

**MINUTES OF THE ORDINARY MEETING OF THE HOROWHENUA DISTRICT COUNCIL
HELD IN THE COUNCIL CHAMBERS, 126-148 OXFORD STREET, LEVIN ON WEDNESDAY,
4 MARCH 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
Mr P K Keenan
Mr N D H Murray
Mr A D Rush
Cr R N Shaw

IN ATTENDANCE

Mr D G Ward (Chief Executive Officer)
Mr B A Austin (Manager - Community Assets)(from 4.30 pm)
Mr D M Clapperton (Strategic & Corporate Services Manager)(until 5.10 pm)
Mr T Thomas (Environmental & Regulatory Services Manager)
Mrs K J Corkill (Meeting Secretary)

ALSO IN ATTENDANCE

Mr R R Nicholson (to 5.00 pm)
Miss C Carlyle (Support Officer)

MEDIA IN ATTENDANCE

Mr S Bell ("Chronicle")
Ms S Gillies ("Horowhenua Mail")
Ms B Torrie ("Manawatu Standard")

PUBLIC IN ATTENDANCE

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

APOLOGIES

There were no apologies recorded.

ANNOUNCEMENTS

Citizenship Ceremony

A Citizenship Ceremony was held prior to the Council Meeting and 13 people were naturalized.

CONFIRMATION OF MINUTES

Ordinary Meeting 4 February 2009 (Minute Items 1646-1659)

Resolved

(Colling / Murray)

"THAT the minutes of the Ordinary Meeting held on 4 February 2009 (Minute Items 1646-1659), as submitted, be confirmed as a true and correct record."

MATTERS ARISING

Page 17 3C. Parks & Reserves Maintenance - second line, third paragraph - "...cemetery at Shannon .." should read "the Avenue Cemetery".

Special Meeting 18 February 2009 (Minute Item 1661)

Resolved

(Colling / Good)

"THAT the minutes of the Special Meeting held on 18 February 2009 (Minute Item 1661), as submitted, be confirmed as a true and correct record."

MATTERS ARISING

There were no matters arising.

PROCEEDINGS OF COMMITTEES

Item-1662 Proceedings Foxton Community Board 9 February 2009

File No 3852

Purpose

To present to the Horowhenua District Council the minutes of the Foxton Community Board meeting held on 9 February 2009.

Resolved

(Hunt / Allan)

"THAT Report 3852 be received."

Resolved

(Hunt / Allan)

*"THAT the Horowhenua District Council **receive** the minutes of the Foxton Community Board meeting held on 9 February 2009."*

Mr Clapperton brought to the meeting's attention the two items in 3. Issues for Consideration that required action from Council.

3.a. (i) Forbes Road Subdivision - Proposed Street Names

Resolved

(Allan / Hunt)

"THAT the new road names for Forbes Road Subdivision be Oxnam and Story, with Loader being a back up option if required."

CARRIED

3.b. (ii) Foxton Beach Motor Camp - Development Plan

Resolved

(Colling / Judd)

"THAT the Development Plan for the Foxton Beach Motor Camp be consulted on with the Foxton Beach community."

Matters raised with regard to items in the Minutes:

- Item 399 Chief Executive Officer's Report
 - clarification was requested on the 'safety issues' with regard to Tony Robinson Motors and the Rainbow and Busy Bee Dairies, with Cr Allan advising that the safety issues were to do with the interface between pedestrian and vehicular traffic.
 - Cr Hunt queried 3.h. which she would further address at the next Foxton Community Board meeting.
- Minutes should accurately reflect the content of any debate;
- The staffing ratio at the Foxton Pool was queried with clarification requested on staffing levels as there appeared to be more staff on board than necessary. Mr Ward advised that the number of staff at the Foxton Pool was the same as when the upgraded pool opened, with there being statutory requirements for staffing levels.

Item-1663 Proceedings Joint Transport and Health Services Subcommittee 20 February 2009

File No **3868**

Purpose

To present to the Horowhenua District Council the minutes of the Joint Transport and Health Services Subcommittee meeting held on 20 February 2009.

Resolved

(Colling / McMeeken)

"THAT Report 3868 be received."

Resolved

(Colling / McMeeken)

*"THAT the Horowhenua District Council **receive** the minutes of the Joint Transport and Health Services Subcommittee meeting held on 20 February 2009."*

The issue of GP recruitment and retention, which had been touched on in the Joint Transport and Health Services Subcommittee minutes and was a major and on-going issue for the Horowhenua, was highlighted. Cr Judd commented that the PHO was seeking help with this matter and he suggested that Council could put a project team together, perhaps through the Joint Transport and Health Services Subcommittee, to look at options to address the problem.

Moved: Judd

Seconded: Allan

“THAT the Chief Executive Officer facilitate a meeting of interested agencies in relation to doctor recruitment and retention.”

CARRIED

Mr Clapperton supported working through the Joint Transport and Health Services Subcommittee for such a project as one of the mandates of that group was to canvass health and transport issues.

REPORTS

Item-1664 Monitoring Report Horowhenua District Council to 4 March 2009

File No **3854**

Purpose

To present to Council the updated monitoring report covering requested actions from previous meetings of Council and it's now abolished standing committee.

Resolved

(McMeeken / Keenan)

“THAT Report 3854 be received.”

Page 20 Item 2802 Hokio School Water Supply

In response to a query on this item and recent newspaper publicity, Mayor Duffy confirmed that there were ongoing challenges for Council in relation to this matter and the statements made in the paper were fair.

The CEO commented that this was a complex matter that had a number of components, including ownership, water rates, and general rates issues. The “date to action by” in the Monitoring Report was amended to “August 2009”, which was considered a more realistic target.

Item 1182 63 Johnston Street, Foxton

The CEO advised negotiations were still proceeding with the completion date amended to August 2009.

Page 21 Item 1642 Foxton Beach Coastal Reserve Draft Management Plan

Hearing date - Thursday 2 April 2009.

Page 24 Item 1654 Councillor Remuneration

Hay & Associates had been contracted to complete the Councillor Remuneration Review. Representatives of Hays would be coming on site to conduct interviews by late March, with a report coming back to Council's April 2009 meeting.

Page 25 Item 1655 Employment of smaller contractors to maintain parks and reserves across the district

The matter had been picked up by officers and was being pursued through the LTCCP process for the current year, bearing in mind that a number of contracts were about to expire.

Item-1665 Plan Change 18 Adoption

File No 3863

Purpose

To approve proposed Plan Change 18 for public notification as an operative Plan Change. The Plan change relates to 20-24 Fairfield Road (Black Orchids) and will rezone the land from Rural to Residential.

Resolved

(McMeeken / Allan)

“THAT Report 3863 on Plan Change 18 approval be received.”

Mr Thomas, in speaking to this report, advised this was a formality, with the plan change having been through the public submission and hearing processes and Council was now required to adopt the change.

Resolved

(McMeeken / Allan)

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

“THAT the Council formally approve Plan Change 18 in terms of Clause 17 of the First Schedule to the Resource Management Act 1991.”

“THAT approved Plan Change 18 be publicly notified in terms of Clause 20 of the First Schedule to the Resource Management Act 1991 and that such notice contain the operative date for the change being not less than five (5) working days after the date of public notification.”

Concern was expressed at the protection given to Phoenix Palms as part of this Plan Change, with the dangers of such trees highlighted.

Cr McMeeken advised that evidence had been given during the hearing process that the Phoenix Palms and yew hedge provided shelter for copper beech trees on the site which were registered as protected trees.

Item-1666 New Zealand Planning Institute Conference 2009 - Delegates

File No 3865

Purpose

To nominate which Councillor(s) should attend the New Zealand Planning Institute Conference in 2009.

Resolved

(McMeeken / Colling)

“THAT Report 3865 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.”

“THAT Cr Allan, Chair of the Hearing Committee, and Cr Judd be nominated to attend the New Zealand Planning Institute Conference in Rotorua from 6 to 9 May 2009.”

CARRIED

Item-1667 Walking and Cycling Strategy - Adoption

File No **3867**

Purpose

The adoption of the Walking and Cycling Strategy is the completion of a project that will allow Council to proceed with individual projects via the LTCCP process, knowing that these projects lead towards the realisation of the vision expressed within the document.

Council is invited to adopt the Strategy as per the document circulated with the Agenda dated February 2009 as the Horowhenua District Council's Walking and Cycling Strategy.

Council might wish to have certain projects put forward for consideration with the LTCCP.

Resolved

(Murray / Rush)

“THAT Report 3867 be received.”

Mr Nicholson joined the table to speak to this report. He advised that submissions received had been taken into account in the final version of the Strategy. The Hokio Beach cycleway had been expanded with its possible location also indicated.

The following was raised in discussion:

- the size of the projected cost (\$1.26m) and viability of the cycle track to Hokio was queried;
- the figures provided in the draft Strategy had been to give, during the consultation phase, some idea of projected expenditure;
- a previous report that had been prepared by Peter Shore was raised and its relationship with the Strategy now being proposed was queried;
- the \$1.26m for the Hokio Beach cycleway was for a separated, well constructed track. Council would be looking for subsidies and it would be included in year 7 of the LTCCP which would allow plenty of time for planning and consultation;
- there was a need for what was proposed to be affordable, with the initial draft having been scaled back accordingly;
- two submitters had asked that something be done for Hokio Beach which was an incentive to leave the Hokio Beach cyclepath in the Strategy for further, future, consultation;

- the idea of the value of budgeting monies each year to implement the project over time had been discussed at a recent workshop, with that option being alive.

Resolved

(Allan / McMeeken)

“THAT this matter or decision be recognised as significant in terms of s76 of the Local Government Act 2002.”

CARRIED

Resolved

(Allan / Colling)

“THAT the Walking and Cycling Strategy dated February 2009 be adopted.”

CARRIED

Resolved

(Allan / Rush)

“THAT the Queen Street cyclepath be included within the draft LTCCP for funding in year 1 for public consideration and whilst recognising the total budgeted cost is \$300,000, Council’s contribution shall be \$50,000.”

CARRIED

Resolved

(Allan / Colling)

“THAT consultation be undertaken on the marking of cycle lanes onto the carriageway of Queen Street (urban), Cambridge Street (Tyne to Liverpool) and Bath Street.”

CARRIED

Windscreen wiper placement on parked cars as a method of advertising was queried, as this could cause littering. It was agreed that this be deleted from the recommendation.

Resolved

(Allan / Colling)

“THAT the above proposal on the proposed cycle lane routes be advertised by way of letterbox drop to properties and through the website and the newspaper column.”

In considering the issue of the proposed cyclepath to Hokio Beach, Mr Austin suggested that the recommendation remain in the Strategy. It would be subject to further consultation and the community would have the opportunity to have a say on whether it felt what was proposed was too expensive.

Resolved

(Hunt / Allan)

“THAT the Hokio Beach cyclepath be included within the draft LTCCP for funding in year 7 for public consideration.”

CARRIED

In noting that no cost benefit analysis had been included with regard to the proposed Hokio Beach Cycle track and in light of the high cost, Cr McMeeken recorded her vote against the motion. She also proposed that the Prime Minister should be approached with the suggestion that a Hokio Beach cycleway could join up with the proposed nation-wide cycleway.

Item-1668 Moutoa Hall

File No **3866**

Purpose

To provide elected members with details of discussions that have taken place between representatives of Council and the Moutoa Hall Committee in regard to the use of land adjacent to the proposed site of the new Moutoa Hall.

Mr Ward acknowledged the presence of Mr Colin Easton at the meeting.

Resolved

(McMeeken / Good)

“THAT Report 3866 be received.”

Mr Ward noted that matters had progressed since the letter sent to Mr Easton on 11 February 2009 which had been written on the assumption that Council owned the land. The correct status of the land had now been determined and Council deemed it appropriate that the reserve be vested back to the Moutoa Hall Committee.

Mr Ward confirmed that it would be for the Crown to revoke the reserve status and the resolution proposed would give Council the mandate to pursue that. In light of a suggestion that the resolution be reworded to include the Moutoa community, Mr Ward advised that the reserve would need to be vested in a named body and the Moutoa Hall Committee, which was an incorporated society, would be the most appropriate body.

Resolved

(Keenan / Murray)

“THAT Council request staff to discuss the vesting of the Moutoa Recreation Reserve back to the Moutoa Hall Committee.”

CARRIED

Item-1669 Chief Executive Officer's Report to 4 March 2009

File No **3856**

Purpose

To update Councillors on a number of current matters that the Chief Executive Officer has been dealing with.

Resolved

(Allan / Murray)

"THAT Report 3856 be received.

Mr Ward advised that Mr Thomas would speak to Items 3.a. and 3.b. of his report.

- 3.b. Delivery of Civil Defence and Emergency Management Services
Mr Thomas advised that this matter had been touched on briefly at a recent workshop. He assured Councillors that in a Civil Defence Emergency, Council would have robust and on-going coverage, which would include updated local knowledge. He reiterated the other comments in the CEO's report, noting that Ruapehu District Council was now also included in the EMO services provided by Regional Council.

Cr McMeeken withdrew from the table for the following item.

- Item 3a. Levin Mall Car Parking Time Limits
Mr Lepper, at Mr Thomas' request, advised that, after the requisite six month trial period, the extension to P180 to accommodate the parking needs of volunteer workers, Cinema 3 patrons and other users appeared to be working well and it was recommended that this be continued.

Resolved

(Judd / Rush)

"THAT the Council approve the continuance of the P180 time limitation at the western side of the Levin Mall car park.

CARRIED

Cr McMeeken rejoined the table.

- Item 3.e. Annual Plan Monitoring Reportu
- Item 5 Closure of the Bath Street toilets
Staff had advised that they were still pursuing a number of sites and were also looking at costs. Staff had been left in no doubt of the urgency of this matter, which needed to be completed within the current financial year.
 - Item 6 Beach Wardens Funding
Mr Ward confirmed the Waitarere Beach wardens had applied for funding.
 - Item 16 Foxton East Drainage Scheme
The discussion with the Huzziffs on this matter had now been completed.
 - Item 30 Koputaroa Hall
Cr Colling advised this matter had been completed.

Item-1670 Survey Plans Approved by Delegated Authority Pursuant to Section 223

File No 3857

Purpose

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

Resolved

(McMeeken / Allan)

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

Date	File	Subdivider	Address
29/01/09	SUB/2696/2008	Virginia Corrigan	36 Pai Nua Road, Levin Rural
29/01/09	SUB/2656/2008	Muriel Saulbrey Estate	1070 Queen Street East, Levin Rural
29/01/09	SUB/2524/2008	Robin Sinclair	367 Waitare Beach Road, Levin Rural
30/01/09	SUB/2692/2008	Wade & Vivienne Webby	43 Waitare Beach Road, Levin Rural
3/02/09	SUB/2613/2008	Ohurangi Farm Limited	Moutere Road, Levin Rural
3/02/09	SUB/2271/2007	Two Sox Limited	49-67 Albert Road, Tokomaru
9/02/09	SUB/2488/2008	Raymond & Sandra Hudson	36 Fairfield Road, Levin
12/02/09	SUB/2361/2007	Ross Windley	4 Railway Terrace, Ohau
16/02/09	RS/1214/2005	Stephen & Christine Rolleston	249 Foxton Shannon Road, Foxton Rural”

Item-1671 Resource Consents Considered Under Delegated Authority

File No 3858

Purpose

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

Resolved

(Good / Judd)

“THAT Report 3858 be received.”

Resolved

(Good / Judd)

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

All Subdivision Resource Consents Granted Under Delegated Authority 28/01/09 to 19/02/09

Date	File	Subdivider	Address
2-Feb-09	SUB/2703	Masonic Villages Trust	685 Queen Street, Levin
9-Feb-09	SUB/2725	David Blakiston & Susan Holloway	52-56 Bruce Road, Levin Rural
16-Feb-09	SUB/2732	Craig Stichbury & Kelly Preston- Stichbury	Lot 1 Tararua Road, Levin Rural
19-Feb-09	SUB/2637	Robin Berrigan	Honi Taipua Street, Manakau

All Land Use Resource Consents Granted Under Delegated Authority 28/01/09 to 19/02/09

Date	File	Applicant	Address
9-Feb-09	LUC/2704	Masonic Villages Trust	685 Queen Street, Levin
9-Feb-09	LUC/2734	Ngawara Cranfield	173B Hokio Beach Road, Levin Rural
9-Feb-09	LUC/2735	Lindsay & Joanne Walker	117 Weraroa Road, Levin
16-Feb-09	LUC/2733	Peter & Heather Hamill	13 Rua Avenue, Waitarere Beach."

Item-1672 Documents Executed Under Seal and Electronic Transactions Authorities Signed

File No **3859**

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 which now need ratification.

Resolved

(Allan / Murray)

"THAT Report 3859 be received."

Resolved

(Allan / Murray)

"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. Renewal of lease in the name of Philip John Smith relating to Lot 343 DP 20632 with an area of 971m² contained in Certificate of Title F2/319 - 19 Carthew Terrace, Foxton Beach*
- ii. Bond binding John Villani on behalf of Two Sox Limited to Horowhenua District Council in the sum of Three Thousand Dollars (\$3,000.00 GST inclusive) to construct entranceway and services in accordance with the Horowhenua District Plan Subdivision Decision 2271 - 49-67 Albert Road, Tokomaru.*
- iii. Performance bond binding Waitarere Rise Limited to Horowhenua District Council in the sum of Twenty Thousand Dollars (\$20,000.00) to provide all civil works and services to the satisfaction of Council in relation to the resource consent for land described in WN 173880, WN20B/732 and WN 20B/733.*
- iv. Bond and Covenants binding Waitarere Rise Limited to Horowhenua District Council in the sum of Thirty Thousand Dollars (\$30,000.00) to carry out works as covenanted pursuant to Schedule 2 of the Document in relation to resource consent for land described in WN 173880, WN20B/732 and WN 20B/733.*
- v. Bond and Covenants binding Waitarere Rise Limited to Horowhenua District Council in the sum of Fifty Thousand Dollars (\$50,000.00) to carry out works as covenanted pursuant to Schedule 2 of the document in relation to resource consent for land described in WN 173880, WN20B/732 and WN 20B/733."*

"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. 08/13 : Gordon Place Stormwater Main
Contract No. 08/14 : Footpath Renewals 2008/09
Contract No. 08/15 : RAMM Roughness Survey 2008.”

MOTION TO EXCLUDE THE PUBLIC

Resolved

(Rush / Hunt)

“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 Ordinary Meeting 4 February 2009 (Minute Item 1660)
Item 1673 In Committee Proceedings Foxton Community Board 9 February 2009
Item 1674 In Committee Horowhenua District Council Monitoring Report to 4 March 2009

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.

Subject to sections 6, 8 and 17 of the Local Government Official Information Act 1987, the withholding of the information is necessary to:

7(2a) Protect the privacy of natural persons, including that of deceased natural persons.

7(2i) Enable any local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

7(2j) Prevent the disclosure or use of official information for improper gain or improper advantage.”

MEETING CLOSURE

There being no further business the meeting concluded at 5.46 pm.

CONFIRMED this day of

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Chairperson