

**MINUTES OF THE ORDINARY MEETING OF THE HOROWHENUA DISTRICT COUNCIL
HELD IN THE HOROWHENUA ROOM, 126-148 OXFORD STREET, LEVIN ON THURSDAY,
28 OCTOBER 2010 COMMENCING AT 4:00 PM**

PRESENT

His Worship the Mayor, Mr B J Duffy (Chair)
Cr D A Allan
Cr G G Good
Cr V M Kaye-Simmons
Cr L E McMeeken
Cr A M Hunt
Cr N D H Murray
Cr R N Shaw

IN ATTENDANCE

Mr D G Ward (Chief Executive Officer)
Mr D Law (Finance Manager)
Mr D M Clapperton (Strategic & Corporate Services Manager)
Mr T Thomas (Environmental Services Manager)
Mr J Paulin (Management Accountant)
Mrs K J Corkill (Meeting Secretary)

ALSO IN ATTENDANCE

Mr P Kennerley (Director, Audit New Zealand)
Mr M Henderson (Audit Manager, Audit New Zealand)
Mr N G Gimblett (Chair, Foxton Community Board)

MEDIA IN ATTENDANCE

Mr P Franklin ("Chronicle")
Mrs A Reading ("Beach FM")

PUBLIC IN ATTENDANCE

There was one member of the public in attendance at the commencement of the meeting.

APOLOGIES

Apologies were recorded for Crs Rush, Keenan and Judd.

Resolved

(Shaw / Hunt)

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

ANNOUNCEMENTS

Members' Conflict of Interest

No Conflicts of Interest had been recorded.

REPORTS

Item-1989 Adoption of Model Standing Orders

File No **4329**

Purpose

To present to members for discussion and adoption Model Standing Orders NZS 9202:2003, together with Amendments adopted by Horowhenua District Council on 31 October 2007.

Resolved

(Hunt / Allan)

“THAT Report 4329 be received.”

Mr Ward advised that all elected members had received a copy of Model Standing Orders NZS9202:2003, with the only changes being those amendments that had been adopted in 2007. Accordingly this was deemed to be a procedural matter.

Resolved

(Allan / Hunt)

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

“THAT in accordance with Section 27, Schedule 7, Part 1 of the Local Government Act 2002, with effect from 28 October 2010 the Standing Orders for the Horowhenua District Council, its Committees and Subcommittees shall be NZS 9202:2003 Model Standing Orders for Meetings of Local Authorities and Community Boards as expanded (or as amended by the New Zealand Standards Association from time to time) with Amendments made and adopted by the Horowhenua District Council at an Ordinary Meeting held on 31 October 2007.”

Item-1990 Policy on Appointment and Remuneration of Directors for Council Organisations

File No **4331**

Purpose

To remind Council of the existence of its Policy on Appointment and Remuneration of Directors for Council Organisations, and to identify any areas for amendment at the beginning of the new triennium.

Resolved

(Kaye-Simmons / Murray)

“THAT Report 4331 be received.”

Resolved

(Good / Hunt)

“THAT Council confirms its Policy on Appointment and Remuneration of Directors for Council Organisations.”

Item-1991 Code of Conduct

File No **4330**

Purpose

To advise Council of a proposed variation to Part Four (Subclause 19 – Compliance) of Council’s Code of Conduct.

Resolved

(McMeeken / Shaw)

“THAT Report 4330 be received.”

Mr Ward tabled a further report (4335) which removed reference to the monitoring of Code of Conduct compliance by the Strategic Planning and Policy Committee, an historic Council Committee, suggesting that, in his opinion, the recently used process for the Foxton Code of Conduct enquiry was a better option.

Resolved

(Murray / Shaw)

“THAT the further report (4330) tabled by the Chief Executive Officer be received.”

Cr Hunt expressed her concerns about two Code of Conduct enquiries that she had been involved in and said they had been very stressful. She also suggested that Council should include more information in its Agendas in relation to In Committee items, such as set out Appendix B to Model Standing Orders where the address of a property being considered for purchase was included.

Mr Ward said he had a slightly different view when it came to the information to be included for In Committee items. He also noted that our legal advisers annually reviewed Council’s performance when it came to public excluded items and they were satisfied that Council was meeting its legal requirements. Councillors could always challenge the need for confidentiality at the time of the motion to move into public excluded.

Cr Allan, whilst acknowledging Cr Hunt’s right to express her views, suggested that it was important that Council maintain legal confidentiality, particularly when it came to commercial transactions.

After further discussion, and because there were three Councillors were not in attendance, it was:

Resolved

(Good / Hunt)

"THAT this report lay on the table until the Council Meeting scheduled for 10 November 2010, with the Chief Executive Officer to provide a redrafted report and amended Code of Conduct including the suggested amendments."

CARRIED

Item-1992 Membership and Chairs of Existing Standing Committees

File No **4327**

Purpose

To outline the options available to Council for the membership and Chairs of its Standing and Special Purpose Committees/Subcommittees.

Resolved

(Shaw / Good)

"THAT Report 4327 be received."

Mayor Duffy commented that there had been some prior discussion held in relation to placing Councillors in roles that reflected their interests. Council now needed to ratify those positions and to make a decision in the few cases where there were more suggested appointees than positions available.

In relation to the Community Wellbeing Executive (which had yet to be established), Cr Good said he had understood this was going to be the subject of a report to Council and suggested appointments to this Committee being deferred until the report had been received.

Resolved

(Good / Allan)

"THAT appointments to the Community Wellbeing Executive be deferred until the report on the make up and role of this Committee is presented to the 10 November 2010 Council meeting."

In discussing the various appointments:

- Having done two terms, Cr Hunt expressed her wish not to represent Council on the National Museum of Audio Visual Arts and Sciences Trust Board, and suggested that an interested member or members of the Community Board might be more suitable appointees. Mayor Duffy advised that Mrs Metcalf had indicated her interest and this matter would be referred to the 15 November 2010 Community Board meeting;
- Cr Rush, through Cr Good, expressed his desire to remain as a liaison Councillor on the Horowhenua Library Trust, with Cr Kaye-Simmons withdrawing her name for selection;
- the five Councillors selected for the Hearing Committee were Allan, McMeeken, Good, Shaw and Kaye-Simmons.

Resolved

(McMeeken / Good)

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

“THAT Council adopts a Committee/Special Committee/Subcommittee structure comprising a:

- Hearings Committee*
- Iwi Consultation Special Committee*
- Chief Executive Officer’s Performance Agreement Review Special Committee*
- Major Events and Local Events Marketing Grants Subcommittee*
- General Grants and Rural Halls Subcommittee*
- Creative New Zealand Funding Allocation Special Committee*
- Community Scheme Local Allocation Special Committee*
- Strategic Grants Special Committee*
- Civic Honours Special Judging Panel*
- Kapiti Horowhenua Joint Regional Economic Development Forum*
- Audit Subcommittee*
- Community Wellbeing Executive.”*

“THAT Council appoints Crs Allan, McMeeken, Good, Shaw and Kaye-Simmons, including the Chairperson and Deputy Chairperson, to its Hearings Committee and the Committee be delegated responsibility to consider and decide on the formal regulatory processes associated with the District Plan, resource consent hearings and hearing of submissions on bylaws.”

“THAT appointees to the Hearings Committee make a commitment to training aimed at achieving accreditation by 30 June 2011.”

“THAT the Chairperson of the Foxton Community Board be invited to sit on the Hearings Committee on matters pertaining to the Community Board area.”

“THAT the Iwi Consultation Special Committee comprise the Mayor, Crs Murray, Shaw, Kaye-Simmons and Judd.”

“THAT the Chief Executive Officer’s Performance Agreement Review Special Committee comprise the Mayor and all elected Councillors.”

“THAT the Major Events and Local Events marketing Grants Subcommittee comprise Crs Hunt, Rush and McMeeken.”

“THAT the General Grants and Rural Halls Subcommittee comprise Crs Keenan, Kaye-Simmons, Rush and Shaw.”

“THAT the Creative New Zealand Funding Allocation Special Committee comprise Crs Kaye-Simmons and McMeeken.”

“THE Strategic Grants Special Committee comprise the Mayor and all elected Councillors.”

“THE Civic Honours Special Judging Panel comprise the Mayor, Crs Rush, Keenan, Hunt, Kaye-Simmons and Shaw.

“THE Kapiti Horowhenua Joint Regional Economic Development Forum comprise the Mayor and Crs McMeeken and Rush, with Cr Good as an alternate.”

“THAT the Audit Subcommittee comprise the Mayor, Crs Judd, Keenan and Rush.”

“THAT Council and its committees continue to meet on a monthly basis, commencing at 4.15 pm on the first Wednesday of the month unless otherwise specified.”

“THAT the next meeting of Council be held on Wednesday, 10 November 2010 commencing at 4.15 pm.”

“THAT the Chief Executive Officer brings forward a meeting schedule for 2011 for adoption by Council at its 10 November 2010 meeting.”

“THAT a review of the structure and chairpersonship of Council’s committees be carried out after the first twelve months of operation.”

“THAT Council adopts the list of proposed appointments to community groups and organisations as follows:

**Appointments to Statutory Bodies, Community Groups/
Associations and Other Organisations
2010-2013**

Organisation/Body Group	Appointment(s)
Zone 3 Local Government New Zealand Association	Mayor Duffy
Manawatu River Users Advisory Group	Cr R Shaw
Horowhenua Lake Domain Board	Cr N Murray, Mayor Duffy, Cr T Rush
Horowhenua Learning Centre Trust	Cr G Good
Horowhenua Neighbourhood Support Management Committee	Cr L McMeeken
Thompson House Executive	Cr G Good
Horizons Regional Council - Regional Land Transport Committee	Mayor Duffy
Foxton Area Community Medical Trust	Cr B Judd, Cr D Allan
Nature Coast Enterprise	Mayor Duffy
Jack Allen Community House	Cr G Good
Waitarere Beach Progressive and Ratepayers Association Inc	Cr N Murray, Cr P Keenan
Hokio Progressive Association Inc	Cr N Murray, Cr P Keenan
Manakau District Community Association	Cr N Murray, Cr P Keenan
Waikawa Beach Ratepayers Association	Cr N Murray, Cr P Keenan
Horowhenua District Transportation Trust	Mr D Colling
Manawatu-Wanganui Region Civil Defence Emergency Management Group Governance Body	Mayor Duffy
NZ Patriotic Council	Cr T Rush
Coast Access Radio - Horowhenua District Trustee	Cr T Rush
Shannon Progressive Association Inc	Cr R Shaw
Passenger Transport Subcommittee - Horizons Regional Council	Mayor Duffy
Mayor's Task Force for Jobs	Mayor Duffy
Shannon Community Action Committee	Cr R Shaw
Horowhenua Events Centre Trust - Council Appointee	Shelly Mitchell-Jenkins
Crime Prevention Camera Trust	Cr G Good, Cr V Kaye-Simmons
Neighbourhood Liaison Group - Landfill	Cr B Judd
Manawatu/Wanganui Regional Disaster Relief Fund Trust	Cr T Rush
Horowhenua Library Trust Liaison Councillors	Crs G Good and T Rush
Shannon Sewerage Working Party	Cr R Shaw

"THAT the appointment of a representative to the National Museum of Audio Visual Arts & Sciences Trust Board be referred to the Foxton Community Board meeting of 15 November 2010."

"THAT upon adoption of the suggested Committee Structure, terms of reference, delegations and Council's Code of Conduct, together with any amendments made to Standing Orders, a separate folder be compiled and made available to all Councillors, Board Members and Senior Officers for future reference purposes containing all these documents, along with any amendments or additions/deletions made."

Item-1993 Adoption Annual Report 30 June 2010

File No **4332**

Purpose

Is to adopt Council's Annual Report for the year ended 30 June 2010.
The Annual Report was considered by the Audit Subcommittee on Thursday, 28 October 2010 prior to the Council meeting.

Audit New Zealand Director Phil Kennerley and Audit Manager, Mike Henderson would be in attendance at today's Council and also at the Audit Subcommittee meeting.

Resolved

(Good / McMeeken)

"THAT Report 4332 on the Annual Report for the year ending 30 June 2010 be received."

Mayor Duffy welcomed Mr Kennerley and Mr Henderson to the meeting.

Mr Kennerley introduced himself and Mr Henderson, explaining their roles at Audit New Zealand and as part of the auditing process. He commented that this audit had been interesting as it was the first year of Council's new LTCCP and service performance as well as financials had been a major part of this audit. The audit had gone well and if adopted without change tonight, then Audit New Zealand would sign off on its unqualified audit opinion.

Mayor Duffy advised that the Audit Subcommittee had met with Messrs Kennerley and Henderson prior to the meeting and after discussing the report in some detail, had recommended adoption of the audited Annual Report.

Cr Shaw commented that he had requested that the Shannon Water Account be itemised separately and he could not find it as a separate item in the Annual Report. It was agreed that a note 6. would be included on page 84, which would make this fund easier to identify.

NOTED

Resolved

(Good / McMeeken)

"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 2010."

"THAT the Annual Report 2009/2010 is amended by adding the final Audit Opinion."

"THAT the Annual Report for the year ended 30 June 2010 be adopted as amended."

Mr Ward publicly expressed his appreciation to Council staff, particularly Mr Law, Ms Scott and Mr Paulin, who had been involved in the audit process, which had entailed considerable work over and above their day to day tasks. He also acknowledged Mr Henderson's involvement and that of the Audit team in a process that had a major change of focus for this year looking at not just financials but also community outcomes.

His Worship the Mayor, in closing the meeting, also noted that this had been a rigorous review and there had been some noticeable improvements from Audit New Zealand's suggestions of last year. It highlighted that Council staff were prepared to step up and the unqualified audit opinion showed that Council was on track and was delivering appropriate services into the community.

MEETING CLOSURE

There being no further business the meeting concluded at 4.50 pm.

CONFIRMED this day of

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Chairperson