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# Council

## OPEN MINUTES

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Minutes of a meeting of Council held in the Council Chambers, 126-148 Oxford St, Levin, on Wednesday 7 June 2017 at 4.00 pm.

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### PRESENT

|                     |                  |
|---------------------|------------------|
| <b>Mayor</b>        | Mr M Feyen       |
| <b>Deputy Mayor</b> | Mr W E R Bishop  |
| <b>Councillors</b>  | Mr R J Brannigan |
|                     | Mr R H Campbell  |
|                     | Mr N G Gimblett  |
|                     | Mr B F Judd      |
|                     | Mrs J F G Mason  |
|                     | Mrs C B Mitchell |
|                     | Ms P Tukapua     |
|                     | 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 Lester       | (Project Coordination Manager)            |
| Mrs D Kidd        | (Community Services Manager)              |
| Mr D McCorkindale | (Senior Manager – Strategic Planning)     |
| Mr S Grainger     | (Economic Development Manager)            |
| Mr G O’Neill      | (Projects Manager)                        |
| Ms L Wilson       | (Communications Lead)                     |
| Mr S Wood         | (HDC Legal Counsel)                       |
| Mrs K J Corkill   | (Meeting Secretary)                       |
| Ms S Bowling      | (Meeting Secretary)                       |

### MEDIA IN ATTENDANCE

|                |                       |
|----------------|-----------------------|
| Ms M Schroeter | (“Manawatu Standard”) |
| Ms S Beckman   | (“Chronicle”)         |

### PUBLIC IN ATTENDANCE

There were 16 members of the public in attendance at the commencement of the meeting.

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## 1 Apologies

Apologies were recorded from Cr Kaye-Simmons and Foxton Community Board Chair, Mr Roache.

MOVED by Cr Gimblett, seconded Cr Campbell:

*THAT the apologies from Cr Kaye-Simmons and Mr Roache be accepted.*

**CARRIED**

## 2 Public Participation

There were no speakers under Public Participation.

## 3 Late Items

There were no late items.

## 4 Declaration of Interest

There were no declarations of interest.

## 5 Confirmation of Minutes

Open & In Committee Minutes – 26 April 2017

MOVED by Cr Wanden, seconded Deputy Mayor Bishop:

*THAT the Open and In-Committee Minutes of the meeting of Council held on Wednesday 26 April 2017 be confirmed as a true and correct record.*

**CARRIED**

Page 9 – with regard to the Festival of Stories query, Cr Campbell noted it was he who had sought that information.

Open Minutes – 3 May 2017

MOVED by Cr Wanden, seconded Deputy Mayor Bishop:

*That the minutes of the meeting of the Council held on Wednesday 3 May 2017, be confirmed as a true and correct record.*

**CARRIED**

Open & In Committee Minutes – 23 May 2017

MOVED by Cr Wanden, seconded Deputy Mayor Bishop:

*THAT the minutes of the extraordinary meeting of the Council held on Tuesday 23 May 2017, be confirmed as a true and correct record.*

**CARRIED**

Page 4 – Having inadvertently voted against his motion to have the Pensioner Housing issue reviewed by the Finance, Audit & Risk Subcommittee, Mayor Feyen publically noted that it had been his intention to vote for it.

Page 3 – Where it was recorded that Mayor Feyen “had spoken in some detail as to his reasons why he suggested the meeting be adjourned”, Cr Campbell suggested that because of the importance of the matter it would have been helpful to have that detail included in the minutes. Mr Clapperton said a broader outline of those comments could be provided.

Open Minutes – 24 May 2017

MOVED by Cr Wanden, seconded Deputy Mayor Bishop:

*THAT the minutes of the meeting of the Council held on Wednesday 24 May 2017, be confirmed as a true and correct record.*

**CARRIED**

MOVED by Cr Campbell, seconded Cr Gimblett:

*THAT any corrections or amendments to the above minutes are noted.*

**CARRIED**

## 6 Announcements

Mayor Feyen acknowledged former Mayor Brendan Duffy who had been made an Officer of the New Zealand Order of Merit in the recent Queen Birthday Honours for his service to local government. Mayor Feyen noted some of the highlights of Mr Duffy’s 21 years as an elected member of the Horowhenua District Council, which was followed by a round of applause for Mr Duffy from those at the meeting.

Mayor Feyen tabled a petition with over 2,000 signatures which called for Council to not sell its pensioner housing. The petition had been endorsed by Christine Moriarty, Chair Horowhenua District Residents’ & Ratepayers’ Association, the NZ Labour Party, New Zealand First, and Muaūpoko Cooperative Society. Mayor Feyen thanked the organisers of the petition and those who had taken the time to sign it. The petition was handed to the Chief Executive.

Apologising for any confusion caused, Mr Clapperton advised the withdrawal of item 3.6 – Horowhenua District Council Administration Building, from his Chief Executive’s Report.

## 7 Finance

### 7.1 Ten Month Financial Report to 30 April 2017

#### Purpose

To present to the Horowhenua District Council the ten month financial report to 30 April 2017.

MOVED by Cr Campbell, seconded Cr Wanden:

*THAT Report 17/255 Ten Month Financial Report to 30 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**

Mr Clapperton and Mr Law responded to members queries in relation to: growth and Council’s ability to meet processing deadlines for consents because of increased demand; the number of resource consents lodged; interest rate levels and whether low interest rates would be likely to continue; and lower rates, particularly water meter, income.

Responding to a query with regard to resource consents and whether the number listed was for new allotments or was due to boundary adjustments, Mr Clapperton said he would make enquiries and clarify that for members by email.

## 8 Infrastructure Services

### 8.1 Foxton Reservoir - Public Works Act

#### Purpose

To seek a resolution from Council to utilise the Public Works Act to construct a new small reservoir on Foxton Reserve, Seaview Gardens.

MOVED by Cr Brannigan, seconded Cr Gimblett:

*THAT Report 17/253 Foxton Reservoir - Public Works Act be received.*

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

**CARRIED**

Council's Projects Manager, Mr O'Neill, spoke to this report which was seeking a resolution from Council to utilise the Public Works Act to construct a small reservoir at Foxton to increase the community's resilience.

Mayor Feyen said he could confirm, after discussion with the Chief Executive, that iwi had been fully informed and involved in discussions.

MOVED by Cr Brannigan, seconded Mayor Feyen:

*THAT the Horowhenua District Council seeks permission from the Minister of Conservation using the Public Works Act to set aside an area of Foxton Recreational Reserve for the purpose of water treatment in order that a reservoir can be construction at Foxton Reserve, Seaview Gardens.*

*THAT the Horowhenua District Council's Chief Executive be delegated full authority to carry out Council's responsibilities regarding the Public Works Act processes.*

**CARRIED**

## 9 Executive

### 9.1 Monitoring Report to 7 June 2017

#### Purpose

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

MOVED by Cr Judd, seconded Cr Mason:

*THAT Report 17/197 Monitoring Report to 7 June 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 22 [Report 16/221 – North East Levin Stormwater Improvement Project](#)  
Mr Clapperton to provide an update to members on the progress of the resource consent process.

- Page 23 14/585 – District Plan Change Timing  
With regard to how marae and significant pa sites fitted into the heritage process, Mr McCorkindale advised he was not aware of any marae buildings being nominated to date. However it was believed that sites of cultural value or significance would more appropriately fit under a plan change which would capture a range of facilities, not just old buildings.
- Page 24 Mayor Feyen said he would like to see some movement on the Shannon Conscientious Objectors' Camps, including Paiaka Camp.  
Mr McCorkindale advised that a report on this had been withdrawn prior to the last elections and a decision was made to revisit the heritage list. It was intended to bring it to Council later this month and the list did include the Camps. He highlighted that the direction that Council had taken was to pursue those buildings with the land owner to gauge their support. The views of the land owner of the Paiaka Camp were not known and that would need to be addressed. If a land owner was not supportive, Council would not be doing a lot of work to take it through the process.  
Cr Campbell said he had spoken to the land owner of Paiaka Camp who was not particularly keen on having something on site, but would be prepared to have a plaque somewhere in Shannon so the site was at least acknowledged.
- Page 27 17/102 - Adoption of Terms of Reference Community Forums  
Mr Clapperton noted that independent facilitators were still being identified and those who had expressed an interest in the two Forums would be taken to the working party. There had been a reasonable number expressing an interest which was a good starting point.

## 9.2 Chief Executive's Report to 7 June 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 Mitchell:

*THAT Report 17/198 Chief Executive's Report to 7 June 2017 be received.*

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

**CARRIED**

### 3.3 Finance, Audit & Risk Subcommittee and Strategy Committee Meeting Schedule Amendment

Mr Clapperton reiterated the reasons behind the proposed change in meeting dates and time for these two key committees, which did give members the opportunity to better prepare for meetings and more time for good robust discussion.

MOVED by Cr Mitchell, seconded Cr Campbell:

*THAT the proposed changes to the meeting dates and start times for the Finance, Audit & Risk Subcommittee and the Strategy Committee be accepted and the meeting schedule amendment for the balance of 2017 for these committees be approved.*

**CARRIED**

3.4 Economic Development Update

Mr Clapperton noted that GDP growth was well ahead, with the impact of an increased pay out to dairy farmers not yet captured in the figures. There were a number of indicators showing the progress in Horowhenua, with one being the continuing reduction in the unemployment rate, which was down from 10% to 6%.

3.1 Environment Court – Levin Potable Water Consent Order

In response to a query about the make-up of the Working Group and when it would be set up, Mr Saidy said that it would be set up within three months and the terms of monitoring and their involvement was for the terms of the contract. The Working Group would be made up of all those listed in clause 15 of the Consent Order.

3.2 Te Awahou Nieuwe Stroom

Mayor Feyen welcomed Hendrix Warren who had been appointed to the role of Cultural and Community Centre Manager covering Te Takeretanga o Kura-Hau-Po and Te Awahou Nieuwe Stroom.

### 9.3 **Electra Trust 2017 Trustee Elections**

#### **Purpose**

To decide Council's two candidates for the Electra Trust election 2017.

MOVED by Cr Judd, seconded Cr Tukapua:

*THAT Report 17/224 Electra Trust 2017 Trustee Elections 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 Judd, seconded Cr Wanden:

*THAT the Horowhenua District Council proceeds with exercising its voting rights for the Electra Trust 2017 Trustee Elections.*

**CARRIED**

Mayor Feyen and Cr Campbell recorded their vote against the motion.

The Chief Executive wrote the four candidates names on a whiteboard and elected members each indicated their vote for one or two candidates. The result of the voting was:

MOVED by Cr Judd, seconded Cr Wanden:

*THAT the Horowhenua District Council votes for Lindsay Burnell and Brendan Duffy in the 2017 Electra Trust elections.*

**CARRIED**

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

#### 9.4 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 Judd:

*THAT Report 17/196 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 13 Forbes Road, Foxton Beach to Vickers Speers Limited, contained in Certificate of Title 399456.*
- (b) Electronic Transaction Authority relating to sale of 23 Oxnam Place, Foxton Beach to Gary Robert Stewart and Bonnie Jill Stewart, contained in Certificate of Title 399500.*
- (c) Electronic Transaction Authority relating to sale of 17 Story Street, Foxton Beach to Vickers Speers Limited, contained in Certificate of Title 399470.*
- (d) Electronic Transaction Authority relating to sale of 18 Forbes Road, Foxton Beach to Vickers Speers Limited, contained in Certificate of Title 399514.*
- (e) Bond binding Kevin Laurence Robb & Anne-Maria Robb to Horowhenua District Council in the sum of Five Thousand one Hundred Dollars (\$5,100.00) to comply with conditions of consent SUB/502/2016/3818 relating to Lot 1 DP 79572 and Lot 3 DP 73768 comprised in Certificate of Title WN46A/294 and Lot 2 DP 84723 contained in Certificate of Title WN52B/332, 149 McDonald Road, Levin Rural.*
- (f) Bond binding Brett Nehar Ted Mitchell & Shay Joeleen Wicks to the Horowhenua District Council in the sum of Four Thousand Eight Hundred and Eighty Dollars (\$4,880.00) to comply with conditions of consent SUB/502/2016/3830 relating to Section 9 Block XIII Township of Levin contained in Certificate of Title WN404/91, 11 Montgomery Street, Levin.*
- (g) Bond binding Lynn Ward & Alan James Curtis to the Horowhenua District Council in the sum of One Hundred and Nineteen Thousand and One Hundred Dollars (\$119,100.00) to comply with conditions of consent SUB/502/2008/2586 relating to Part Lot 4 DP 66710 comprised in Certificate of Title WN46D/541, 214 Potts Road, Levin Rural.*
- (h) Electronic Transaction Authority relating to the discharge of mortgage (encumbrance) B183370.3 to HDC on Certificate of Title WN38B/184, 241 Wallace Road.*
- (i) Deed of Renewal of Lease with Athletic Rugby Football Club (Levin) Incorporated relating to 1025 square metres more or less situated at Bartholomew Road, Levin from 1 May 2016 for a 6 year period with a termination date of 30 April 2022.*

**CARRIED**

## 10 Customer and Community Services

### 10.1 Fire Assets Transfer

#### Purpose

To discuss Council owned rural fire assets and their use by Fire Emergency Services New Zealand (FENZ) as from 1 July, 2017, when FENZ assumes responsibility for rural fire service across New Zealand.

MOVED by Cr Brannigan, seconded Cr Gimblett:

*THAT Report 17/242 Fire Assets Transfer be received.*

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

**CARRIED**

Mrs Kidd, Council's Community Services Manager, and Mr Wood, as a rural fire member, joined the table to speak to the report and answer any questions.

After queries and discussion on what was proposed, and with it accepted that there were still some areas that would need to be worked out as the service transitioned over the next few years, it was:

MOVED by Cr Judd, seconded Cr Gimblett:

*THAT those Horowhenua District Council rural fire response assets, as specified, are transferred to Fire Emergency Service New Zealand, for use in rural fires, at no cost.*

*THAT Council retains both the Holden Rodeo LX Crew Cab and the generator rural fire response assets, but allows continued use for rural fires for a specified period of time.*

*THAT the specified Council buildings/land located at 122 Hokio Beach Road are made available to FENZ to occupy, for the period Council owns the assets, on the basis that the buildings continue to be used for rural fire services and on condition that all related occupancy and insurance costs are assumed by FENZ. It is noted that building 2 is a shared occupancy building with Civil Defence Emergency Management.*

**CARRIED**

### 10.2 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 Campbell, seconded Cr Brannigan:

*THAT Report 17/199 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**



5.00 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:**.....