

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

**PRESENT**

His Worship the Mayor, Mr B J Duffy (Chair)  
Cr D A Allan  
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 B H Austin (Manager - Community Assets)  
Mr D Law (Finance Manager)  
Mr T Thomas (Environmental Services Manager)  
Mr D B McCorkindale (Project Manager - District Plan Review)  
Ms H Scott (Financial Accountant)  
Mr W Meyer (Development Engineer)  
Mr R R Nicholson (Infrastructure Assets Manager)(from 5.10 pm)  
Ms E Ganley (Wastewater Engineer)(from 5.10 pm)  
Mr M R Tregonning (Property Officer)(from 5.22 pm)  
Mr P J T Shore (Facilities Assets Manager)  
Mrs K J Corkill (Meeting Secretary)

**ALSO IN ATTENDANCE**

Miss C Carlyle (Group Support Officer)

**MEDIA IN ATTENDANCE**

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

**PUBLIC IN ATTENDANCE**

There were three members of the public in attendance at the commencement of the meeting, though the numbers increased as the meeting progressed to approximately 20.

**APOLOGIES**

An apology was received from Councillor D J Colling.

**Resolved**

(Good / Rush)

*"THAT the apology from Cr Colling be received."*

## **ANNOUNCEMENTS**

Cr Hunt noted, with regret, the passing of both Mr Jim Titcombe and Mr Ken Caldo.

### Annual Report

Messrs Phil Kennerley and Mike Henderson from Audit New Zealand attending to speak to matters relating to the Audit process associated with Council's 2009 Annual Report which would be adopted at today's meeting.

### Update on Multipurpose Facility Proposal for Foxton

Representatives of the Te Awahou Trust attending to provide an update on the Foxton Multi Purpose Facility.

### Horizons Regional Council - Presentation - Regional Water Quality Survey

Mr Greg Carlyon, Group Manager Regional Planning and Regulatory, Horizons Regional Council attending to present the survey material relating to the Regional Water Quality Survey.

### Speaking Rights

Item 1782        Environment Vision for Coast Lakes and Lowlands  
Mr Graeme Bagrie

Item 1783        Foxton Beach Freeholding Account - Strategy and Policy  
Mrs Christina Paton

### Leave of Absence

Cr Keenan requested leave of absence for the 4 November 2009 Council meeting.

### **Resolved**

(Allan / Judd)

*"THAT Cr Keenan's request for Leave of Absence for the 4 November 2009 Council meeting be approved."*

CARRIED

### **Item-1779 Adoption of the Annual report for the Year ended 30 June 2009**

**File No            4033**

#### **Purpose**

To adopt the Annual Report for the year ended 30 June 2009.

Mr Phil Kennerley and Mr Mike Henderson from Audit New Zealand were introduced to the meeting.

The Chief Executive Officer, in speaking to this report, was pleased to announce that this was the earliest this organisation had adopted its Annual Report and he commended Doug Law, Helen Scott, Jeff Paulin, and members of the Finance team and other staff for their efforts as well as acknowledging the input of Audit New Zealand staff.

Mr Ward noted that an Audit Subcommittee meeting had preceded the Council meeting and Subcommittee members had signed off on the resolution that Council adopt the Annual Report for 2009. He was also pleased to say that the Annual Report had an Unqualified Audit Opinion. The strongest message that had come out of the Annual Report was that Council's cash position had been maintained and Council had achieved what it had set out to achieve.

### **Resolved**

(Judd / Keenan)

*"THAT Report 4033 on the Annual Report for the year ending 30 June 2009 be received."*

After positive comments from Messrs Kennerley and Henderson and also His Worship the Mayor, acknowledging the challenging timetable and hard work put in by both the Council and Audit teams and the fact that the Annual Report had received an Unqualified Audit Opinion, it was:

### **Resolved**

(Judd / Allan)

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

*"THAT the Mayor and Chief Executive Officer be authorised to sign the Annual Report on behalf of Council, and that the Mayor, Chief Executive Officer and Finance Manager be authorised to sign the Letter of Representation addressed to the Council's auditors for the year ended 30 June 2009."*

*"THAT the Annual Report 2008/2009 is amended by adding the final Audit Opinion."*

*"THAT the Annual Report for the year ended 30 June 2009 be adopted as amended."*

**CARRIED**

Cr Judd, Chair of the Audit Subcommittee, noted that the members of the Audit Subcommittee had met with Audit representatives prior to the Council meeting. They had examined all the issues that had been identified in the report. There was real comfort in the answers received around those issues. It was also pleasing to hear Phil Kennerley and Mike Henderson record the good working relationship that existed between Audit and Council.

Cr Rush also noted that this was the second time the Annual Report had come to the Audit Subcommittee and they had been through it in great detail.

### **CONFIRMATION OF MINUTES**

Ordinary Meeting 2 September 2009 (Minute Items 1760-1771)

### **Resolved**

(Good / McMeeken)

*"THAT the minutes of the Ordinary Meeting held on 2 September 2009 (Minute Items 1760-1771), as submitted, be confirmed as a true and correct record."*

### **MATTERS ARISING**

There were no matters arising.

## PROCEEDINGS OF COMMITTEES

### Item-1774 Proceedings Foxton Community Board 7 September 2009

**File No**            **4015**

#### **Purpose**

To present to the Horowhenua District Council the minutes of the Foxton Community Board meeting held on 7 September 2009.

#### **Resolved**

(Allan / Hunt)

*“THAT Report 4017 be received.”*

*“THAT the Horowhenua District Council **receive** the minutes of the Foxton Community Board meeting held on 7 September 2009.”*

### Item 431 - Bergin Road subdivision, Foxton Proposed Road Name

#### **Resolved**

(Allan / Good)

*“THAT as recommended by the Foxton Community Board, the names for the new roads in the Stuart Laurie Subdivision, 47 Bergin Road, Foxton, as contained in Horowhenua District Council file number RS1199/2005, be (in respect of the shorter road) Maury Place*

#### AND FURTHER

*THAT the longer of the two roads in the subdivision be named Bergin Road, being an extension of Bergin Road.”*

### Item-1775 Proceedings Kapiti Horowhenua Joint Regional Economic Development Forum 18 August 2009

**File No**            **4019**

#### **Purpose**

To present to the Horowhenua District Council the minutes of the Kapiti Horowhenua Joint Regional Economic Development Forum held on Tuesday 18 August 2009.

#### **Resolved**

(Good / Rush)

*“THAT Report 4019 be received.”*

*“THAT the Horowhenua District Council **receive** the minutes of the Kapiti Horowhenua Joint Regional Economic Development Forum held on Tuesday 18 August 2009.”*

**Item-1776 Proceedings Audit Subcommittee 2 September 2009**

**File No**            **4018**

**Purpose**

To present to the Horowhenua District Council the minutes of the Audit Subcommittee meeting held on 2 September 2009.

**Resolved**

(Judd / Rush)

*“THAT Report 4018 be received.”*

*“THAT the Horowhenua District Council **receive** the minutes of the Audit Subcommittee meeting held on 2 September 2009.”*

**Item-1777 Proceedings Creative Communities New Zealand Local Assessment Special Committee 21 September 2009**

**File No**            **4017**

**Purpose**

To present to the Horowhenua District Council the minutes of the Creative Communities New Zealand Local Assessment Special Committee meeting held on 21 September 2009.

**Resolved**

(Rush / Good)

*“THAT Report 4017 be received.”*

*“THAT the Horowhenua District Council **receive** the minutes of the Creative Communities New Zealand Local Assessment Special Committee meeting held on 21 September 2009.”*

**Resolved**

(Rush / Good)

*“THAT the Horowhenua District Council ratify the applications totalling \$17,293.89 from the Creative Communities New Zealand Local Assessment Fund, as follows:*

<i>NAME</i>	<i>PROJECT</i>	<i>Amount</i>
<i>NZ Juggling Association</i>	<i>18th NZ Juggling Convention, 4-7 February 2010</i>	
<i>NZ Juggling Association</i>	<i>Juggling "Show" following Convention</i>	<i>\$2,300</i>
<i>Manawatu Hunt Incorporated</i>	<i>Manawatu Hunt Club-Centennial Book 2010</i>	<i>\$1,500</i>
<i>Horowhenua Art Society Inc</i>	<i>Workshop with Karen Daly-20th September 2009</i>	<i>\$640</i>
<i>Levin Little Theatre Society Inc</i>	<i>Production costs for Pantomime "Once upon a Time" 19-28 November 2009</i>	<i>\$915</i>

<i>Horowhenua Library Trust</i>	<i>Purchase of 2 Multimedia PC's &amp; digital camera</i>	<i>\$2,208.56</i>
<i>Eco Fest Educational Charitable Trust</i>	<i>Hire of Stage Truck &amp; Trailer for musicians etc</i>	<i>\$1,800</i>
<i>Zion Family Centre Trust</i>	<i>Extension of "Bounce" Programme for 5-13yr olds-After school</i>	<i>\$1,800</i>
<i>Manakau Medieval Market Charitable Association</i>	<i>Local entertainers for Medieval Market Event-13 February 2010</i>	<i>\$1,800</i>
<i>Levin Pottery Club Inc</i>	<i>Refurbishment of existing gas fired kiln</i>	<i>\$648.36</i>
<i>Delwyn Maree Sanson</i>	<i>Assistance with Hall hire, sound system &amp; decorations etc for 1940's themed event</i>	<i>\$1,343.22</i>
<i>Levin &amp; Districts Brass Inc</i>	<i>Set of Mutes for Senior Band</i>	<i>\$888.75</i>
<i>Foxton Tourist &amp; Development Association Ltd</i>	<i>Combined Christmas Festival (3 costumes)</i>	<i>\$1,450</i>

**AND FURTHER**

*THAT the balance remaining from the total amount available for allocation (\$722.29) be carried over to the next funding round in March 2010."*

Cr Good confirmed that a replacement member for the Creative Communities New Zealand Local Assessment Special Committee was being progressed.

**Item-1778 Proceedings Hearing Committee 12 May 2009**

**File No**            **4030**

**Purpose**

To present to the Horowhenua District Council the minutes of the Hearing Committee meeting held on 12 May 2009.

**Resolved**

(Allan / Judd)

*"THAT Report 4030 be received."*

*"THAT the Horowhenua District Council **receive** the minutes of the meeting of the Hearing Committee meeting held on 12 May 2009."*

**REPORTS**

**Item-1788 Monitoring Report Horowhenua District Council to 7 October 2009**

**File No**            **4020**

**Purpose**

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

## Resolved

(McMeeken / Good)

*“THAT Report 4020 be received.”*

Mr Ward noted that completed matters had been deleted. It was requested that completed matters remain on the Monitoring Report until the following Council meeting so that these items could be agreed to or challenged.

- Page 48    Item 2802    Hokio Water and Rating Issues  
This matter had been referred to the Māori Land Court and the CEO was confident that the matter would be progressed to an acceptable resolution.
- Item 1655    Viability of Employing Smaller Contractors  
Mr Ward advised that an Officer’s report on this matter would be tabled at the 4 November 2009 Council Meeting.
- Page 49    Item 1698    Moutoa Hall and Moutoa Recreation Reserve  
Discussions on the process had been held with DOC and a meeting had been held with Colin Easton to talk through the finer points. There had been no negative responses to the Public Notices.
- Page 50    Item 1745    Application for Funding - Historic Levin Court House  
In response to a query, Mr Ward advised this matter had been reported on at the last Council meeting.

## **Item-1780 Structure Plan Gladstone Greenbelt Residential Area inclusion of Structure Plan in District Plan**

**File No                    4034**

### **Purpose**

To obtain a Council resolution to adopt the Structure Plan for inclusion in the District Plan review for the area commonly known as Gladstone Greenbelt Residential (Area 7 within the Horowhenua Development Plan). This being the area east of Levin bounded by Queen Street East, Arapaepae, Tararua and Gladstone Roads.

## Resolved

(Allan / Keenan)

*“THAT Report 4034 on the Gladstone Greenbelt Residential Area and Structure Plan be received.”*

Mr McCorkindale spoke to this report, giving an overview of the matters contained in his report and providing an A3 coloured copy (**attached** to the official minutes) of the proposed Gladstone Greenbelt Structure Plan.

## Resolved

(Allan / Judd)

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

*“THAT Officers be authorised to include the Structure Plan-Gladstone Greenbelt (Drawing Revision 01) dated September 2009 in the pending District Plan review and the contents of the Structure Plan are to be considered as “other matters” in considering Resource Consent Applications until the Structure Plan is formalised by the District Plan review.”*

#### **Item-1781 Alcohol In Our Lives - Local Government NZ Draft Submission**

**File No**            **4028**

#### **Purpose**

To present to Council, Horowhenua District Council’s comment on the Local Government New Zealand draft submission, prepared by the appointed Councillor Working Party (Councillors Good, Rush and McMeeken).

#### **Resolved**

(Good / Rush)

*“THAT Report 4028 be received.”*

#### **Resolved**

(Good / Rush)

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

*“THAT Horowhenua District Council adopt the comments, attached at Attachment A, on the draft Local Government New Zealand submission, as the comment of Council.”*

*“THAT the Horowhenua District Council comment be forwarded to Local Government New Zealand.”*

#### **Item-1783 Foxton Beach Freeholding Account - Strategy and Policy**

**File No**            **4014**

#### **Purpose**

The purpose of this report is for Council to consider the adoption of the Foxton Beach Freeholding Account Strategy and Policy.

Mr & Mrs Paton were welcomed to the table to comment on this item, with them suggesting that the Foxton Beach Freeholding Account Strategy and Policy be amended to read:

Maximum level of Contribution contained in the Policy be amended to include: *“The maximum contribution from the fund will be 50% of any total project cost and the remaining 50% shall be rated district-wide.”*

A copy of the Paton’s verbal comments is **attached** to the official minutes.

The limitations involved with this proposed change of wording were discussed, with Mrs Paton advising that she had not thought about a hypothetical situation where funding was available from sources other than rates, although this could be included in the amendment.

Mrs Paton clarified the thinking behind the suggested amendment. In the case of subdivision which was implemented using the Freeholding Fund, with subdivision being the only expenditure from the fund that attracted a financial profit, if the other 50% was to be collected from ratepayers, then ratepayers should be entitled to share in the profits, which was only fair.

With regard to the legislative requirement that the Freeholding Fund should be used for the benefit of Foxtton Beach inhabitants, Mrs Paton suggested that Council would need to consider whether it saw subdivisions as being to the advantage of Foxtton Beach or to the district as a whole.

His Worship the Mayor thanked Mr & Mrs Paton for their observations.

### **Resolved**

(Allan / McMeeken)

*“THAT Report 4014 be received.”*

Mr Ward spoke to this report, tendering apologies for Mr Clapperton’s absence. He noted that the Foxtton Beach Freeholding Strategy and Policy was the culmination of an extensive process.

The Chair of the Foxtton Community Board, Basil Vertongen, was invited to the table to make any observations he felt would be helpful.

With regard to subdivisions, Mr Vertongen said these were not projects, but were an investment and would be covered under the Investment Policy. Projects would include such things as tarsealing of roads, footpaths, walkways, etc, which was infrastructure and for those the input from the Freeholding Fund would be 50%.

Cr Hunt said that the issue was not that simple, suggesting that in the future, should there be subdivisions funded by the Freeholding Account, the District Council would be paying half the project costs.

The following was raised in discussion:

- the document had been through an extensive consultation process;
- although respecting the Paton’s intentions, there would be a concern about locking in any amendments not consulted on;
- the Strategy and Policy document was supported because of the rigorous process it had been through;
- because the fund had been established by legislation, it was imperative that the law was complied with;
- whilst two earlier legal opinions on the use of the fund had been sighted, the latest one had not, which caused disquiet for Cr Hunt;
- the CEO’s stance in not releasing the latest legal opinion had been deemed appropriate by the Ombudsman;
- Council had just signed off on an Unqualified Audit Opinion, which also included the Freeholding Account.

### **Resolved**

(Allan / McMeeken)

*“THAT Council adopts the Foxtton Beach Freeholding Account Strategy and Policy.”*

Cr Hunt recorded her vote against the motion.

### Te Awahou Trust Presentation - Foxton Multi Purpose Facility

Marc Bailey from Boffa Miskell gave a PowerPoint presentation on the proposed Multi Purpose Facility, looking at the concept, proposed location, context, use, project planning process, community engagement, consents, funding and governance. Mr Bailey was supported by Robin Hapi and Allan Smith (Trustee, Horowhenua Library Trust).

The presence at the meeting of Tony Murdoch (Save Our River Trust), Raewyn Perry, and the Chair of the Foxton Community Board, Basil Vertongen, was also acknowledged.

Mr Hapi stressed:

- this was very much a work in progress with a lot of issues, such as heritage values and sympathetic design, environmental factors, still requiring to be addressed;
- the next step was to go out to the community with some ideas;
- there were environmental and integration issues to be worked through;
- there was a lot of work involved for the Trust, such as looking at how trustees would be appointed;
- this was not only an initiative that involved the 9 hapu, but also Maori residents.

Allan Smith spoke from the perspective of the Horowhenua Library Trust. He spoke on the enthusiasm and energy for the project that was being generated by people who wanted to make something positive happen for the area. Consultation with the community had not yet occurred as the idea was still evolving. The Horowhenua Library Trust was invited to become involved and had got behind the proposal because of what it offered. This was kete plus, and offered a bright and positive future for all involved.

Mr Hapi noted that there had been some reservations expressed by the Flaxstripper Museum Trust, with whom a meeting would be held tomorrow, but he was not aware of anyone withdrawing support from the concept.

Cr McMeeken queried the moving of the i-site from Levin and wondered how integral that would be in terms of the business plan for the facility. It was noted that there would still be an i-site in Levin; however there were still decisions to be made around that whole matter.

Cr McMeeken said, as a Councillor, although this facility would be run by a Trust and the project was at an early stage, it would be helpful to sight a business plan and have some idea of the sustainability of the whole project.

Cr Good congratulated all those behind the project. He felt it was one of the most exciting projects that had been proposed during his time on Council and he looked forward to working together to see that it happened.

Cr Hunt raised a concern about the trolley bus wires, with Mr Hapi responding that there were options with regard to the trolley bus which would be worked through as part of the process. As yet the Trust did not have all the answers. Although it was easy to identify shortcomings at the present time, they could be turned into opportunities.

Mayor Duffy said this was a great opportunity not only for Foxton, but also for the district as a whole.

## Item-1782 Environmental Vision for Coastal Lakes and Lowlands

File No 4026

### Purpose

To report back to Council in more detail on a submission to the 2009 LTCCP by G Bagrie in relation to the Council's environmental vision for the coastal lakes and lowlands and the development of a strategy for the realisation of that vision.

### Resolved

(Allan / Judd)

*"THAT Report 4026 on G Bagrie's submission to the 2009-2019 LTCCP be received."*

Mr Thomas joined the table to speak to this report.

Cr Allan advised he had discussed this matter with Mr Thomas prior to the Council meeting as he felt there could be provision in the District Plan to have an open spaces strategy.

Mr Thomas said that officers had discussed the practicality of providing such a strategy and he directed the meeting's attention to (2)(b) on page 104 of the Agenda - "A district plan may state - the methods, other than rules, for implementing the policies for the district..." which he suggested may be one option that could be used.

Mr Bagrie addressed the meeting reiterating the matters raised in his original submission and in Mr Thomas' report (a copy of Mr Bagrie's verbal submission is **attached** to the official minutes).

### Resolved

(Allan / McMeeken)

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

*"THAT Council develop a strategic plan setting out how it will achieve its vision statements for community well being*

**AND FURTHER**

*THAT the steps suggested in the final paragraph of Mr Bagrie's written presentation tonight be analysed by officers in a report back to Council."*

**CARRIED**

It was noted that whilst Council did have a Strategic Plan, it was nine years old.

### Resolved

(Allan / McMeeken)

*"THAT Council incorporates an open space management strategy into its review of the District Plan*

**AND FURTHER**

*THAT funding options be explored in its next review of the LTCCP."*

**CARRIED**

His Worship the Mayor thanked Mr Bagrie for his submission.

The meeting adjourned for a meal break at 6.05 pm and reconvened at 6.35 pm.

### Horizons Regional Council - Presentation - Regional Water Quality Survey

His Worship the Mayor welcomed Mr Garrick Murfitt, Chair; Mr Michael McCartney, CEO; and Mr Greg Carlyon, Group Manager, Regional Planning and Regulatory, of Horizons Regional Council, together with Regional Councillor Bailey. Regional Councillor Burnell's apologies were conveyed to the meeting. He had been in attendance earlier, but was not able to stay for the presentation because of a prior engagement.

Mr Carlyon worked through a PowerPoint presentation (a copy of which is **attached** to the official minutes), which looked at the objectives of the Regional Water Quality Survey, the purpose, methodology used, and key findings which covered ratings, perceptions, usage, attributes, what people said, specific comments, some of the key messages received and where to now.

Mr Carlyon responded to Councillors' questions, and the presentation concluded with Mr Murfitt summing up by saying that water quality in our region was not as bad as some people made it out to be.

Mayor Duffy acknowledged the significance of the presentation and noted the determination to advance the rapport that existed between the two Councils and to collectively resolve issues for the benefit of our combined ratepayers.

### **Item-1784 Chief Executive Officer's Report to 7 October 2009**

**File No**                **4022**

#### **Purpose**

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

#### **Resolved**

(Good / Rush)

*"THAT Report 4022 be received."*

Mr Ward advised that the items in his report were for information.

#### 3b. Community Max

Any cost to Council would be covered by the existing Parks and Reserves Budget.

#### 3d. Rates Rebates Scheme

So far 990 people in our region had taken advantage of the Rates Rebates Scheme.

#### 3h. 2009/2010 LTCCP Monitoring Report

Page 156 Item 20 Estuary Management Plan review, etc

The action date for this was the 4 November 2009 Council meeting.

Page 155 Item 17 Queen Street Walkway

It was understood a petition had been signed against this walkway. Mr Ward advised that he and Geoff Kane had had a meeting with Dennis Everton to receive the petition.

His Worship the Mayor noted that the wording of the petition was such that it appeared the signatories were not against the walkway as such, but were against the expenditure of ratepayers' money on the project.

A copy of the petition would be provided for Councillor's information.

Page 151 Item 1

Request for funding - Events Centre

A report on this would come to the November 2009 Council meeting.

Item 2

Revenue and Financing Policy

Having three public meetings at each location had been discussed. With the year drawing to a close, a schedule needed to put in place so Councillors could diary the meetings.

### **Item-1785 Survey Plans Approved by Delegated Authority Pursuant to Section 223**

**File No 4025**

#### **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 / McMeeken)

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

<b>Date</b>	<b>File</b>	<b>Subdivider</b>	<b>Address</b>
31-Aug-09	SUB/2755	James MacKie, Norman Bevan, & Vanetta Clark Beach	23 & 25 Waikawa Beach Rd & Lot 14 Ketemarangi Way, Waikawa
1-Sep-09	SUB/2663	John & Gillian Olifent	797 Gladstone Road, Levin Rural
3-Sep-09	SUB/2752	JM Ryder Limited	259-267 Albert Road, Tokomaru Rural
3-Sep-09	SUB/2591	Horowhenua District Council	46-48 Seabury Avenue, Foxton Beach
16-Sep-09	SUB/2713	Shane & Lyneve Speirs	Lot 3 Manakau South Road, Manakau Rural
16-Sep-09	SUB/2427	Levin Racing Club	141 Mako Mako Road, Levin
22-Sep-09	SUB/2787	Waitarere Rise Limited	85 Waitarere Rise Avenue, Waitarere Beach."

### **Item-1786 Documents Executed and Electronic Transactions Authorities Signed**

**File No 4024**

#### **Purpose**

To present to Council the documents that have been executed under seal and Electronic Transactions and Contracts that have been signed by two elected Councillors, which now need ratification.

#### **Resolved**

(Allan / McMeeken)

*"THAT Report 4024 be received."*

*“THAT the Horowhenua District Council hereby ratifies the signing of the documents and electronic transactions authorities as scheduled:*

- i. Renewal of lease and rent review pertaining to 89-113 Oxford Street, Levin being Information Centre.*
- ii. Owners consent to land being declared road being Section 4 on SO Plan 416937 Manakau Heights road, Manakau South.*
- iii. Certificate of Territorial Authority to Declaration of land as road being Sections 1, 2, 3 and 4 on SO Plan 416937 and Part Lot 4 DP 349423 Manakau Heights Road, Manakau South.*
- iv. Certificate of Consent pursuant to Section 115 of the Public Works Act 1981 to register Sections 1, 2, 3 and 4 on SO Plan 416937 and Part Lot 4 DP 349423 as road, Manakau Heights Road, Manakau South.*
- v. Bond binding Jean Anne Burnell to the Horowhenua District Council in the sum of Two Thousand Dollars (\$2,000.00 GST inclusive) to carry out conditions set out in decision of LUC/2776/2009 - Lot 3 DP 57649, 25 Jervois Terrace, Ohau*
- vi. Bond binding Seventh Day Adventist Church Property Trustee (NZ) to Horowhenua District Council in the sum of Two Thousand Dollars (\$2,000.00 GST inclusive) to carry out conditions set out in decision of LUC/2814/2009 - Pt Lot 7 DP 1406, 56-58 Cambridge Street, Levin*
- vii. Bond binding Brian Matthew and Ann-Maree and John Sidney Thomas to Horowhenua District Council in the of sum of Five Thousand Dollars (\$5,000.00 zero rated for GST) to carry out conditions set out in decision of LUC/2804/2009 - Pt Lot 3 DP 52030, 104 Gladstone Road, Levin Rural.”*

*“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. 09/02 : Waikawa Beach Road*

*Contract No. 09/07 : Foxton New Bore*

*Contract No.07/09 : MacArthur Street Watermain replacement*

*Contract No.07/10 : Stormwater/Sewer Cross Connection Service.”*

#### **Item-1787 Resource Consents Considered Under Delegated Authority**

**File No            4023**

#### **Purpose**

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

#### **Resolved**

(Judd / Murray)

*“THAT Report 4023 be received.”*

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

#### ***All Subdivision Resource Consents Granted Under Delegated Authority 22/08/09 to 22/09/09***

<b>Date</b>	<b>File Ref</b>	<b>Subdivider</b>	<b>Address</b>
8-Sep-09	SUB/2579	Ian Hoggard	167 Strathnaver Drive, Waikawa Beach
22-Sep-09	SUB/2808	Jim, Robert, & Karen Mather	112 Palmer Road, Foxton Beach Rural

**All Land Use Resource Consents Granted Under Delegated Authority  
22/08/09 to 22/09/09**

<b>Date</b>	<b>File Ref</b>	<b>Applicant</b>	<b>Address</b>
24-Aug-09	LUC/2720	David Cairns	85 MacArthur Street, Levin
26-Aug-09	LUC/2814	Seventh Day Adventist Church	56-58 Cambridge Street, Levin
26-Aug-09	LUC/2805	David Croot	270 Heatherlea East Road, Levin Rural
2-Sep-09	LUC/2820	Karen MacFarlane	5 Kauri Street, Levin
2-Sep-09	LUC/2817	Mark Taylor	14 Stout Street, Shannon
2-Sep-09	LUC/2811	Hamish & Shelley Hancock	116 Poads Road, Levin Rural
3-Sep-09	LUC/2824	Michael & Hilda Carter, & Glenn Watson	33 Hartley Street, Foxton Beach
7-Sep-09	LUC/2823	William Hastings & Jeremy Baker	5 Muaupoko Street, Hokio Beach
17-Sep-09	LUC/2810	Keven Roberts & John Whitehead	4 Shortt Street, Foxton Beach."

**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 2 September 2009 (Minute Items 1772-1773)**

- Item 1789** *In Committee Proceedings Foxton Community Board 7 September 2009 CONFIDENTIAL*
- Item 1790** *In Committee Proceedings Hearing Committee 19 May 2009 (Reconvened from 12 May 2009) CONFIDENTIAL*
- Item 1791** *Commercial Properties owned by Council - Policy as to Selling the Freehold CONFIDENTIAL*
- Item 1792** *Request to Sell Leasehold Land at 257 Oxford Street, Levin CONFIDENTIAL*
- Item 1793** *Chief Executive Officer's Report In Committee CONFIDENTIAL*
- Item** *In Committee Horowhenua District Council Monitoring Report to 7 October 2009 CONFIDENTIAL*

**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.*

48(1d) *That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in any proceedings to which this paragraph applies.*

*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(2b) *Protect information where the making available of the information-*  
(i) *Would disclose a trade secret; or*  
(ii) *Would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.*

7(2h) *Enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities.*

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 8.28 pm.

CONFIRMED this            day of

.....  
**Chairperson**