

**MINUTES OF THE ORDINARY MEETING OF THE HOROWHENUA DISTRICT COUNCIL
HELD IN THE COUNCIL CHAMBERS, 126-148 OXFORD STREET, LEVIN ON WEDNESDAY,
1 JULY 2009 COMMENCING AT 4:15 PM**

PRESENT

His Worship the Mayor, Mr B J Duffy (Chair)
Cr D A Allan
Cr D J Colling
Cr G G Good
Cr L E McMeeken
Cr A M Hunt
Cr B F Judd
Cr P K Keenan
Cr N D H Murray
Cr A D Rush
Cr R N Shaw

IN ATTENDANCE

Mr D G Ward (Chief Executive Officer)
Mr D L Law (Finance Manager)
Mr B H Austin (Manager - Community Assets)
Mr D M Clapperton (Manager - Community Assets)
Mr R R Nicholson
Mrs K J Corkill (Meeting Secretary)

ALSO IN ATTENDANCE

Ms C Carlyle (Support Officer)

MEDIA IN ATTENDANCE

Ms S Gillies ("Horowhenua Mail")

PUBLIC IN ATTENDANCE

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

APOLOGIES

There were no apologies recorded.

ANNOUNCEMENTS

Conflict of Interest

Item 1736 Crs Judd and Murray
Item 1738 Cr McMeeken

CONFIRMATION OF MINUTES

Ordinary Meeting - 6 May 2009 (Minute Items 1692-1708)

Resolved

(Colling / McMeeken)

"THAT the minutes of the Ordinary Meeting held on 6 May 2009 (Minute Items 1692-1706), as submitted, be confirmed as a true and correct record."

MATTERS ARISING

There were not matters arising.

Meeting - 26 June 2009 (Minute Items 1723-1724)

Resolved

(Colling / Allan)

"THAT the minutes of the Ordinary Meeting held on 26 June 2009 (Minute Items 1723-1724), as submitted, be confirmed as a true and correct record."

MATTERS ARISING

There were no matters arising.

PROCEEDINGS OF COMMITTEES

Item-1725 Proceedings Foxton Community Board 18 May 2009

File No **3939**

Purpose

To present to the Horowhenua District Council the minutes of the Foxton Community Board meeting held on 18 May 2009.

Resolved

(Hunt / Allan)

"THAT Report 3939 be received."

Resolved

(Allan / Hunt)

*THAT the Horowhenua District Council **receive** the minutes of the Foxton Community Board meeting held on 18 May 2009.*

Cr Hunt raised the following:

- Page 5 Foxton Beach Storm Surge Protection
 Foxton Community Board members had been invited to view the inflation of a bund. Mr Ross Brannigan of Horizons had been involved with this project and it would be of interest to request a report from him.
- Page 7 Foxton Riverloop Playground
 Reassurance was requested that there would be provision for preschool facilities.
- Page 9 Forbes Road Subdivision
 No workshop had yet been held on this.
- Page 10 Monitoring Report - Foxton Beach Freeholding Account
 There was provision for one further public meeting before this matter was finalised.

REPORTS

Item-1726 Monitoring Report Horowhenua District Council to 1 July 2009

File No **3941**

Purpose

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

Resolved

(Colling / Judd)

“THAT Report 3941 be received.”

- Page 13 Item 2802 Hokio School Water Supply
 Dialogue was continuing. Using the Māori Land Court to gain traction was suggested should other avenues not succeed.
- Page 14 Item 1680 Foxton Beach Freeholding Account Strategy and Policy Document
 This would go straight to the Foxton Community Board, with no requests to speak having been received. Cr Allan said his understanding was not to do with the hearing of submissions, but that the Community would hold a public meeting with the Beach community with the key issue being where the funds could be expended; whether within the Beach area or beyond. Mr Ward suggested the prudent course of action would be for the Board to receive the submission at its next meeting (20 July 2009). A public meeting could then be held to discuss proposals from the submissions and ensuing discussions.
- Item 1655 CEO’s Report - Exploration of Viability of Employing Smaller Contractors
 Cr Judd noted from the Officer Comment that a draft Procurement Strategy been developed and he queried what that strategy was. He thought interested Councillors would have had the opportunity to have input into that process.
 Mr Ward noted the query to follow up with the responsible officer and report back. His understanding was that Crs Shaw and Judd would have been an integral part of that process.
- Page 17 Item 1698 Moutoa Hall & Moutoa Recreation Reserve
 Cr Hunt advised that Mr Jack Barber had queried if documentation he had provided to Council had been received. Mr Ward said he had not received any documentation prior to the commencement of today’s meeting.

Item-1727 Appointment of Commissioner for Resource Consent Hearings

File No **3953**

Purpose

To add one name to the list of the Councils approved commissioners for the purpose of resource management hearings.

Resolved

(Allan / McMeeken)

"THAT Report 3953 on Appointment of Commissioner for Resource Consent Hearings be received."

Resolved

(Allan / McMeeken)

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

"THAT the name of Paul Thomas be added to the list of approved Commissioners approved by the Council at its meeting of 1 October 2008."

Cr Hunt noted that the certificates of a number of the Commissioners on the list provided had expired or were about to expire. For clarity, it was:

Resolved

(Allan / Hunt)

"THAT Independent Commissioners must hold a current certificate in order to be engaged by Council."

Item-1728 Results of Consultation on Beach Water Supply Proposals

File No **3947**

Purpose

Council will consider the submissions on the proposed water supplies for Waikawa Beach, Waitarere Beach and Hokio Beach and authorise staff to proceed with them as per the recommendations below.

Resolved

(Colling / Good)

"THAT Report 3947 on Results of Consultation on Beach Water Supply Proposals be received."

The following was raised in discussion:

Item-1729 Waitohu Valley Road - Manakau South Legalisation of Road Realignment

File No **3932**

Purpose

To seek Council approval to the required action being taken to legalise the new improved road alignment by agreeing to acquire the necessary pieces of private land, by giving notice to the stopping of the four (4) areas of road reserve not now required and to the disposal of same.

Resolved

(Judd / Keenan)

“THAT Report 3932 on Waitohu Valley Road be received.”

Resolved

(McMeeken / Colling)

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

Resolved

(McMeeken / Colling)

“THAT the Horowhenua District Council hereby authorises the required action being taken to legalise the current alignment of Waitohu Valley Road where it has been formed outside the present legal road reserve

AND FURTHER

THAT pursuant to Section 342 and the Tenth Schedule to the Local Government Act 1974 public notice be given of the proposal that the four (4) sections of road shown on the plan attached as nos 2, 5, 7, 9 be stopped, as they are not required in the upgraded realignment of the road, and disposed of pursuant to Section 345 of the said Act.

AND FURTHER

THAT the balance sixteen (16) sections on the Plan be acquired.”

Item-1730 Proposal to fund a stormwater pump station near Shannon

File No **3950**

Purpose

To consider a request that has been received outside of the LTCCP process for Council to fund a pump at the discharge of Stansell's drain, west of Shannon. Officers are of the view that the benefit to the community is insufficient to warrant the expenditure.

Resolved

(Colling / Shaw)

“THAT Report 3950 on the proposal to fund a stormwater pump station near Shannon be received.”

Braden Austin and Ross Nicholson joined the table to speak to this report.

During discussions it was noted:

- in three years time this discharge would not continue;
- this site had historically flooded and the present owner had purchased the property knowing that;
- Council had a consent to discharge to Stansell's drain and was doing nothing illegal;
- Council had the ability to turn off the discharge in any flooding situation until the inundation subsided;
- the pump had been suggested by Horizons, but Council would have to apply for a resource consent;
- this had previously been proposed, but had been rejected by the Shannon community.

Resolved

(McMeeken / Rush)

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

Resolved

(McMeeken / Rush)

"THAT Council decline to fund a flood pump on Stansell's drain."

Item-1731 Chief Executive Officer's Report to 1 July 2009

File No 3943

Purpose

This report is prepared to update Councillors on a number of current matters that the Chief Executive Officer is dealing with.

Resolved

(Allan / Rush)

"THAT Report 3943 be received."

Mr Ward spoke to this report, covering the various matters raised:

3a. Scholarships for Secondary Schools

Whilst this was a commendable idea, Cr Good noted that Council was working on an Education Strategy and his concern that this suggestion was being considered in isolation of the Strategy. If Council wished to move this forward, his suggestion was that it be considered in the context of the Education Strategy.

Cr Judd noted that there had been discussion with MidCentral Health about working to promote scholarships and bonding for health professionals, and this could also be linked in to Council's Education Strategy.

Resolved

(Keenan / McMeeken)

"THAT Council supports the concept of scholarships for secondary school students and requests that the Chief Executive Officer prepare a report for Council's August 2009 meeting in consultation with the Education Forum."

CARRIED

3b. Proposal for Establishing School zone Signs Around Schools in the Horowhenua

Cr Keenan spoke in support of this proposal.

How that would impact on rural schools, particularly those on State Highways, was queried and that was an issue that would need to be addressed should the proposal be progressed. Clarification was also requested on the statutory procedures that would need to be followed to institute such a change.

Resolved

(Keenan / McMeeken)

"THAT Council requests the Chief Executive Officer to engage with appropriate parties with the aim of establishing enforceable speed limit restrictions in designated areas around school zones".

CARRIED

3c. A New Financial Year

(ii) Internal Issues

Rating Review

A timetable was requested for the proposed review to be undertaken during the Fourth Quarter of the calendar year, with Mr Ward assuring Councillors that there would be sufficient time to complete what was required. He also noted, as had been discussed at this afternoon's Audit Subcommittee Meeting, if significant changes were made to the LTCCP, Council could be required to undertake the special consultative process and may have to submit to a further audit.

After discussion, a separate debrief workshop was requested with the Chief Executive Officer to schedule and advise. NOTED.

Waste Water Levy

This was included for Councillors information, with the levy having come into effect today (1 July 2009).

Drinking Water Standards

It was suggested that this deferment would provide an opportunity for Council to look at infrastructure costs and review Asset Management Plans. Mr Ward said this would be covered in a report coming to Council's August meeting.

Property Strategy

A report on this would come to the September 2009 Council Meeting.

Communication Strategy

The following was raised in discussion:

- the "Community Connection" was well edited and currently focussed on issues that had already been talked about;
- it was important that other, more challenging issues were also looked at in depth to allow the community to be informed and respond to specific issues;
- "big picture" items needed to be addressed;
- it was suggested that some KPI'S would be helpful to assess the performance of Council's Communication Strategy;
- the website was raised as another area that needed to be focussed on;

- advertising by commercial organisations was queried and if that could jeopardise Council's 'independent' status;
- the withdrawal of Council's articles from local newspapers was queried as that could affect the viability of the newspapers concerned;
- with regard to advertising in the "Community Connection", ratepayers would be pleased to see the burden of cost shifted from them to other funding sources;
- it was suggested that commercial organisations taking advertising space in Council's publication was no different to having a local brewery's advertising at the Domain.

Resolved

(Allan / Rush)

"THAT Council resolves that the "Community Connection" be published on a fortnightly basis effective from mid-August 2009, with an emphasis on significant issues and challenges facing the district and Council."

CARRIED

Financial Governance 101

Crs Hunt, Judd and Keenan each gave a brief verbal report on their attendance at this seminar.

3d. **Annual Plan Monitoring Report**

Page 65 Item 5 After an officer presentation, this had gone back for further information.

Page 67 Item 46 The amount included in the Officer Comment should read "\$100.000".
Item 51 Foxton Amenity Facility - Mr Clapperton made a Power Point presentation on the current status of this project (copy **attached** to the official minutes).

His Worship the Mayor said he felt this was a very powerful project and if it came together it would transform not just the immediate community, but the district as a whole. He particularly acknowledged Mr Clapperton's commitment and energy in driving the project to its current stage.

Item-1732 Survey Plans Approved by Delegated Authority Pursuant to Section 223

File No 3946

Purpose

To present to Council for certification the list of survey plans approved by delegated authority pursuant to Section 223 of the Resource Management Act 1991.

Resolved

(Allan / Good)

"THAT the following subdivisions approved under delegated authority and s223 of the Resource Management Act be noted:

Date	File	Subdivision	Address
4-May-09	2518	Serena & Jason Harper	3 Hannan Street, Levin
7-May-09	RS/1221/2005	Reid & Linda McKinnon	118 State Highway 57, Shannon
18-May-09	2239	Jeffrey Edhouse	293 State Highway One, Levin Rural
20-May-09	FB/123/2004	Ronald & Judith Dudson	27 Nelson Street, Foxton Beach
22-May-09	2737	Brian & Pamela Stewart	631 Queen Street, Levin
22-May-09	2583	Christopher Pescini	145 & 155 Kimberley Road, Levin Rural
3-Jun-09	2703	Masonic Villages Trust	685 Queen Street, Levin
9-Jun-09	2742	Seager & Anne Mason	130 Bartholomew Road, Levin
9-Jun-09	2621	Davis Land Company Ltd	54 Austin Road, Foxton Rural."

Item-1733 Resource Consents Considered Under Delegated Authority

File No **3945**

Purpose

To consider the Land Use and Subdivision Resource Consent applications approved under delegated authority by the Environmental and Regulatory Services Department.

Resolved

(Allan / McMeeken)

"*THAT Report 3945 be received.*"

"*THAT the Land Use and Subdivision Resource Consents be received as listed:*

All Subdivision Resource Consents Granted Under Delegated Authority 25/04/09 to 18/06/09

Date	File Ref	Subdivider	Address
5-May-09	2713	Shane & Lyneve Speirs	Lot 3 Manakau South Road, Manakau Rural
6-May-09	2724	Waitawa Farms Limited	173 & 197 Takapu Road, Manakau Rural
12-May-09	2722	David J Honore Limited	87 Kuku East Road, Ohau Rural
13-May-09	2586	Lynn Ward	214 Potts Road, Levin Rural
15-May-09	2752	JM Ryder Limited	259-267 Albert Road, Tokomaru Rural
15-May-09	2645	Robert & Karen Mather	112 Palmer Road, Foxton Beach Rural
19-May-09	2760	Raymond & Elise Cooper	15 Gordon Place, Levin
20-May-09	2756	Bishops Vineyard Holdings Ltd	472 SH 1 & 39 Muhunoa West Road, Ohau
22-May-09	2727	A Mayo & Ihakara Properties Ltd	11 Hanawera Ridge Road, Manakau Rural
29-May-09	2762	Bruce & Michelle Burnell	161-208 McDonald Road, Levin Rural
3-Jun-09	2768	Russell & Glenis Davenport	111-133 Muhunoa East Road, Ohau Rural
3-Jun-09	2755	J MacKie, N Bevan, & V Clark	23 & 25 Waikawa Beach Rd & Lot 14 Ketemarangi Way, Waikawa Beach

All Land Use Resource Consents Granted Under Delegated Authority 25/04/09 to 18/06/09

Date	File Ref	Applicant	Address
28-Apr-09	2758	Brian & Wendy Thistoll	91 Seabury Avenue, Foxton Beach
4-May-09	2741	Heidi Lutz (Emerald Hills Ltd)	31 Palmer Road, Foxton Beach Rural
15-May-09	2764	Bruce Wilson & Louise Nelson	37 Hydrabad Drive, Waitarere Beach
22-May-09	2772	Robert Cheriton	233 Hokio Sand Road, Levin Rural
26-May-09	2774	Larry & Jane Ellison	51 Hartley Street, Foxton Beach
29-May-09	2780	David Moore & Traci Davis	34 Read Street, Levin
2-Jun-09	2767	Ross Robert Family Trust, Warren Robert & Ian McHardy	25A Roore Street, Foxton Beach
3-Jun-09	2775	Michael Boyce	19 Kahukura Avenue, Waitarere Beach

3-Jun-09	2766	Bates Hirini Holdings Limited	362 Oxford Street, Levin
4-Jun-09	2776	Jean Burnell	25 Jervois Terrace, Ohau
8-Jun-09	2786	Alison McLean	44 Rimu Street, Levin
8-Jun-09	2784	Horowhenua Kids, Teens & Family Trust	37-39 Hinemoa Street, Levin
15-Jun-09	2782	Central House Movers Ltd (Brian Seach)	72 Kahukura Avenue, Waitarere Beach

Item-1734 Documents Executed Under Seal and Electronic Transactions Authorities Signed

File No **3944**

Purpose

To present to Council the documents that have been executed under seal, Electronic Transactions and Contracts signed by His Worship the Mayor and the Chief Executive Officer and documents signed by Councillors, which now need ratification.

Resolved

(Colling / Keenan)

"THAT Report 3944 be received."

Resolved

(Colling / Keenan)

"THAT the Horowhenua District Council ratify the affixing of the Common Seal of the Horowhenua District Council to the said documents and to the signing of Electronic Transactions as scheduled:

- i. Electronic transaction authority relating to the sale of Lot 62 DP 24319 contained in Certificate of Title 45C/16 with an area of 647m² - 11 Nelson Street, Foxton Beach*
- ii. Transmission application relating to Lot 62 DP 24319 contained in Certificate of Title 45C/16 with an area of 647m² - 11 Nelson Street, Foxton Beach*
- iii. Transfer between Horowhenua District Council and William Douglas Dennison and Amanda Dawn Binns relating to Lot 62 DP 24319 contained in Certificate of Title 45C/16 with an area of 647m² - 11 Nelson Street, Foxton Beach*
- iv. Consent to transfer between Dougal George Burleigh Morrison and Jo-Anne Ralston Stokes to William Douglas Dennison and Amanda Dawn Binns relating to Lot 62 DP 24319 contained in Certificate of Title 45C/16 with an area of 647m² - 11 Nelson Street, Foxton Beach*
- v. Electronic transaction authority relating to the purchase of 5.1 metres access strip between Taylor Street and Palmer road, Foxton Beach being part of Certificate of Title WN21B/553, from Jasco Lands Limited.*
- vi. Electronic transaction authority relating to the easement granted to Horowhenua District Council a right to convey sewage over land marked "A", "G" and "D" on DP 393126 involving Certificates of Title 373047 and 373048, 15 Robbie Street, Foxton Beach*
- vii. Consent to extinguishment of easement over land to be transferred to Horowhenua District Council as road being the right to convey water over that part marked "B" on DP 385611 being also a part of Lot 23 DP 393469 to be dedicated as road - Gladstone Road Trust*

- viii. *Transfer between Horowhenua District Council and Paul Vandenberg relating to Lot 16 DP 21992 contained in Certificate of Title 464011 with an area of 1022m² - 48 Pratt Avenue, Foxton Beach*
- ix. *Transmission application relating to Lot 16 DP 21992 contained in Certificate of Title WNF3/438 with an area of 1022m² - 48 Pratt Avenue, Foxton Beach.*

Resolved

(Colling / Keenan)

“THAT the Horowhenua District Council confirms the decision in accepting the following contracts and that authority be given to the signing of Electronic Transactions Authorities:

*Contract No. 08/18 : Kirkcaldies Bridge Replacement Construction
Contract No. 08/24 : Muaupoko Street Kerb and Channel
Contract No. 08/25 : Pensioner Housing Ruby Street Carpark
Contract No. 08/28 : Leachate Pipeline Remediation Works Stage 2
Contract No. 08/29 : Hickford Intersection Motuiti Road Upgrade
Contract No.08/31 : WINZ/Contact Building Re-Roof.”*

The meeting adjourned for a meal break at 6.15 pm and resumed at 6.50 pm.

MOTION TO EXCLUDE THE PUBLIC

Resolved

(Colling / Judd)

“THAT the Horowhenua District Council pursuant to Section 48, Local Government Official Information and Meetings Act 1987, resolves that the public be excluded from the following parts of the proceedings of this meeting.

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 or Section 6 or Section 7 or Section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public.

Confirmation of Minutes 6 May 2009 (Minute Items 1709-1712)

Item 1735 - In Committee Proceedings Foxton Community Board 18 May 2009

Item 1736 - Solid Waste - Kerbside Collection

Item 1737 - Land Purchase to Progress Levin Wastewater Strategy

Item 1738 - In Committee HDC Monitoring Report

Reason for Confidentiality

*These reports are **CONFIDENTIAL** in accordance with Section 48(1) of the Local Government Official Information and Meetings Act 1987, which permits the meeting to be closed to the public for business relating to the following grounds: -*

- 48(1a) *That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.*

