded Cr Wanden:

THAT the minutes of the meeting of the Extraordinary Meeting of Council held on Tuesday, 11 April 2017, be confirmed as a true and correct record.

CARRIED

With the Mayor saying he did not believe these minutes were a true and correct record, a division was called for, voting on which was as follows:

For:

Councillors: Wayne Bishop
Ross Brannigan
Barry Judd
Victoria Kaye-Simmons
Christine Mitchell
Bernard Wanden

Against:

Councillors: Ross Campbell
Michael Feyen

Crs Gimblett and Tukapua had been absent from the meeting so abstained from voting.

The division was declared CARRIED by 6 votes to 2.

7 Notices of Motion

7.1 Breach of Council's Code of Conduct

Purpose

In accordance with Standing Order 26, to bring to Council a Code of Conduct complaint via a Notice of Motion.

With two people wishing to speak to this item, Carolyn Leslie and Christine Moriarty, Mayor Feyen advised that what was being addressed at this stage was process and not alleged breaches and he requested the speakers to bear that in mind in their comments.

With the initial speaker, Carolyn Leslie going into more detail about the alleged breach than appropriate at this stage, Mrs Davidson advised that the purpose of the item was not to debate whether or not there had been a breach, it was for Council to consider whether the Chief Executive should be requested to follow a process following the complaint. If Council chooses to follow a process, then there would be the opportunity for debate whether or not there had been a breach.

Responding to a query from Ms Leslie, Mayor Feyen said at this stage it was just about receiving the Notice of Motion. If it went further, those who wished to speak on the matter would then have the opportunity to do so.

Ms Leslie then said she had nothing further to say as she had basically addressed the points she had seen in the Notice of Motion. In summarising what she had wished to say, Ms Leslie said she thought it was unnecessary to call a code of conduct and any issues should have been taken to Cr Campbell personally to be discussed and appropriately addressed. Noting the values that Cr Campbell was alleged to have breached, Ms Leslie said, considering the advertisement in the "Chronicle" perhaps all Councillors were guilty of Code breaches.

Ms Christine Moriarty introduced herself and queried why a Code of Conduct breach had been brought against Cr Campbell as she said he was only telling the truth about the Council building, as he should as an elected member representing the voters and

Council staff. She also said that all decisions should be made in the public view and, if there was nothing to hide, everyone should be able to hear everything. She expressed a concern re safety as the building was a Civil Defence Centre and it should be up to standard or another building sought.

Ms Moriarty said she disagreed with going through this Code of Conduct and she would like everyone to behave to move forward in the community's interests.

MOVED by Cr Judd, seconded Cr Kaye-Simmons:

THAT Report 17/181 on Breach of Council's Code of Conduct be received.

CARRIED

Cr Gimblett, the mover of the Notice of Motion, said for clarity, after talking with the Acting CE around process, the motion he was putting was the altered Notice of Motion being:

"That the Notice of Motion received be noted by Council and treated as a formal complaint under Council's Code of Conduct and the Chief Executive be instructed to follow the process for determination and investigation as established by the Code of Conduct".

In speaking to the motion, Cr Gimblett expressed his thanks to the two speakers who had raised issues that needed to be brought out around the whole Code of Conduct process. It was a serious business, even though there was not much punishment. It was not to be taken lightly or used for trivial errors.

Cr Gimblett then explained in some detail his rationale for bringing the Code of Conduct citing the areas where he believed Cr Campbell had crossed the line from truth and integrity to lies and unsubstantiated innuendo.

Mayor Feyen requested Cr Gimblett to be careful with his comments, noting that nothing had been proved as to lies or the like.

Cr Gimblett continued with his explanation as to why he considered Cr Campbell's comments were not truthful and why the Code of Complaint should proceed, with the Mayor requesting him to speak to the motion as he suggested some of the comments were in contention.

Concluding his comments and with a suggestion to potentially shortcut the process, Cr Gimblett said if Cr Campbell would announce this evening that he would take down his post on Facebook and apologise to the public and the Councillors, he would support not going further with this Code of Conduct.

As the seconder, and confirming that he agreed with the change to the altered Notice of Motion, Cr Brannigan spoke to the motion expressing his concern particularly in relation to the In Committee aspect of the Code of Conduct complaint which was an extremely important function. It was not about hiding things from the public, but was to protect not only the organisation but individuals, and not to open Council up to risk. Cr Brannigan urged that Councillors adopt to go through the Code of Conduct process so the matter could be dealt with accordingly.

Mrs Davidson reiterated that the motion was not for Council to debate whether a breach had occurred, it was to consider whether the Notice of Motion should be treated as a formal complaint and then to instruct the CE to follow a process for determination and investigation into the matters raised.

Mayor Feyen read out the altered Notice of Motion, and then invited Cr Campbell to speak if he so wished.

Cr Campbell said he was not going to defend himself, but he certainly understood the character of those who were bringing the motion against him. He spoke briefly to the issue of the building report, and with regard to the Facebook post, he had followed due process and had cleared it with the Mayor before it was posted.

Following commenting further in relation to Facebook posts and In Committee processes, Mayor Feyen called for a division on the amended Notice of Motion:

MOVED by Cr Gimblett, seconded Cr Brannigan:

THAT the Notice of Motion received be noted by Council and treated as a formal complaint under Council's Code of Conduct and the Chief Executive be instructed to follow the process for determination and investigation as established by the Code of Conduct

AND FURTHER

THAT the Chief Executive Officer be instructed to follow the process for the determination and investigation of complaints as set out in the Code of Conduct.

Voting on the division was as follows:

For:

Councillors: Wayne Bishop
Ross Brannigan
Neville Gimblett
Barry Judd
Victoria Kaye-Simmons
Christine Mitchell
Bernard Wanden

Against:

Councillors: Ross Campbell
Michael Feyen

Cr Piri-Hira Tukapua abstained.

The division was declared CARRIED by 7 votes to 2.

8 Proceedings of Committees

8.1 Proceedings of the Foxton Community Board 3 April 2017

Purpose

To present to the Council the minutes of the Foxton Community Board meeting held on 3 April 2017.

MOVED by Cr Judd, seconded Cr Campbell:

THAT Report 17/167 Proceedings of the Foxton Community Board 3 April 2017 be received.

THAT the Council receive the minutes of the Foxton Community Board meeting held on 3 April 2017.

CARRIED

With the Minutes noting that the Foxton Beach Freeholding Fund had achieved a balance of \$5m, Cr Campbell queried if it was a wise move to have the Fund at that level rather than it being expended for the benefit of Foxton Beach residents.

Acting CE, Mrs Davidson, clarified that the comment in the Minutes was in relation to the sale of sections in Forbes Road with those having sold a lot faster than initially anticipated. The Funds in the account reflected the decisions made by Council as to

how money would be allocated, but also reflected the Freeholding Account Strategy and Policy adopted by Council in 2009. At some stage the Foxton Community Board and Council may wish to have strategic conversation about the use of those monies.

Cr Gimblett added that a lot of the major works, such as water and sewerage, were covered by Council's harmonisation policy and that needed to be borne in mind when considering what the funds were spent on.

8.2 Proceedings of the Finance, Audit & Risk Subcommittee 5 April 2017

Purpose

To present to the Council the minutes of the Finance, Audit & Risk Subcommittee meeting held on 5 April 2017 and the quarterly Financial Report to 31 March 2017.

MOVED by Cr Brannigan, seconded Cr Mitchell:

THAT Report 17/168 Proceedings of the Finance, Audit & Risk Subcommittee 5 April 2017 be received.

CARRIED

Mr Nathan Murray joined the table and amongst his comments he referred to the visit by Ms Perera, Council's Audit Director from Audit New Zealand to the 26 April FARS meeting. Council had received a further unmodified audit opinion in October last year and Mr Murray congratulated the previous Council on this achievement. He also gave credit to Mr Law, Council's Chief Financial Officer for the excellent information provided which had seen Audit NZ satisfied with what they had received.

Mr Murray further commented on Council receiving tertiary accreditation with ACC which attracted a 20% discount on ACC levies; the value of Council's Standard and Poors rating which, along with the good work by officers, assisted Council in receiving competitive loan interest rates.

MOVED by Cr Campbell, seconded Cr Judd:

THAT the Council receives the minutes of the Finance, Audit & Risk Subcommittee meeting held on 5 April 2017 and the quarterly Financial Report to 31 March 2017.

CARRIED

Cr Mitchell raised the fact that she found the dashboard in the 9 monthly report confusing. This had been raised with Mr Law and, with Council's leave, there would be some discussion on presenting something that was easier to understand.

An incorrect heading was also noted on page 32. This related to Capital Expenditure, not Operational Expenditure and the heading would be corrected.

In response to specific requests, Mr Law gave an explanation of the difference between External and Internal Loans and Interest by Activity (Agenda pages 42 & 43) and also the meaning of the boxes on the top of page 32. The total capital expenditure percentage by suburb graph also needed to be checked as there were some that showed 0%.

8.3 Proceedings of the Community Wellbeing Committee 11 April 2017

Purpose

To present to the Council the minutes of the Community Wellbeing Committee meeting held on 11 April 2017.

MOVED by Cr Judd, seconded Cr Brannigan:

THAT Report 17/170 Proceedings of the Community Wellbeing Committee 11 April 2017 be received.

THAT the Council receive the minutes of the Community Wellbeing Committee meeting held on 11 April 2017.

CARRIED

Cr Kaye-Simmons noted that Braided River was part of the domestic and family violence charter arrived at by a working party previously, as a result of which the Local Management Group had agreed to place it within their core responsibilities. She queried which agencies were on the Local Management Group and if there was a representative from the Police, were they a member of the Domestic Violence team. She also suggested the Family Violence Intervention Programme be added to the Local Management Group because they had key statistics and information that would be helpful for the Action Plan going forward. Another thing that Council could do immediately, at no cost and as part of community wellbeing, would be to include names, numbers and links for people who were in trouble to make contact.

Responding to the query in terms of the Local Management Group membership, Mrs Kidd said she did not have that information in front of her but she would check as it did comprise a number of government agencies as well not for profit organisations and there were some family violence intervention providers represented. Cr Kaye-Simmons suggestion regarding promoting names and contact details for people in trouble on the website would also be promoted.

Cr Brannigan commented on the successful Youth Civil Defence Camp that had recently been held at Makahika and suggested that those involved be invited to present to Council on the initiative.

Adding further to Cr Kaye-Simmons remarks, Cr Judd raised the challenges facing this, and other communities, with regard to housing and also domestic violence. These were two issues before the Local Management Group. The Group's aim was to ensure it was not the provider, but it sought to pull Government Agencies and the community together to improve statistics around domestic violence and also around social housing. The fact that there was a significant challenge around low cost quality accommodation was not news and having a good community housing provider to provide social housing moving forward would be critical to solving some of those problems.

Responding to a query in relation to the Festival of Stories, Mrs Kidd said everything was underway, it was being promoted on the website and everyone was very excited.

8.4 Proceedings of the Community Funding and Recognition Committee 29 March 2017

Purpose

To present to the Council the minutes of the Community Funding and Recognition Committee meeting held on 29 March 2017.

MOVED by Cr Judd, seconded Cr Gimblett:

THAT Report 17/173 Proceedings of the Community Funding and Recognition Committee 29 March 2017 be received.

THAT the Council receive the minutes of the Community Funding and Recognition Committee meeting held on 29 March 2017.

CARRIED

In response to a query, Mrs Kidd advised that the community event/consultation trailer noted in the recommendations was being organised in partnership with Neighbourhood Support and was different to one that was already in the community.

MOVED by Cr Gimblett, seconded Cr Campbell:

THAT the Horowhenua District Council ratifies the following applications for Round 2 2016/17 of the Community Consultation Grant:

Community Consultation Fund		\$9,556.58
Applicant	Description	Amount
Manakau District Community Association	Website Hosting and Management \$350.00, Public Liability Insurance \$322.00	\$672.00
Hokio Beach Residents Association	Contribution to costs of Hokio Reserve Shelter (*transferred to Community Development Grant)	\$2,000.00
Mangaore Village Residents Association	General Administration and Insurance	\$471.93
Waitarere Beach Progressive and Ratepayers Association	Newsletters, Webhosting, Accounting package	\$217.67
Total Recommended		\$3,361.60
Balance of Community Consultation Fund	Committee recommended this to be allocated towards a Community Event/ Consultation Trailer for use by Community Groups/ Resident Associations for Community Consultation Events	\$6,194.98

AND FURTHER

THAT the Hokio Beach Residents Association Application of \$2,000.00 be transferred to the Community Development Fund.

THAT the \$6,194.98 left over from the Community Consultation Grant be allocated towards the Community Event / Consultation Trailer for use by Community Groups / Resident Associations.

THAT the Horowhenua District Council ratifies the following applications for Round 2, 2016/2017 of the Community Development Grant:

Applicant	Project	Amount
Adult Day Care Centre	To prevent isolation and promote community involvement for older and disabled persons.	\$2,400.00
Life to the Max	Active Skills Youth Holiday Programme	\$2,242.90
Horowhenua AP&I Association	Help towards annual rates Declined: Received funding in previous round	\$0.00
The Parenting Place- Attitude Youth Division	To provide life skills education programmes in 3 Horowhenua Schools. Declined: Able to access national funding	\$0.00
Parkinsonism Society Kapiti/Horowhenua	Horowhenua Community Educator Home Visit and Support Service costs, Travel and Telephone Costs incurred	\$1,697.10

Age Concern Horowhenua	Presence at Te Waiora Community Health – increase Age Concern’s reach to include Foxton based elder persons. Outreach office in Foxton on a weekly basis to meet the demand for a service in Foxton.	Partial Funding \$2,816.00
The Horowhenua Events Centre	Purchase of chairs for Events Centre Declined:	\$0.00
Foxton Historical Society	Electricity cost -Safe Storage of Archives, Photos, Objects, Documents, in humidity and temperature controlled environment	\$960.00
Whenua Fatales Roller Derby League Inc.	Sur5al Roller Derby Tournament	\$400.00
Evolocity	Project based learning programme in high schools, developing skills in electric vehicles and technology	Withdrawn \$0.00
Teen Zone	“Big Day Out” Outings and Support Services for families of Special Needs \$1500.00 for outings, \$500.00 to cover support group	Partially Funded \$2,000.00
Horowhenua Women’s Evergreen Softball Club	Hosting Of National Tournament in Horowhenua (No retrospective events)	\$0.00
Showground Sport	Pacific Island Social Volleyball Club, For Hiring Event Centre	\$1,300.00
NZ Schools Cycling Association	National Schools Cycling Championships being held in Horowhenua/Manawatu region from 30 Sept/2 Oct 2017. Awarded Funding in Round 1 to be rolled over	\$0.00
Aoteroa Women’s Conference	Maori Women’s Conference (+-100 pax attending Tatum Park in September 2017)	\$4,090.00
Levin Performing Arts	Operational Costs for Musical Live Theatre and Performing Arts (for PLI)	\$2,235.12
Alzheimer’s Society Manawatu	Awareness Event: Annual Memory Walk	\$1800.00
Waitarere Beach Development Association	Community Garden	\$419.00
St Marys Scouts	Motor Vehicle and Contents Insurance	\$770.00
Citizens Advice Bureau Levin	Operational costs including telephone etc.	Partial Fund \$2,000.00
		\$25,130.12

THAT the Horowhenua District Council notes the following applications for the International Representation Grant for \$1,700.00:

Applicant	Description	Amount
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<i>Amber Metcalf</i>	<i>Solo Athlete for a Zone 1 Competition, (Under 14's Junior NZ Women's team inline skating)</i>	<i>200.00</i>
<i>Janae Whakarau</i>	<i>Solo Athlete for a Zone 5 Competition (World Taekwon Do Championships in Ireland)</i>	<i>600.00</i>
<i>Kees Hooper Whiti</i>	<i>Solo Athlete for a Zone 5 Competition (World Taekwon Do Championships in Ireland)</i>	<i>600.00</i>
<i>Andrew Salton</i>	<i>Coach for a Zone 5 (World Taekwon Do Championships in Ireland)</i>	<i>300.00</i>
		\$1,700.00

THAT the Horowhenua District Council ratifies the Community Funding and Recognition Committee's recommendation that the balance of funds from the Community Consultation Grant be allocated to equipment that empowers Community/Resident Associations such as Community Event/Consultation Trailer (For use by Community Resident Association Groups for Community Events/Consultations and or as part of Rural Resident Associations Emergency Preparedness Response)

CARRIED

8.5 Proceedings of the Tenders Committee 15 March 2017

Purpose

To present to the Council the minutes of the Tenders Committee meeting held on 15 March 2017.

MOVED by Cr Judd, seconded Cr Brannigan:

THAT Report 17/178 Proceedings of the Tenders Committee 15 March 2017 be received.

THAT the Council receive the minutes of the Tenders Committee meeting held on 15 March 2017.

CARRIED

9 Executive

9.1 Monitoring Report to 26 April 2017

Purpose

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

MOVED by Cr Wanden, seconded Cr Campbell:

THAT Report 17/180 Monitoring Report to 26 April 2017 be received.

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

CARRIED

Page 140 14/585 – District Plan – Discussions re inclusion of Paiaka Camp
Cr Campbell to be updated on the status of those discussions.

- Page 143 17/9 – Review of Dog Control Regime – National Action Plan
Once the consultation process and timing had been confirmed Crs Campbell and Mitchell would be advised.
- Page 145 17/102 - Adoption of Terms of Reference Community Forums
It was confirmed, in response to a query from Cr Mitchell, that there would in fact be two working parties, one for the Economic Forum and one for Environment Forum.

9.2 Chief Executive's Report to 26 April 2017

Purpose

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

MOVED by Cr Judd, seconded Cr Bishop:

THAT Report 17/121 Chief Executive's Report to 26 April 2017 be received.

THAT these matters or decisions be recognised as not significant in terms of s76 of the Local Government Act 2002.

CARRIED

Speaking on behalf of Horowhenua GreyPower to the petition contained in the CE's Report calling for Council to halt the negotiation for the sale of district pensioner houses, Mr Rohloff provided copies not only of his submission to tonight's meeting, but also a copy of Horowhenua GreyPower's letter on the topic to the Controller and Auditor General, a statement of Community Concern for Pension Housing (Horowhenua District), and a media statement made by the Association on the subject. Seeing some recent events as an indication of seeking to have 'desirable public engagement and re-establishing the opportunity for constructive community input; he requested that this be developed into a beneficial reality.

Ms Ethel Trenor expressed her support for the last speaker concerning retaining pensioner housing. She suggested that perhaps Council could become a community housing provider and therefore tenants could receive the subsidy, or pensioner homes could be retained and another group could manage them. She was not sure if these were options that had been considered. She reiterated her desire for the houses to be retained for future pensioners.

Working through items in the report and prior to answering any questions, Mrs Davidson noted a correction with regard to the report numbering and content and also that 3.5, the petition seeking the resignation of the Mayor, had been withdrawn.

- 3.5 Petition – That Michael Feyen resign his position as Mayor of Horowhenua
In response to a query as to why this item had been withdrawn, Mrs Davidson said as per Standing Orders which set out when petitions may come to the table, after discussion with the Mayor it had been withdrawn because of its potential offensiveness.
- 3.7 New Zealand Planning Institute Conference Report – Cr Wanden
Mayor Feyen complimented Cr Wanden on his Conference Report saying attendance at such events, which had quality speakers, was of benefit not only to the attendee but for Council as a whole.

MOVED by Cr Judd, seconded Cr Gimblett:

THAT the Horowhenua District Council hereby dedicates parcel of land Sec 3 of SO 385054 on Koputaroa Road, as road reserve.

THAT the Horowhenua District Council formally received the petitions in relation to Continuing with Foxton Main Street Upgrade and to Halt Negotiation of the Sale of District Pensioner Houses.

CARRIED

9.3 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 Judd, seconded Cr Wanden:

THAT Report 17/109 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 surrendering the Lease Instrument for Kearwood Realties Limited. Application under s99A Land Transfer Act 1952 re Levin Borough Council to The Horowhenua District Council and a new Lease Instrument with Kearwood Realties Limited for 183-185 Oxford Street, Levin for a term of 21 years from 14 March 2016;*
- (b) *Electronic Transaction Authority relating to Partial Discharge of Bond 375917.2 registered against certificate of title 135728 (Wellington Registry).*

CARRIED

With Council looking to adopt policies in relation to Community and Commercial leases this evening, and with those policies not applying to existing leases such as that set out in 2.3(a), Cr Tukapua requested that in future for long term leases more information could be provided to provide some background.

NOTED

10 Customer and Community Services

10.1 Resource Consenting (Planning) Matters Considered Under Delegated Authority

Purpose

To present details of decisions made under delegated authority in respect of Resource Consenting (Planning) Matters.

MOVED by Cr Kaye-Simmons, seconded Cr Judd:

THAT Report 17/120 Resource Consenting (Planning) 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.

CARRIED

10.2 Community Leases Policy

Purpose

The purpose of this report is to provide information on the draft Community Leases Policy and seek a resolution from Council to adopt the Community Leases Policy.

MOVED by Cr Wanden, seconded Cr Mitchell:

THAT Report 17/159 Community Leases Policy be received.

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

CARRIED

Council's Property & Parks Manager, spoke to this report noting that it followed a recent workshop. With Council not having a formal community leasing policy, this would provide structure for the future.

For the public record, Cr Tukapua raised the issue of the length of time and the fairly modest amount, some \$200 pa, for some of the community leases. Whilst it was appreciated that these were for organisations that contributed to further outcomes, such as Jack Allen House, Cr Tukapua queried how many of these leases there were.

Mr Nelson advised that there were a fair number of community leases that were less than \$200 pa, and there were some that were more. The idea behind the policy was to have a framework so that anybody applying for a community lease would know the cost. These leases were for people or organisations which were contributing to Council outcomes which was why the rate was set reasonably low.

It was noted that when a lease term exceeded five (5) years it would come to Council so Councillors would be kept informed, with Mr Nelson adding it was about tidying things up so Councillors would have a good idea of what was occurring. Under the Reserves Act land could be tied up for quite a significant time and it was important that the pros and cons were debated. He reiterated that any community lease over five years would be brought to Council in the future.

Cr Campbell raised the fact that he may have a conflict of interest because he did lease land off Council.

Mrs Davidson advised, depending on the nature of those leases (whether they were community or commercial), it was up to Cr Campbell to decide whether he should declare an interest.

Cr Campbell said he thought he had a conflict of interest with regard to both community and commercial leases and he withdrew from the table.

MOVED by Cr Wanden, seconded Cr Mitchell:

THAT the Horowhenua District Council adopts the Community Leasing Policy.

CARRIED

Cr Wanden advised he also had a conflict of interest with regard to the following item and withdrew from the table.

10.3 Commercial Lease, Concessions, and Permit Policy

Purpose

The purpose of this report is to present the Commercial Leases, Concessions, and Permit Policy and seek a resolution from Council to adopt the Policy.

MOVED by Cr Brannigan, seconded Cr Kaye-Simmons:

THAT Report 17/161 Commercial Lease, Concessions, and Permit Policy be received.

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

CARRIED

Mr Nelson spoke to the report and responded to queries with regard to sub-leasing, grazing land, and review of leases (which was now provided for in the Policy).

MOVED by Cr Brannigan, seconded Cr Kaye-Simmons:

THAT The Horowhenua District Council adopts the Commercial Lease, Concessions and Permit Policy.

CARRIED

Crs Campbell and Wanden rejoined the table.

11 Strategic Planning

12.1 Draft Combined Foxton Reserves Management Plan

Purpose

The purpose of this report is to seek Council approval to publicly consult on the Draft Combined Foxton Reserves Management Plan.

MOVED by Cr Gimblett, seconded Cr Campbell:

THAT Report 17/146 Draft Combined Foxton Reserves Management Plan be received.

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

CARRIED

Council's Graduate Strategic Planner, Caitlin O'Shea, gave a background to the documentation, explaining the rationale for a joint approach rather than individual plans for each reserve. She confirmed that a similar approach to consultation would

be undertaken as had been for the Foxton Beach Investment Plan.

MOVED by Cr Gimblett, seconded Cr Campbell:

THAT Council adopts the Draft Combined Foxton Reserves Management Plan and authorises Council Officers to consult on the draft document in accordance with the Reserves Act 1977.

THAT if necessary, the Senior Manager – Strategic Planning, be authorised to correct any minor drafting errors prior to the Draft Combined Foxton Reserves Management Plan being published for consultation.

CARRIED

13 Procedural motion to exclude the public

MOVED by Cr Bishop, seconded Cr Campbell:

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:

Confirmation of In Committee Meeting Minutes – 15 March 2017

Confirmation of In Committee Extraordinary Meeting Minutes – 11 April 2017

C1 Proceedings of the Tenders Committee 15 March 2017

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
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.	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).	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.

C2 Appointment of Finance, Audit and Risk Chairperson

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
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.	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person. 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).	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.

C3 Forbes Road Market Assessment

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
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.	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).	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.

AND FURTHER

That appropriate Council Officers remain in the meeting to provide assistance as required.

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

6.25 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.

7.20 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:.....