
Council

OPEN MINUTES

Minutes of an extraordinary meeting of Council held in the Council Chambers, 126-148 Oxford St, Levin, on Monday 27 November 2017 at 8.30 am.

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	(to 12.48 pm)
	Mrs V M Kaye-Simmons	
	Mrs J F G Mason	
	Mr B P Wanden	

IN ATTENDANCE

Mr D M Clapperton	(Chief Executive)
Mr D Law	(Chief Financial Officer)
Mr G Saily	(Group Manager – Infrastructure Services)
Mr M J Lester	(Group Manager – Corporate Services)
Mr D McCorkindale	(Group Manager – Strategy & Development)
Mr M E Lepper	(Customer & Regulatory Services Manager)
Mr S Grainger	(Economic Development Manager)
Mr D Haigh	(Growth Response Manager)
Mr J Richmond	(Community Wellbeing Manager)
Mr S Wood	(Legal Advisor)
Mr I McLachlan	(Risk Management Lead)
Mr D O'Regan	(Strategic Communications Advisor)
Mrs K J Corkill	(Meeting Secretary)
Ms S Bowling	(Meeting Secretary)

MEDIA IN ATTENDANCE

Ms J Rankin	("Manawatu Standard")
Mr M Wilson	("Manawatu Standard")
Ms S Beckman	("Chronicle")

PUBLIC IN ATTENDANCE

There were approximately 30 members of the public in attendance at the commencement of the meeting.

1 Apologies

Apologies were recorded for Crs Mitchell and Tukapua.

MOVED by Cr Wanden, seconded Cr Mason:

THAT the apologies from Crs Mitchell and Tukapua be accepted.

CARRIED

3 Public Participation

- | | | |
|-----------------|-----|--|
| Anne Hunt | 6.1 | <u>Proceedings of the Community Wellbeing Committee</u> |
| Christina Paton | 6.5 | <u>Proceedings of the Strategy Committee</u> |
| | 8.3 | <u>Notice of Motion</u> |
| | 8.5 | <u>Chief Executive's Report</u>
<u>3.6 Annual Plan Monitoring Report (page 115 – 7B & 7D)</u>
<u>(page 116 – 8D & 9A)</u> |
| | 8.6 | <u>Horowhenua District Council Meeting Schedule 2018</u> |
| | 9.2 | <u>Review of Delegations</u> |
| Olaf Eady | 6.5 | <u>Proceedings of the Strategy Committee</u> |
| | 8.5 | <u>Chief Executive's Report</u>
<u>3.1 Economic Update (final bullet point)</u>
<u>3.6 Annual Plan Monitoring Report (page 113 – 4A)</u> |

4 Late Items

There were no late items.

5 Declarations of Interest

Cr Brannigan advised he had been a submitter to the Draft Land Transport Bylaw 2017 (Item 6.2 – Proceedings of the Hearings Committee 27 October 2017).

1 Requisition for Extraordinary Council Meeting

1.1 Requisition for Extraordinary Council Meeting

Purpose

To present to Council a requisition under clause 22(1)(b)(ii) Schedule 7 of the Local Government Act (LGA 2002), calling an Extraordinary meeting of the Horowhenua District Council.

MOVED by Cr Campbell, seconded Cr Wanden:

THAT Report 17/598 Requisition for Extraordinary Council Meeting be received.

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

CARRIED

Moved: Mayor Feyen Seconded: Cr Campbell

“That the words “because Council Members chose to leave the table” be added following “(not considered at that meeting due to lack of a quorum.....” in Recommendation 2.3”.

Explaining the rationale for the additional words, Mayor Feyen said it better reflected what had occurred at the meeting.

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

For:

Mayor: Michael Feyen
Councillor: Ross Campbell

Against:

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

The division was declared LOST by 2 votes to 7.

The original recommendation 2.3 was put, with Mayor Feyen saying he would be voting for it as there were things on the Agenda, such as the Civic Awards, that required Council's ratification.

MOVED by Cr Judd, seconded Cr Brannigan:

THAT as proposed by the requisition received, the requested Extraordinary Meeting of Council consider the remaining business contained on the agenda for the Ordinary Council Meeting held on Wednesday 22 November 2017 (not considered at that meeting due to lack of a quorum) and other late items that require Council decision prior to the Christmas break.

CARRIED

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

For:

Mayor: Michael Feyen
Councillors: Wayne Bishop
Ross Brannigan
Ross Campbell
Neville Gimblett
Barry Judd
Victoria Kaye-Simmons
Joanna Mason
Bernard Wanden

Against:

The division was declared CARRIED by 9 votes to 0.

6 Proceedings of Committees

6.1 Proceedings of the Community Wellbeing Committee 17 October 2017

Purpose

To present to the Extraordinary Meeting of Council the minutes of the Community Wellbeing Committee meeting held on 17 October 2017; and, to seek Council adoption of the Access and Inclusion Plan.

MOVED by Mayor Feyen, seconded Cr Judd:

THAT Report 17/565 Proceedings of the Community Wellbeing Committee 17 October 2017 be received.

THAT the Extraordinary Meeting of Council receive the minutes of the Community Wellbeing Committee meeting held on 17 October 2017.

CARRIED

Speaking to the Access and Inclusion Plan, Mrs Hunt queried why there was no reference to abilities and disabilities, giving the reasoning behind her query. She stressed the need to give support to people with disabilities and although the policy of normalisation sounded fine in theory, there were people who required special assistance to cater for their needs. Whilst she said she liked the “Inclusive Horowhenua” statement, she further commented that it was all very well to have a policy with high ideals but it was the implementation of those ideals that was important. There needed to be processes in place so that when people did have problems or found themselves at a disadvantage it could be handled swiftly and sensitively and they did not have to feel inferior.

With the word “endorses” to be replaced by “adopts”, it was:

MOVED by Cr Campbell, seconded Cr Judd:

THAT on the recommendation of the Community Wellbeing Committee, the Horowhenua District Council adopts the Horowhenua Access and Inclusion Plan.

CARRIED

Having declared an interest in the adoption of the Land Transport Bylaw 2017, Cr Brannigan withdrew from the table.

6.2 Proceedings of the Hearings Committee 27 October 2017

Purpose

To present to the Extraordinary Meeting of Council the minutes of the Hearings Committee meeting held on 27 October 2017.

MOVED by Cr Judd, seconded Cr Wanden:

THAT Report 17/573 on Proceedings of the Hearings Committee 27 October 2017 be received.

THAT the Extraordinary Meeting of Council receive the minutes of the Hearings Committee meeting held on 27 October 2017.

CARRIED

MOVED by Cr Mason, seconded Cr Wanden:

THAT as recommended by the Hearings Committee, the Horowhenua District Council adopts the Land Transport Bylaw 2017 as consulted on, effective from the date of adoption, with the following amendments:

- *the addition of the change to p15 outside the dairy adjacent to Super Liquor;*
and
- *the inclusion of a beach speed limit of 30 kilometres per hour for all the beaches in the district;*

and that on the adoption by Council the Traffic and Parking Bylaw 2007 and the Stock Control and Keeping of Poultry, Bees and Pigs Bylaw 2005 be repealed.

CARRIED

Cr Brannigan rejoined the table.

MOVED by Cr Wanden, seconded Cr Mason:

THAT as recommended by the Hearings Committee, the Horowhenua District Council adopts the Gambling Class 4 Venue Policy 2017 as consulted on, effective from the date of adoption, when the repeal 2014 Policy will be repealed.

THAT as recommended by the Hearings Committee, the Horowhenua District Council adopts the New Zealand Racing (TAB) Board Venue Policy 2017 as consulted on, effective from the date of adoption by Council, when the 2014 Policy will be repealed.

CARRIED

6.3 Proceedings of the Foxton Community Board 30 October 2017

Purpose

To present to the Extraordinary Meeting of Council the minutes of the Foxton Community Board meeting held on 30 October 2017.

MOVED by Cr Campbell, seconded Cr Gimblett:

THAT Report 17/569 Proceedings of the Foxton Community Board 30 October 2017 be received.

THAT the Extraordinary Meeting of Council receive the minutes of the Foxton Community Board meeting held on 30 October 2017.

CARRIED

6.4 Proceedings of the Finance, Audit & Risk Subcommittee 1 November 2017

Purpose

To present to the Extraordinary Meeting of Council the minutes of the Finance, Audit & Risk Subcommittee meeting held on 1 November 2017.

Recommendation

THAT Report 17/570 Proceedings of the Finance, Audit & Risk Subcommittee 1 November 2017 be received.

THAT the Extraordinary Meeting of Council receive the minutes of the Finance, Audit & Risk Subcommittee meeting held on 1 November 2017.

Responding to concerns raised by Cr Campbell in relation to some deficiencies he said he saw in the Policy, particularly in relation to borrowing and lending, Cr Judd said this was a Risk Management Policy, not a borrowing or financial policy, and it set out how the organisation would deal with risk.

Mr Clapperton supported Cr Judd's comments outlining the thorough process the policy had undergone, including a number of workshops and briefings and also being considered by the Finance, Audit & Risk Subcommittee.

A point of order for misrepresentation was raised by Cr Brannigan with regard to comments made by Mayor Feyen who did say that Council needed a Risk Policy but alluded to a number of enquiries that were being undertaken which involved people who had developed the Policy. Because he was aware of the enquiries, Mayor Feyen said he would abstain from voting.

MOVED by Cr Judd, seconded Cr Brannigan:

THAT as recommended by the Finance, Audit & Risk Subcommittee, the Horowhenua District Council adopts the Risk Management Policy.

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

For:

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

Against:

Councillor: Ross Campbell

Mayor Michael Feyen abstained.

The division was declared CARRIED by 7 votes to 1.

6.5 Proceedings of the Strategy Committee 8 November 2017

Purpose

To present to the Extraordinary Meeting of Council the minutes of the Strategy Committee meeting held on 8 November 2017.

MOVED by Cr Brannigan, seconded Cr Gimblett:

THAT Report 17/574 Proceedings of the Strategy Committee 8 November 2017 be received.

THAT the Extraordinary Meeting of Council receive the minutes of the Strategy Committee meeting held on 8 November 2017.

CARRIED

Speaking in relation to Council becoming a signatory to the Local Government Leaders' Water Declaration, Mrs Paton suggested it would have been useful for the Environmental and Economic Fora to have been included in the discussion for endorsement as any growth in the Horowhenua District would always be subject to the availability of an adequate water supply.

Saying Council did not need to reinvent the wheel, Mr Eady recommended that Council consult with the Gisborne District Council when it came to setting up a charitable community trust as Gisborne had a trust that was operating magnificently.

MOVED by Mayor Feyen, seconded Cr Judd:

THAT as recommended by the Strategy Committee, Horowhenua District Council becomes a signatory to the Local Government Leaders' Water Declaration.

CARRIED

Following the Mayor and Councillors generally expressing their support for the establishment of a charitable trust and the underlying rationale, it was:

MOVED by Mayor Feyen, seconded Cr Judd:

THAT as recommended by the Strategy Committee, Horowhenua District Council sponsors the establishment of a charitable community trust with the Chief Executive mandated to provide appropriate advice and assistance as the Trust is established.

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

For:

Councillors: Wayne Bishop
Ross Brannigan
Ross Campbell
Mayor: Michael Feyen
Neville Gimblett
Barry Judd
Victoria Kaye-Simmons
Joanna Mason
Bernard Wanden

Against:

The division was declared CARRIED by 9 votes to 0.

CARRIED

7 Elected Members Report

7.2 Report from Deputy Mayor

Purpose

To provide a placeholder for a late report from the Deputy Mayor.

MOVED by Deputy Mayor Bishop, seconded Cr Wanden:

THAT Report 17/599 Report from the Deputy Mayor be received.

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

CARRIED

Cr Campbell ABSTAINED from voting.

Mayor Feyen said he did not like the situation that had occurred, particularly as this report had not been on the original Agenda, and he saw it as a full-on personal attack.

Cr Campbell said he would be abstaining in relation to the item as he did not think it was procedural, he had not seen it before and had not had the opportunity to digest it.

It was noted that it had been emailed to elected members towards the end of last week.

Cr Campbell raised a point of order saying the “we” in the recommendation covered all Elected Members and he personally did have confidence in the Mayor and did not want to be included in the recommendation, suggesting the Elected Members who wished to be included should be named.

Mayor Feyen proposed changing the wording to say “some Elected Members”, which was supported by Cr Campbell, with an amendment to the recommendation signalled.

With the original recommendation moved by Deputy Mayor Bishop and seconded by Cr Wanden, Mayor Feyen moved an amendment, which was seconded by Cr Campbell;

“THAT some Elected Members have no confidence in Mayor Feyen to lead us, the Horowhenua District Council, to represent us or our community, to honour the obligations of his sworn oath, or to discharge the legislative responsibilities, trust and confidence bestowed on the Office of the Mayor.”

Mayor Feyen spoke to the proposed change in wording as he was an Elected Member and did not want to vote for something that said he had no confidence in himself.

The meeting recessed briefly (10.17–10.23 am) to allow some discussion on procedure, with the Mayor requesting quiet from the public gallery.

Mayor Feyen did raise a procedural issue saying that his understanding was that under LGOIMA, as this was a late item Council could not make a decision on it and he requested that be clarified.

Mr Clapperton advised that the report was not a late item as it was included in the original agenda.

Cr Brannigan raised a point of order under Standing Orders 25.2 (d) – misrepresentation, as advice had been provided by the Chief Executive over the weekend with regard to the meeting.

A vote was taken on the amended resolution, with a division called for, voting on which was as follows:

For:

Councillors: Ross Campbell
Neville Gimblett
Mayor: Michael Feyen

Against:

Councillors: Wayne Bishop
Ross Brannigan
Barry Judd
Victoria Kaye-Simmons
Joanna Mason
Bernard Wanden

The division was declared LOST by 3 votes to 6.

Returning to the substantive motion, Deputy Mayor Bishop presented his report, following which Councillors provided their individual views as to why they supported the report, with Cr Campbell being a dissenting voice.

Cr Campbell raised a point of order at the commencement of the report saying it was out of line with the election of the people. The Chair’s response was that he would allow the Deputy Mayor to finish.

Cr Judd raised a point of order under Standing Order 25.2 (a) disorder, as people in the gallery were constantly interjecting and the Chair was doing nothing about it. He requested that they be removed.

The Chair requested those in the gallery, no matter what their position was, to simply listen and not voice their frustration.

The Mayor spoke in some detail to the allegations raised in the report saying he would argue against them as he thought they were a lot of codswallop. He did challenge a lot of what was happening at HDC and how it happened and a motion of no confidence was not going to get him out of the position as Mayor; only the voters could do that and he would welcome any sort of investigation into the organisation.

Cr Brannigan raised a point of order (Standing Order 25.2 (d) misrepresentation) suggesting the Mayor needed to expand on his comments rather than just making wide ranging statements.

Saying that 95% of the things that happened around the table they all agreed on, Mayor Feyen enumerated the many good things he saw occurring and made further comments to refute some of the issues that had been raised.

Further Points of Order were raised in relation to the Mayor's comments by Deputy Mayor Bishop (Standing Order 25.2 (c) relevance); Cr Judd (Standing Order 25.2 (d) misrepresentation); and Cr Brannigan (Standing Order 25.2 (c) relevance), with the Chair responding that his comments were relevant as he was rebutting some of the things that had been said.

Deputy Mayor Bishop concluded the discussion with his right of reply.

MOVED by Deputy Mayor Bishop, seconded Cr Wanden:

THAT as Elected Members we have no confidence in Mayor Feyen to lead us, the Horowhenua District Council, to represent us or our community, to honour the obligations of his sworn oath, or to discharge the legislative responsibilities, trust and confidence bestowed on the Office of the Mayor.

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

For:

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

Against in the present form:

Councillors: Ross Campbell

Mayor Michael Feyen abstained.

The division was declared CARRIED by 7 votes to 1.

MOVED by Deputy Mayor Bishop, seconded Cr Kaye-Simmons:

THAT going forward comments made by Mayor Feyen in a private or official capacity do not represent the views of the Horowhenua District Council collective.

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

For:

Councillors: Wayne Bishop
Ross Brannigan
Neville Gimblett
Barry Judd
Victoria Kaye-Simmons

Against:

Councillors: Ross Campbell

Joanna Mason
Bernard Wanden

Mayor Michael Feyen abstained.

The division was declared CARRIED by 7 votes to 1.

The meeting adjourned briefly (11.15-11.32 am)

8 Executive

8.3 Notices of Motion: Council Building; Reintroduction of Development and/or Financial Contributions

Purpose

In accordance with Standing Order 26, the Chief Executive has received Notices of Motion from Mayor Feyen, seconded by Cr Campbell, with the request that they be placed on the agenda for the 22 November 2017 Council meeting.

To provide Mayor Feyen and Cr Campbell the opportunity to speak to these Notices of Motion and for Council to consider appropriate courses of action.

MOVED by Cr Campbell, seconded Mayor Feyen:

THAT Report 17/582 Notices of Motion: Council Building; Reintroduction of Development and/or Financial Contributions be received.

CARRIED

Mayor Feyen noted there had been three Notices of Motion initially, with one having been removed, with his agreement, prior to the Agenda being compiled.

Mayor Feyen also requested, with the approval of the seconder, that the Notice of Motion in relation to the Council Building be withdrawn and reactivated in the New Year as he was still awaiting some reports. Cr Campbell concurred.

Mrs Paton spoke to the Notice of Motion relating to Development Contributions supporting their reintroduction as they were a fairer way to fund growth related expenditure.

Mayor Feyen moved the Notice of Motion 3.1.2 in relation to Development Contributions, with a change in wording so that the matter would be directed to the Strategy Committee in the first instance so better discussion could be undertaken. The amended wording was agreed to by the seconder, Cr Campbell.

Confusion on the need for the Notice of Motion was expressed as the matter was under discussion and the process going forward was already in train.

Mr Clapperton spoke in support of starting the discussion on the reintroduction of Development/Financial Contributions through the Strategy Committee. It was quite a complex issue and it would take some time to go through the process.

MOVED by Mayor Feyen, seconded Cr Campbell:

THAT in light of the District's current and potential growth, discussion on the reintroduction of Development and/or Financial Contributions commences through the Strategy Committee at its December 2017 meeting.

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

For:

Councillors: Wayne Bishop
Ross Brannigan
Ross Campbell
Michael Feyen
Neville Gimblett
Barry Judd
Victoria Kaye-Simmons
Joanna Mason
Bernard Wanden

Against:

The division was declared CARRIED by 9 votes to 0.

8.4 Monitoring Report to 22 November 2017

Purpose

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

MOVED by Cr Campbell, seconded Cr Brannigan:

THAT Report 17/509 Monitoring Report to 22 November 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 96 14/585 – District Plan: Plan Change Timing

Responding to a query from Cr Campbell about the timeline for working with the owners at Paiaka Camp, Mr McCorkindale said Council would be working with owners to see whether they wished their buildings to be listed.

Page 97 17/97 – Draft Land Transport Bylaw 2007

Cr Brannigan commended the Hearings Committee on its foresight in supporting the 30 kph beach restriction as it was hugely important for the coastal environment, its sustainability and access to it.

8.5 Chief Executive's Report to 22 November 2017

Purpose

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

MOVED by Cr Campbell, seconded Cr Mason:

THAT Report 17/368 Chief Executive's Report to 22 November 2017 be received.

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

CARRIED

Mrs Paton referenced the ultimate sentence of the fourth bullet point of the Economic Development update requesting the inclusion of water supply as well as land supply needs, saying if more people were going to be brought into the district a supplementary water supply would be needed.

Mrs Paton then held up a map that identified the liquefaction areas in the district saying that Council also needed to take account of those areas when looking for land for development as it was quite a significant land area.

Cr Brannigan advised that there had been some new liquefaction modelling done for the area which looked vastly different from that shown on the map provided by Mrs Paton. It drilled down and showed areas that were highly susceptible, moderate and low. He undertook to provide that information.

Responding to a query from Mayor Feyen as to whether she would support the notion of new houses having grey water systems or water tanks, with possible rates relief for that, Mrs Paton said she had always supported the notion that every dwelling should have its own water collection system. It was common sense and would take the pressure off stormwater disposal.

Also speaking to the issue of water supply and sustainability, Mr Eady commented on the increase of bobby calf throughput this year at Alliance Meats (13,000 to 39,000), suggesting that water meters for Levin should be looked at to assist with meeting future demand.

As queried by Mr Eady, Mr Clapperton explained what was involved with Council exploring joint service arrangements with neighbouring councils to reduce 'back office expenditure', noted in the Annual Plan Monitoring Report 4A. Finance.

Mrs Paton requested Council to ensure that e-waste was included in the solid waste investigations (AP Monitoring Report 6B Solid Waste) as the cost of disposing of e-waste, and other waste, was beyond the means of many people and lead to fly tipping.

The Mayor confirmed that e-waste would be looked at as part of the solid waste services review and with regard to a time-line, Mr Clapperton advised it would be incorporated into the LTP process which would be completed by 30 June 2018.

Mrs Paton further raised in relation to the Annual Plan Monitoring Report:

- 7B - Community Development application – Mr Clapperton said this involved seeking funding through the grants process. There had not been much progress at this stage and there was no consultation required;
- 7D - Community Facilities – Mr Clapperton said he would investigate pursuing discussions with PNCC to see if an arrangement could be reached to allow those from the northern end of the district to have access to PNCC's aquatic facilities, as the availability of library services which had been negotiated some time ago had been a successful initiative.
- 8D - encouragement was requested for adequate funding to be provided for HDC to implement its part as one of the RAMSAR sites statutory managers. Also requested was Officer attendance at the Manawatu Estuary Trust's twice yearly Management Team meetings.
- 9A - Council should get rid of buildings in Foxton that were a significant earthquake risk, including Coronation Hall and Memorial Hall.

Referring back to e-waste, Cr Kaye-Simmons commented that across both New Zealand and Australia the collection of e-waste was quite easy; it was the actual disposal of the e-waste itself that was the issue. The Ministry for the Environment had put together a National Litter Audit Group that would meet for the very first time this Thursday. She sat on that committee and would bring e-waste up as part of general business, following which she would report back.

Returning to the report and 3.2 Appointments to the Hearing Committee, it was:

MOVED by Cr Gimblett, seconded Cr Mason:

THAT Councillors Judd and Brannigan be appointed to the Hearings Committee for the purpose of the Draft Easter Sunday Trading Policy hearing.

CARRIED

Noting that Recommendation 2.4 was an additional resolution to what was included in the 22 November 2017 Agenda, Mr Clapperton said the Board had indicated that it wanted to have further discussion on this matter and this gave the Board the ability to make a decision prior to the next Council meeting which was not until late-January 2018. Responding to a query in relation to the possibility of providing a suspensory loan to the Club, Mr Clapperton advised the Club's constitution did not allow it to borrow money.

Cr Brannigan requested Council to support the resolution saying this was a good example of community getting involved in something for the community. While there were some people at Foxton Beach who did not support it, there were many who did.

Cr Gimblett expressed an opposite view. He said while he was not opposed to helping the Bowling Club he thought the process had been flawed and gave his reasons for that view and why he would be opposing the recommendation.

MOVED by Cr Brannigan, seconded Mayor Feyen:

THAT the Horowhenua District Council approves the allocation of \$200,000 from the Foxton Beach Endowment Fund to the Foxton and Beach Bowling Club Incorporated (FBBC) to enable work to proceed on the construction of an artificial bowling green and remedial works to the FBBC carpark, subject to the Foxton Community Board recommending as such at the Foxton Community Board meeting to be held on 11 December 2017.

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

For:

Mayor: Michael Feyen
Councillors: Wayne Bishop
Ross Brannigan
Ross Campbell
Barry Judd
Victoria Kaye-Simmons
Joanna Mason
Bernard Wanden

Against:

Councillors: Neville Gimblett

The division was declared **CARRIED** by 8 votes to 1.

CARRIED

8.6 Horowhenua District Council Meeting Schedule for 2018

Purpose

To seek Council's approval of the proposed meeting schedule of the Council and its committees for the period from February to December 2018.

MOVED by Cr Campbell, seconded Cr Wanden:

THAT Report 17/567 Horowhenua District Council Meeting Schedule for 2018 be received.

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

CARRIED

Speaking to this item, Mrs Paton suggested that Council should consider its meetings starting in the morning, as some other territorial local authorities did.

After discussion, it was agreed that the starting time for Council meetings would remain at 4.00 pm.

MOVED by Cr Campbell, seconded Cr Wanden:

THAT Council adopts the schedule of meetings for the committees of Council for the period January to December 2018, subject to status quo starting times.

THAT Council notes that additional ordinary, extraordinary and multi-day meetings may be scheduled from time to time in consultation with the Mayor and Chief Executive.

THAT it is noted that meeting times for other committees and subcommittees will be formally notified when they are required in accordance with the Local Government Official Information and Meetings Act 1987 and Local Government Act 2002.

CARRIED

8.7 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 Deputy Mayor Bishop, seconded Cr Wanden:

THAT Report 17/568 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.

CARRIED

MOVED by Cr Gimblett, seconded Cr Mason:

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

- (a) *Electronic Transaction Authority Form and Transfer Instrument for the sale of 69 Nash Parade, Foxton Beach contained in Certificate of Title 618762, WN8D/286.*

- (b) *Electronic Transaction Authority Form and Transfer Instrument for the sale of 6 Chrystall Street, Foxton Beach contained in Certificate of Title 244229, WN11D/729.*
- (c) *Bond binding Margaret Joan Adamson to Horowhenua District Council in the sum of Six Thousand and Three Hundred Dollars (\$6,300.00) to comply with conditions of consent 502/2016/3861 relating to 1184 square metres more or less situated at 31 Bond Street, Foxton Beach and being all land described in Lot 502 Deposited Plan 18833 and comprised in Certificate of Title WN5D/205 (Wellington Registry).*

CARRIED

MOVED by Cr Gimblett, seconded Cr Mason:

- (d) *Deed of Novation between Housing New Zealand Corporation as Continuing Party and HDC as Retiring Party and Compassion Horowhenua Limited Partnership as Substituted Party.*

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

For:

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

Against:

Mayor Michael Feyen and Cr Ross Campbell abstained.

The division was declared **CARRIED** by 7 votes to 0.

MOVED by Cr Gimblett, seconded Cr Mason:

- (e) *Deed of Guarantee between HDC as Guarantor and Housing New Zealand Corporation as Lender.*

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

For:

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

Against:

Mayor Michael Feyen and Cr Ross Campbell abstained.

The division was declared **CARRIED** by 7 votes to 0.

9 Customer and Regulatory Services

9.1 Provisional Local Alcohol Policy - Appeals

Purpose

The purpose of this report is to advise Council that appeals against the Horowhenua District Council Provisional Local Alcohol Policy (PLAP) have been lodged with the Alcohol Regulatory and Licensing Authority (ARLA).

MOVED by Cr Brannigan, seconded Cr Mason:

THAT Report 17/534 Provisional Local Alcohol Policy - Appeals be received.

THAT this decision is recognised as not significant in terms of S76 of the Local Government Act 2002.

THAT Council resolves that the Hearings Committee of Council be directed to act on behalf of Council on this matter as may be required following notification by the Licensing Authority.

CARRIED

9.2 Review of Delegations - Customer & Regulatory Services

Purpose

To propose a series of officer and contractor delegations in respect of the Customer & Regulatory Services arm of Council, for the resolution of Council.

MOVED by Deputy Mayor Bishop, seconded Cr Kaye-Simmons:

THAT Report 17/519 Review of Delegations - Customer & Regulatory Services be received.

THAT this decision is recognised as not significant in terms of S76 of the Local Government Act 2002.

THAT Council resolves the attached delegations, effective 28 November 2017:

CARRIED

In relation to the Fencing of Swimming Pools Act that had been repealed and responding to a request for assurance from Mrs Paton that Council was satisfied that full protection was still offered through the Building Act, Mr Lepper advised that nothing had changed but the legislative vehicle.

9.3 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 Brannigan, seconded Cr Campbell:

THAT Report 17/572 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 Procedural motion to exclude the public

MOVED by Cr Campbell, seconded Cr Judd:

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 Community Recognition & Funding Committee 17 October 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)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.	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 Proceedings of the Finance, Audit & Risk Subcommittee 1 November 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 6 and 7.	s6(b) - The making available of the information would be likely to endanger the safety of a person. 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)(c)(i) - The withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that such information should continue to be supplied.	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 6 and 7.

C3 Proceedings of the Strategy Committee 8 November 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)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.	s48(1)(a) 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.

C Employment Matters

<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)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.</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

12.47 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.

1.10 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:.....