

**MINUTES OF THE ORDINARY MEETING OF THE HOROWHENUA DISTRICT COUNCIL  
HELD IN THE COUNCIL CHAMBERS, 126-148 OXFORD STREET, LEVIN ON WEDNESDAY,  
3 FEBRUARY 2010 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 A Austin (Manager - Community Assets)  
Mr D M Clapperton (Strategic & Corporate Services Manager)  
Mr D Law (Finance Manager)  
Mr T Thomas (Environmental Services Manager)  
Mr D B McCorkindale (Project Manager - District Plan Review)  
Mr R R Nicholson (Infrastructure Assets Manager - Acting)  
Mrs K J Corkill (Meeting Secretary)

**ALSO IN ATTENDANCE**

Mrs R Perry (Communications Manager)  
Ms C Carlyle (Group Support Officer)

**MEDIA IN ATTENDANCE**

Mr S Bell ("Chronicle")  
Mrs F Lougher ("Horowhenua Mail")

**PUBLIC IN ATTENDANCE**

There were five members of the public in attendance for the open portion of the meeting.

**APOLOGIES**

There were no apologies recorded.

**ANNOUNCEMENTS**

Item 1837 Horowhenua District Plan Change 20: Rural Subdivision  
Item 1838 Horowhenua District Plan Change 21: Greenbelt Residential and Urban Growth

Erratum for these Plan Changes tabled.

Cr Good declared an interest in these items and would withdraw from the table during discussion.

Item 1833 Proceedings Major Events Subcommittee 26 November 2009

Cr Hunt declared a pecuniary interest in this item; however would be involved in any generic discussion.

**CONFIRMATION OF MINUTES**

Ordinary Meeting 2 December 2009 (Minute Items 1812-1828)

**Resolved**

(Shaw / Judd)

*"THAT the minutes of the Ordinary Meeting held on 2 December 2009 (Minute Items 1812-1828), as submitted, be confirmed as a true and correct record."*

**MATTERS ARISING**

There were no matters arising.

**PROCEEDINGS OF COMMITTEES**

**Item-1832 Proceedings Kapiti Horowhenua Joint Regional Economic Development Forum  
17 November 2009**

**File No**            **4087**

**Purpose**

To present to the Horowhenua District Council the minutes of the Kapiti Horowhenua Joint Regional Economic Development Forum held on 17 November 2009.

**Resolved**

(Judd / McMeeken)

*"THAT Report 4087 be received."*

*"THAT the Horowhenua District Council **receive** the minutes of Kapiti Horowhenua Joint Regional Economic Development Forum held on 17 November 2009."*

His Worship the Mayor queried if the Enterprise Training courses run by Nature Coast (250) was an annual or cumulative figure.

Mr Clapperton said he suspected it was cumulative, but would ask Nature Coast to clarify.

NOTED

Cr Hunt withdrew from the table for discussion of the next item.

**Item-1833 Proceedings Major Events Subcommittee 26 November 2009**

**File No**            **4094**

**Purpose**

To present to the Horowhenua District Council the minutes of the Major Events Subcommittee meeting held on 26 November 2009.

## Resolved

(Judd / Good)

*“THAT Report 4094 be received.”*

*“THAT the Horowhenua District Council **receive** the minutes of Major Events Subcommittee meeting held on 26 November 2009.”*

Cr McMeeken reiterated that the Subcommittee had struggled with the criteria when considering applications and suggested that it was time the criteria were reviewed.

## Resolved

(McMeeken / Allan)

*“THAT Council undertake a review of the existing policy guidelines for the Major Events Grants Scheme, with the aim of:*

- *identifying the intent and objectives of this grant scheme;*
- *determining its relevancy to any present Council intention of developing a new major iconic event in the Horowhenua District*

### AND FURTHER

*THAT the Subcommittee undertake this review process and report back to the 3 March 2010 Council Meeting with its recommendations on the future of the Major Events Grants Scheme.”*

Cr Hunt rejoined the table.

## Item-1834 Proceedings Foxton Community Board 30 November 2009

**File No**            **4099**

### **Purpose**

To present to the Horowhenua District Council the minutes of the Foxton Community Board meeting held on 30 November 2009.

## Resolved

(Allan / Hunt)

*“THAT Report 4099 be received.”*

*“THAT the Horowhenua District Council **receive** the minutes of the Foxton Community Board meeting held on 30 November 2009.”*

Cr Allan spoke to the issue for consideration - Item 442 Foxton Community Board Monitoring Report, with regard to the Foxton Health Centre, which foreshadowed a recommendation for inclusion in the 2010/2011 Annual Plan process, and to ensure the matter was captured, he proposed the following.

Moved:     Allan                            Seconded:     Hunt

*“THAT the Foxton Community Board recommends to Council that the provision of a suspensory or concessionary loan to assist in making the Foxton Health Centre a reality be included in the 2010/2011 Annual Plan process.”*

The wording of this resolution was queried as, if passed, Council would be locked into that process.

With the agreement of the seconder, the motion was amended to include the words "consideration be given to":

"THAT the Foxton Community Board recommends to Council that consideration be given to the provision of a suspensory or concessionary loan to assist in making the Foxton Health Centre a reality be included in the 2010/2011 Annual Plan process."

After discussion the motion was put and, upon a show of hands, there were three (3) for and six (6) against. The motion was therefore LOST.

This did not preclude the Foxton Community Board making a submission on the matter to the 2010/2011 Annual Plan process.

#### **Item-1835 Proceedings Audit Subcommittee 2 December 2009**

**File No**            **4101**

#### **Purpose**

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

#### **Resolved**

(Judd / Rush)

*"THAT Report 4101 be received."*

*"THAT the Horowhenua District Council **receive** the minutes of the Audit Subcommittee meeting held on 2 December 2009."*

Some of the issues raised by Audit New Zealand in its Audit Report as needing to be addressed were queried, to ensure Councillors could have peace of mind about Council processes.

The Chair and members of the Audit Subcommittee each rose to assure Councillors that they were happy with the way Council was conducting its business and each of the matters raised had been discussed fully with Mike Henderson of Audit New Zealand. It was stressed that Council had received an unqualified audit opinion, which would not have happened if the matters raised had not been of a minor or historical nature, many of which had already been addressed by improved financial systems and staff reorganisation.

### **REPORTS**

#### **Item-1836 Monitoring Report Horowhenua District Council to 3 February 2010**

**File No**            **4102**

#### **Purpose**

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

#### **Resolved**

(Allan / Judd)

*"THAT Report 4102 be received."*

- Page 28 Item 2802 Hokio Water and Rating Issues  
The Māori Land Court had met last week but a response had not yet been received. Council was working with Horizons on this matter as Horizons had similar issues.
- Item 1655 Employment of Smaller Contractors  
Mr Ward commended the work of Community Assets Staff in preparing the contract documentation to meet the release deadline. It had been a huge effort, with one of the side benefits being greatly enhanced internal controls. The closing date for the tender process was 5 March 2010.
- Page 29 Item 1698 Moutoa Hall and Moutoa Recreation Reserve  
The action date for this item was rolled out to 31 March 2010.
- Item 1748 Proposed Granting of Freedom Charter  
No confirmation as yet but still being pursued.
- Page 30 Item 1764 Local Share Funding of Proposed Hokio and Waitarere Water Supplies  
Cr Shaw expressed concern about the continual boil water notices that affected Shannon and Tokomaru, with these needing to be addressed before Levin Water matters.
- Page 31 Item 1782 Environmental Vision for Coastal Lakes and Lowlands  
This matter was being progressed.

It was agreed that the following two items would be considered together.

Cr Good withdrew from the table.

**Item-1837 Horowhenua District Plan Change 20: Rural Subdivision**

**Item-1838 Horowhenua District Plan Change 21 : Greenbelt Residential and Urban Growth**

**File Nos            4117 & 4118**

**Purpose**

To adopt the proposed District Plan change known as Plan Change 20 : Rural Subdivision.  
To adopt the proposed District Plan change known as Plan Change 21: Greenbelt Residential and Urban Growth.

**Resolved**

(Allan / McMeeken)

*"THAT Report 4117 on Plan Change 20: Rural Subdivision and Report on Plan 21: Greenbelt Residential and Urban growth be received."*

Council's Environmental Services Manager, Tony Thomas, and Project Manager (District Plan Review), David McCorkindale, joined the table to speak to these two items.

His Worship the Mayor suggested that these two documents were the highlights of Council's term and were very important documents.

Attention was drawn to the Erratum tabled for these items and they were formally received.

**Resolved**

(Allan / McMeeken)

*"THAT Council receive the Errata tabled for Plan Changes 20 and 21."*

Mr McCorkindale gave a PowerPoint presentation which covered the Plan Change preparation, involvement of the Rural Stakeholder Group, the Plan Change process and key changes for both Plan Changes. A copy of the PowerPoint presentation is **attached** to the official minutes).

Mr McCorkindale then responded to Councillors' queries around:

- there being no provision to cut off sections for siblings on highly versatile soils, as had been provided for in the past;
- the cutting off of redundant farm houses;
- not being able to erect a house on a sand bridge;
- the amalgamation of land and not being able to cut off small lots to reduce the capital cost;
- the continued protection of highly versatile soils, as the soil type did not necessarily equate with productivity;
- hill country and the 100m contour level;
- the affect on property values of some of the proposed changes;
- entry to property to access transmission lines.

### **Resolved**

(Allan / Judd)

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

*"THAT the Council pursuant to Clause 10 of the First Schedule to the Resource Management Act adopt the recommendation of the Independent Commissioners and approve the Plan Change of the Operative Horowhenua District Council District Plan, including the errata tabled at this meeting, as set out in the recommendation without further amendment."*

*"THAT the required notification of the decision be undertaken."*

### **Resolved**

(Judd / Allan)

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

*"THAT the Council pursuant to Clause 10 of the First Schedule to the Resource Management Act adopt the recommendation of the Independent Commissioners and approve the Plan Change of the Operative Horowhenua District Council District Plan, including the errata tabled at this meeting, as set out in the recommendation without further amendment."*

*"THAT the required notification of the decision be undertaken."*

The work done by Cr Good, who had been one of the Commissioners for both Plan Changes, and Mr McCorkindale was acknowledged and the significance of the Plan Changes for the future of the district reiterated.

Cr Good rejoined the table.

### **Item-1839 Review of Council Delegations to the Hearing Committee and Council Officers**

**File No**            **4119**

#### **Purpose**

To review Council delegations for matters under the jurisdiction of the Hearing Committee and Council Officers.

Mr Thomas, in speaking briefly to this report, said with recent amendments to the Resource Management Act, there was a need to update delegations, not just for Council officers but also for Hearing Committee members. It was procedural with no substantive amendments proposed.

**Resolved**

(Rush / Good)

*“THAT Report 4119 on Council delegations to the Hearing Committee and Council Officers be received.”*

**Resolved**

(Allan / Murray)

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

*“THAT the proposed delegations to the Hearing Committee, Chief Executive and staff in relation to the Resource Management Act 1991 and the Local Government Act 1974, as set out in **Attachment B** of this report, be approved in terms of Clause 32 of the 7<sup>th</sup> Schedule of the Local Government Act 2002 and Sections 34 and 34A of the Resource Management Act 1991.”*

*“THAT the Delegations Register be amended accordingly.”*

**Item-1840 Proposed Road Names for Tararua Park Estate**

**File No**            4115

**Purpose**

To select road names for the three roads in the Tararua Park Estate (RS/1222/2005 as shown on the **attached** plan (Attachment A).

**Resolved**

(Allan / McMeeken)

*“THAT Report 4115 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 new road names be:*        Arete Lane  
   Ruapai Drive  
   Oriwa Lane        *as specified on the attached plan.”*

**Item-1841 Liquor Licensing Matters from 21 October 2009 to 20 January 2010**

**File No**            4113

**Purpose**

To update matters relating to liquor licensing for the period 21 October 2009 to 20 January 2010.

## Resolved

(Judd / Good)

*“THAT Report 4113 be received.”*

*“THAT the Licences and Managers’ Certificates as scheduled in Part 3(a) of this report, which have been granted or renewed under delegation, be ratified.”*

*“THAT the information in Part 3(b) of this report be noted.”*

## **Item-1842 Replacement Appointments to Statutory Bodies, Community Groups/Associations and Other Organisations**

**File No 4112**

### **Purpose**

To consider the replacement of Councillor Colling on statutory bodies, community groups/associations and other organisations.

## Resolved

(McMeeken / Allan)

*“THAT Report 4112 be received.”*

## Resolved

(McMeeken / Keenan)

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

*“THAT Council nominates replacements for Cr Colling, as follows:*

*Horowhenua Lake Domain Board - Cr Rush*

*Jack Allen Community House - Cr Good*

*Waitare Beach Progressive and Ratepayers Association Inc - Cr Murray*

*Horowhenua District Health Transportation Trust - Cr Judd*

*Horizons Regional Council - Passenger Transport Subcommittee - His Worship the Mayor.”*

## **Item-1843 Chief Executive Officer's Report to 3 February 2010**

**File No 4104**

### **Purpose**

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

## Resolved

(Keenan / Hunt)

*“THAT Report 4104 be received.”*

3d. 2009-2010 LTCCP Monitoring Report

Cr Keenan queried the length of time that this was taking.  
Mr Ward said this would be prioritised and would come back to the March 2010 Council meeting.

### Item-1844 Resource Consents Considered Under Delegated Authority

**File No** 4106

#### Purpose

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

#### Resolved

(Allan / Judd)

*“THAT Report 4106 be received.”*

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

<b>Date</b>	<b>File Ref</b>	<b>Subdivider</b>	<b>Address</b>
26-Nov-09	SUB/2848	Peter Kennedy & Helen Croskery	30 Kukutauaki Road, Levin Rural
1-Dec-09	SUB/2849	Skylark Trustees Limited	2 William Street, Levin
8-Dec-09	SUB/2790	Paul Ireland & Sue McGowan	378 Arapaepae Road, Levin Rural
14-Dec-09	SUB/2847	Francis & Antoni Burak	30 Kings Drive, Levin
18-Jan-10	SUB/2865	Malcolm Webb & Gail Cole	37 Edinburgh Terrace, Foxton Beach
19-Jan-10	SUB/2827	Michael & Whakatere McGregor, Vicki & Melvyn Phillips	312, 314, & 328 Hokio Beach Road, Levin Rural

### **All Land Use Resource Consents Granted Under Delegated Authority 20/11/09 to 19/1/10**

<b>Date</b>	<b>File Ref</b>	<b>Applicant</b>	<b>Address</b>
26-Nov-09	LUC/2858	Alexander & Karen Ebbelling	97 Honi Taipua Street, Manakau Rural
27-Nov-09	LUC/2851	Andrew & Lynette Clegg	18A Roore Street, Foxton Beach
30-Nov-09	LUC/2855	Telecom NZ Limited	10-12 Devon Street, Levin
1-Dec-09	LUC/2846	Poroutawhao Hall Society Inc	866 State Highway 1, Levin Rural
4-Dec-09	LUC/2859	Brendon Ryan	Lot 2 Miro Street, Tokomaru
4-Dec-09	LUC/2853	Anthony & Dean Stella & Angela Cook	209 Avenue Road, Foxton Rural
9-Dec-09	LUC/2862	Martin & Margaret Richardson	765 Makerua Road, Tokomaru
14-Dec-09	LUC/2861	Jonathan Chapman	16 Brown Street, Foxton
16-Dec-09	LUC/2869	Aubrey & Faith Bolton	15 Okarito Avenue, Levin
22-Dec-09	LUC/2884	Hammr Holdings 2006 Ltd	73 MacArthur Street, Levin
23-Dec-09	LUC/2830	Roman Catholic Archbishop	40-46 Weraroa Road, Levin
23-Dec-09	LUC/2876	John & Marise May	118 Kawi Road, Levin Rural
24-Dec-09	LUC/2868	Wayne Bishop	4 Tunbridge Wells, Ohau Rural
24-Dec-09	LUC/2875	Clive McAlpine & Raewyn Mullan	16 Wall Road, Himatangi/Foxton Rural

24-Dec-09	LUC/2879	Jim, Robert, & Karen Mather	112 Palmer Road, Foxton Beach Rural
11-Jan-10	LUC/2867	Kevin & Sylvia Young	7 Thomas Place, Foxton Beach
12-Jan-10	LUC/2832	Daniel & Sharron Brizzle	196 Bath Street, Levin

## Item-1845 Documents Executed and Electronic Transactions Authorities Signed

**File No**            **4105**

### 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

(McMeeken / Keenan)

*"THAT Report 4105 be received."*

### Resolved

(McMeeken / Keenan)

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

- i. Electronic Transaction Authority relating to agreement to narrow the width of stormwater drainage easement over property at Victoria Terrace, Ohau, owned by Mr & Mrs Allan Coombes.*
- ii. Bond binding Wayne Leslie Foothead to Horowhenua District Council in the sum of Twenty-one Thousand Dollars (\$21,000.00) to comply with conditions of subdivision relating to Lot 3, DP 403074, Cnr Queen Street & Queenwood Road, Levin - Sub/2477/2008.*
- iii. Electronic Transaction Authority relating to Council sale of 25 Futter Street, Foxton, to Renee Mary Jongeneel & Mark Cleveland Jones.*
- iv. Renewal of Lease to Levin Women's Bowling Club Incorporated relating to 2023 square metres contained in Certificate of Title 267/41 pursuant to Lease Agreement dated 20 November 2006.*
- v. Discharge of Guarantee in exchange for taking a mortgage security over the Horowhenua Events Centre Trust's leasehold interest in the Events Centre Building at Tiro Tiro Road/Victoria Street, Levin.*
- vi. Horowhenua District Council consenting to the Subdivision of Lot 145, DP 423938, Waitarere Rise Limited and the registration of all documents including easements for electricity/telecommunications.*
- vii. Bond binding Martin John & Margaret Ruth Richardson to Horowhenua District Council in the sum of One Thousand Dollars (\$1,000.00) to comply with conditions set for the shifting of a building onto Pt Lot 2, DP 50706 with an area of 8,545 m<sup>2</sup>, comprised in Certificate of Title Wn42C/156, 765 Makerua Road, Tokomaru - LUC 2862/2009.*

*"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. 9/14 : Levin Watermains Renewal."*

It was announced that Item 1848 - Proposed Acquisition of Land for Wastewater Disposal, Foxton, had been withdrawn from the In Committee Agenda and would be included on the Agenda for the Foxton Community Board meeting on Monday 8 February 2010.

## **MOTION TO EXCLUDE THE PUBLIC**

### **Resolved**

(Judd / Rush)

*“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 2 December 2009 (Minute items 1829-1831)**

**Item 1846 In Committee Proceedings Foxton Community Board 30 November 2009**

**Item 1847 Proceedings Tertiary Scholarships Subcommittee**

**Item 1849 Proposed Acquisition of land for wastewater disposal Levin**

**Item 1850 In Committee Horowhenua District Council Monitoring Report to 3 February 2010**

### **Reasons 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 6.20 pm.

