

**MINUTES OF THE ORDINARY MEETING OF THE HOROWHENUA DISTRICT COUNCIL
HELD IN THE COUNCIL CHAMBERS, 126-148 OXFORD STREET, LEVIN ON WEDNESDAY,
23 JUNE 2010 COMMENCING AT 4:15 PM**

PRESENT

His Worship the Mayor, Mr B J Duffy (Chair)
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 Law (Finance Manager)
Mr D M Clapperton (Strategic and Corporate Services Manager)
Mr T Thomas (Environmental Services Manager)
Mr I C Tate (Deputy Electoral Officer)(to 5.20 pm)
Mrs K J Corkill (Meeting Secretary)

ALSO IN ATTENDANCE

Mr W Lampp (Electoral Officer, Electionz.Com)(to 5.20 pm)
Ms H Scott (Financial Accountant)
Mr G O'Brien (Operations Manager)
Ms C Carlyle (Group Support Officer)

MEDIA IN ATTENDANCE

Ms K Gazley ("Horowhenua Mail")
Mr P Franklin ("The Chronicle")

PUBLIC IN ATTENDANCE

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

APOLOGIES

An apology was recorded for Cr Allan.

Resolved

(Judd / Good)

"THAT the apology, as recorded, be received."

ANNOUNCEMENTS

Speaking Rights Requested

Minutes 9 June 2020 - Page 13 - 21.3 Issue: Taylor Street, Foxton Beach - Second paragraph - priority list

Mrs Christina Paton

Item 1910 - 2010 Local Government Triennial Elections

Mr Lew Rohloff
Mrs Christina Paton
Mr Errol Brown, Levin Ratepayers Association
Mr Bryan Ten Have
Mr Bert Judd
Mrs Olwyn Burbery

Item 1911 - Review of Parking Fees

Mr Bert Judd

Late Items

There were no late items for consideration.

Members' Conflict of Interest

There were no members' conflicts of interest recorded.

Recording of the Meeting

Mr B Ten Have had notified the Chair that he would be video recording the meeting.

A further gentleman, who would only provide his Christian name ("Peter"), also advised he would be recording the meeting.

CONFIRMATION OF MINUTES

Ordinary Meeting 9 June 2010 (Minute Items 1905-1907)

Resolved

(Judd / Keenan)

"THAT the minutes of the Ordinary Meeting held on 9 June 2010 (Minute Items 1905-1907), as submitted, be confirmed as a true and correct record."

MATTERS ARISING

Mrs Christina Paton, in exercising her requested speaking rights, referred to page 13, second paragraph (21.3 Issue: Taylor Street, Foxton Beach) querying the whereabouts of the 'priority list' which had been mentioned. The Minutes had stated that this list would be available (a copy of Mrs Paton's speaking (a copy of Mrs Paton's comments are **attached** to the official minutes).

Mr Ward provided some background information on the prioritization of works at Foxtan Beach, which had been reported to the Foxtan Community Board in 2005. At that time Taylor Street had not been mentioned in either the report to the Board or in the Minutes. He had discussed the matter with the Chair of the Foxtan Community Board and he believed the correct procedural response was for the matter to be taken to the Community Board prior to a report coming back to Council at the August 2010 Council meeting.

Cr Hunt requested that any upgrading of Taylor Street be included in the Annual Plan so that it adhered to the Strategy and Policy for use of funds from the Freeholding Account.

NOTED

REPORTS

Item-1910 2010 Local Government Triennial Elections

File No **4219**

Purpose

To obtain Council's approval for the early processing of the returned voting papers, a decision as to the order of candidates' names on the voting papers, and a decision regarding communications during the pre-election period for the 2010 triennial election.

Resolved

(Judd / Shaw)

"THAT Report 4219 is received."

His Worship the Mayor suggested that all those who had requested speaking rights would be heard and then Councillors would have the opportunity to ask questions or comment.

Mr Lew Rohloff advised that he was appearing for the Horowhenua GreyPower Association Inc as its Local Government Spokesperson. GreyPower's issues included:

- the method of voting (postal or locally conducted 'Polling Day');
- progressive processing of votes;
- the order of candidates names on voting papers;
- the adoption of recommendations of the Office of the Auditor General,

concluding with some suggestions/recommendations for Council to consider.

A copy of Mr Rohloff's verbal comments are **attached** to the official minutes.

Mr & Mrs Paton, after protesting at the size and quality of the "Good Practice Guide for Managing Public Communications by Local Authorities (2004)", which had been included in the Agenda, expressed their opposition to postal voting suggesting that it was vulnerable to manipulation. They also expressed a preference to a full random order for candidates' names. A copy of the Paton's 'speaking rights' is **attached** to the official minutes.

Mr Errol Brown submitted on behalf of the Levin Ratepayers' Association. In relation to progressive processing and the option to process locally, the Association was fully in favour of progressive processing with the votes being sent direct to the processing centre in Christchurch. The Association did not see 'plural voting' as a major issue, but felt that the number of people who voted was of more concern. Also, the more human involvement there was in the vote

processing, the more possibility there was of error and an election being overturned. In terms of scrutineers, despite the processing being done in Christchurch, there would be people in that locality who would be prepared to take on that task. If the polling was done locally, there would be quite a significant cost for staff and other people, such as JPs who would need to be involved.

Mr Ten Have, speaking on his own behalf, spoke against voting papers being received at Council and for them being sent to Christchurch for processing. He had spoken to 80 people in the community, with the majority supporting the Christchurch processing option. He also suggested that the random order of voting would be by far the most democratic options when it came to candidates' order of names.

Cr Murray withdrew from the room whilst Mr Ten Have was speaking and rejoined the table when Mr Ten Have concluded (4.45 pm - 4.48 pm).

Mr Judd said he did not support progressive processing, labelling it as undemocratic. His preference was for voting in a polling booth, with the voting papers placed in sealed boxes and taken away to be counted. The voting papers should not pass through other hands until the votes were counted. No counting should occur until the poll has closed. He queried why Christchurch had been chosen as the processing centre, rather than Palmerston North or Wellington, which would make it easier for local scrutineers.

Mrs Burbery expressed her concerns about progressive voting, particularly in relation to 3.f. of the report. She queried if scrutineers would be readily available to check votes coming in. She also expressed a preference for candidates' names to be in alphabetical order.

Mayor Duffy expressed his concern at some of the observations made by some of the speakers which he felt tarnished the credibility and respect of Council's officials. In expressing his support for Council's officials, he invited Mr Ian Tate, Council's Deputy Electoral Officer, and Mr Warwick Lampp from Electionz.Com to the table to respond to some of the issues raised.

Mr Lampp introduced himself to the meeting and further commented:

- He was not only the Electoral Officer for the Horowhenua District Council, but also for 12 other councils around the country and 3 Health Boards.
- 36 councils would have their voting papers posted direct to the Christchurch processing centre, as occurred in the 2007 Council elections;
- In relation to scrutiny and vote counting (3.i.), this would occur in Christchurch, as it had occurred during the 2007 elections;
- Any voting papers that were hand delivered to the Council offices in Levin would be placed in a padlocked box, with only the Deputy Electoral Officer holding a key;
- The padlocked box would be uplifted by courier immediately after midday on the day of voting and transported to Christchurch;
- There was no opportunity for anyone to have access to those voting papers once they were in the ballot box;
- With regard to postal or booth voting, all councils in New Zealand now used postal voting;
- 1992 was the last time that booth voting had been used;
- History had shown that the return rate was significantly detrimentally affected with booth voting;
- In relation to the rumours of plural voting, in his experience he had never seen any evidence of that;
- If anyone was aware of plural voting, he would appreciate that information so he could pass it on to the Police for investigation as it was a serious matter and was an offence;
- With regard to the order of candidates, most councils used an alphabetical order, as this Council had done since 2001;

Resolved

(Judd / Keenan)

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

Cr Hunt recorded her vote against this motion because she felt the matter was significant.

Mayor Duffy thanked Mr Lampp for his attendance and the reassurance he had provided.

Item-1911 Review of Parking Fees: 2010/2011 Annual Plan

File No **4230**

Purpose

At its meeting of 9 June 2010 Council requested that the Chief Executive prepare a report detailing the proposed use of additional funds received from parking fees following a decision to introduce parking fees of \$1 per hour effective from 1 July 2010.

Resolved

(McMeeken / Judd)

“THAT Report 4230 be received.”

Mr Judd expressed his concern at the increase in parking meter charges saying that business was slow and more shops were closing. There was also the cost of staff, meter repairs and maintenance, etc, and it was not a pretty picture. He did not believe the meters were making much money for Council, but were in effect chasing people away to areas that did not have parking charges.

After a query on the wording of recommendation c., the words ...within our District” were retained as it was felt they were appropriate for what Council was seeking to achieve.

Resolved

(Rush / Keenan)

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

“THAT consideration be given to directing any revenue received in excess of that budgeted in Council's Parking Activity towards CBD promotion and enhancement within our District.”

Item-1912 Adoption of Council's 2010/2011 Annual Plan

File No **4229**

Purpose

To obtain Council's adoption of its 2010/2011 Annual Plan.

Resolved

(Judd / Murray)

"THAT Report 4229 be received."

Mr Ward advised a correction to a figure in the Rates Resolution, with the corrected amount in (g) Sewage (Waste Water) Disposal Rates being \$287.00 (GST to be added) (replacing the figure of \$267.50).

In relation to the impending change in the rate of GST, Mr Ward commented that local authorities had taken high level advice and would be adopting rates exclusive of GST. Council was also going to absorb the increase in GST in some areas, such as parking meter charges, pool and refuse fees.

Cr Shaw commented that the \$5,000.00 funding for the BMX Club was for one year only and this should be clearly stated.

NOTED

Resolved

(Judd / Keenan)

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

"THAT the Horowhenua District Council adopts the 2010/2011 Annual Plan including the Policies contained therein and the Schedule of Fees and Charges, in accordance with Sections 83 and 93 of the Local Government Act 2002."

"THAT the Horowhenua District Council adopts the following Rates Resolution:

HOROWHENUA DISTRICT COUNCIL RATES RESOLUTION FOR THE YEAR ENDED 30 JUNE 2011

SETTING OF RATES FOR THE 2010/ 11 FINANCIAL YEAR

1. *That the Horowhenua District Council set the following rates under the Local Government (Rating) Act 2002, on rating units in the district for the financial year commencing 1 July 2010 and ending on 30 June 2011.*

(a) General Rates

A general rate set under section 13 of the Local Government (Rating) Act 2002 made on every rating unit, assessed on a differential basis as described below:

- A rate of \$0.00291843 (GST to be added) of land value on every rating unit in the "urban" category*
- A rate of \$0.00095611 (GST to be added) of land value on every rating unit in the "township" category*
- A rate of \$0.00083809 (GST to be added) of land value on every rating unit in the "rural business" category*
- A rate of \$0.00071835 (GST to be added) of land value on every rating unit in the "rural residential" category*
- A rate of \$0.00029133 (GST to be added) of land value on every rating unit in the "District wide" category*

(b) Rooding Rate

A Rooding rate set under section 16 of the Local Government (Rating) Act 2002 made on every rating unit, assessed on a differential basis as described below:

- A rate of \$0.00240368 (GST to be added) of land value on every rating unit in the "urban" category
- A rate of \$0.00078747 (GST to be added) of land value on every rating unit in the "township" category
- A rate of \$0.00069027 (GST to be added) of land value on every rating unit in the "rural business" category
- A rate of \$0.00059165 (GST to be added) of land value on every rating unit in the "rural residential" category
- A rate of \$0.00023995 (GST to be added) of land value on every rating unit in the "District wide" category

(c) Library Rate

A targeted rate set under section 16 of the Local Government (Rating) Act 2002 of \$85.00 (GST to be added) on every separately used or inhabited part of a rating unit in the district for the provision of a library service

(d) Representation and Governance Rate

A targeted rate set under section 16 of the Local Government (Rating) Act 2002 of \$144.00 (GST to be added) on every separately used or inhabited part of a rating unit in the district to fund the Representation and Governance Activity costs.

(e) Solid Waste Disposal Rates

A targeted rate for solid waste disposal set under section 16 of the Local Government (Rating) Act 2002, to fund the Solid Waste activity costs assessed on a differential basis as described below:

- A rate of \$37.00 (GST to be added) on every separately used or inhabited part of a rating unit in the "rural" category,
- A rate of \$50.00 (GST to be added) on every separately used or inhabited part of a rating unit in the "urban and township" category.

(f) Swimming Pool Rate

A targeted rate for the provision of swimming pools set under section 16 of the Local Government (Rating) Act 2002, assessed on a differential basis as described below:

- A rate of \$97.00 (GST to be added) on every separately used or inhabited part of a rating unit in the "Levin, Foxton and Foxton Beach" category,
- A rate of \$40.00 (GST to be added) on every separately used or inhabited part of a rating unit in the "District Wide" category.

(g) Sewage (Waste Water) Disposal Rates

A targeted rate for sewage disposal set under section 16 of the Local Government (Rating) Act 2002 of \$287.00 (GST to be added) for each separately used or inhabited part of any rating unit that is connected to a sewer network;

An additional rate of \$516.00 (GST to be added) on every rating unit that is connected to the Levin sewer network in the Fairfield and Roslyn Roads sewer extension

(h) Water Supply Rates

A targeted rate for water supply, set under section 16 of the Local Government (Rating) Act 2002 of \$242.00 (GST to be added) for each separately used or inhabited part of any rating unit, or number of connections to each separately used or inhabited part of any rating unit (whichever this the greater) that are connected to a water supply network (except for Foxton Beach).

For the Foxton Beach water supply network:

\$162.00 (GST to be added) for each separately used or inhabited part of any rating unit or number of connections to each separately used or inhabited part of any rating unit (whichever this the greater) that is connected to the Foxton Beach water supply network.

Targeted rates for water supply set under section 19 of the Local Government (Rating) Act 2002 of,

- \$0.88 (GST to be added) per m³ of water consumed in excess of 1m³ per day on any rating unit connected to the any water supply, except Foxton Beach, where a meter is used to measure consumption on the network during the period from 1 July 2010 to 30 June 2011.
- \$0.44 (GST to be added) per m³ of water consumed in excess of 1m³ per day on any rating unit connected to the Shannon untreated bore water supply where a meter is used to measure consumption on the network during the period from 1 July 2010 to 30 June 2011.
- The cost per m³ (GST to be added) of water consumed by any rating unit connected to the Moutua water supply network, calculated quarterly, during the period from 1 July 2010 to 30 June 2011.
- For Foxton Beach Water Supply
 1. **Step 1** - \$0.40 (GST to be added) per m³ for the first 50 m³ of water consumed per quarter on any rating unit or separately used or inhabited part of a rating unit connected to the Foxton Beach water supply network during the period from 1 July 2010 to 30 June 2011 with an additional minimum charge of \$5 per quarter.
 2. **Step 2** - \$0.80 (GST to be added) per m³ for the second 50 m³ of water consumed per quarter in excess of 50 m³ on any rating unit or separately used or inhabited part of a rating unit connected to the Foxton Beach water supply network during the period from 1 July 2010 to 30 June 2011.
 3. **Step 3** - \$1.20 (GST to be added) per m³ for the balance of water consumed per quarter in excess of 100 m³ on any rating unit or separately used or inhabited part of a rating unit connected to the Foxton Beach water supply network during the period from 1 July 2010 to 30 June 2011

(d) Targeted Rate for Water Races

A targeted rate for water supply, set under section 16 of the Local Government (Rating) Act 2002 of 0.00042 cents in the dollar (GST to be added) of land value on any rating unit connected to the Waikawa water race network.

2. DIFFERENTIAL CATEGORIES

That the Horowhenua District Council adopts the following definitions for its differential categories for the 2009/10 financial year.

General and Rooding Rates

- (a) **Urban** all rating units within the urban areas of Levin, Foxton and Shannon. This category has a differential factor of 47.2%.
- (b) **Townships** - all rating units within the urban areas of Waikawa Beach, Manakau, Ohau, Hokio Beach, Waitarere Beach, Foxton Beach and Tokomaru. This category has a differential factor of 7.2%.
- (c) **Rural Residential** - all rating units defined as Lifestyle and Residential (except vacant lifestyle or residential) in the Rating Valuation Rules 2008 Appendix F.2.1 in all rural areas. This category has a differential factor of 5.33%
- (d) **Rural Business** - all rating units within the district that are not in the "urban", "township" or "rural residential" differential. This category has a differential factor of 31%.
- (e) **District Wide** - all rating units within the district that are not in the "rural business" differential. This category has a differential factor of 9.27%.

Solid Waste Disposal Rate

- (a) **Urban and Township** - all rating units within the urban areas of Levin, Foxton, Shannon, Waikawa Beach, Manakau, Ohau, Hokio Beach, Waitarere Beach, Foxton Beach and Tokomaru. This category has a differential factor of 80%.
- (b) **Rural** - all rating units within the district that are not in the "urban and township" differential. This category has a differential factor of 20%.

Swimming Pool Rate

- (a) **Levin, Foxton and Foxton Beach** - all rating units within the urban areas of Levin, Foxton, and Foxton Beach. This category has a differential factor of 60%.
- (b) **District Wide** - all rating units within the district. This category has a differential factor of 40%.

3. DUE DATES FOR PAYMENT OF RATES

That all rates will be payable in four instalments due on:

15th September 2010
15th December 2010
15th March 2011
15th June 2011

4. PENALTIES

That the Council applies the following penalties on unpaid rates:

- I. *a charge of 10 percent on so much of each instalment that has been assessed after 1st July 2010 and which is unpaid after the due date of each instalment, to be applied:*
 - 15th September 2010
 - 15th December 2010
 - 15th March 2011
 - 15th June 2011
- II. *a charge of 10 percent on so much of any rates levied before the 1st July 2010 which remain unpaid on 5th July 2010,*
- III. *a further charge of 10 percent on any rates to which a penalty has been added under ii above if the rates remain unpaid on 5th January 2011.*

5. PAYMENT OF RATES

That rates shall be payable at any of the following places:

Levin	Public Office, 126 Oxford Street,	Mon, Tues, Thurs, Fri Wed	9.00 am to 5.00 pm 9.30 am to 5.00 pm
Foxton	Service Centre Main Street	Mon to Fri	9.00 am to 12.15 pm 1.30 pm to 4.30 pm
Shannon	Library/Service Centre Plimmer Terrace	Mon to Thurs Fri Sat	1.00 pm to 5.00 pm 10.00 am to 12 noon 1.00 pm to 5.00 pm 10.00 am to 12 noon

Where a payment made by a ratepayer is less than the amount now payable, the Council will apply the payment firstly to any arrears from previous years and then proportionately across all current year rates due."

His Worship the Mayor commended all those involved in the Annual Plan process for the enormous amount of work that had gone in to maintaining the rates increase to the projected 4.98%. He did express concern at the tenor of some of the submissions received, but overall the quality of submissions had assisted the process. He particularly acknowledged the submissions received from Mr & Mrs Paton which signaled an element of harmony between the community and Council.

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 9 June 2010 (Minute Items 1908-1909)

Reasons for Confidentiality

*This Reports is **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, 7 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 5.50 pm.

CONFIRMED this day of

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Chairperson