

**MINUTES OF THE ORDINARY MEETING OF THE HOROWHENUA DISTRICT COUNCIL  
HELD IN THE COUNCIL CHAMBERS, 126-148 OXFORD STREET, LEVIN ON WEDNESDAY,  
6 OCTOBER 2010 COMMENCING AT 4:20 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 R N Shaw

**IN ATTENDANCE**

Mr D G Ward (Chief Executive Officer)  
Mr D Law (Finance Manager)  
Mr T Thomas (Environmental Services Manager)  
Mr W Potts (Community Assets Manager)  
Mr D de Burgh (Solid Waste Engineer)(until 5.00 pm)  
Mr P J T Shore (Facilities Assets Manager)  
Mr G O'Connor (Operations Manager)  
Ms M Franks (Community Wellbeing Manager)  
Mrs K J Corkill (Meeting Secretary)

**ALSO IN ATTENDANCE**

Ms C Carlyle (Group Support Officer)

**MEDIA IN ATTENDANCE**

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

**PUBLIC IN ATTENDANCE**

There were thirteen members of the public in attendance at the commencement of the meeting, as well as four Youth Voice representatives.

**APOLOGIES**

An apology was recorded for Cr A D Rush.

**Resolved**

(Judd / McMeeken)

*"THAT the apology for Cr Rush be received."*

## **ANNOUNCEMENTS**

### **Speaking Rights**

- Item 1979 Horowhenua District Plan: Plan Change 23 - Financial Contributions  
Mr D J Roache
- Item 1980 Foxton Recycling Station Relocation  
Mr B Ten Have
- Item 1981 Multisport Development at Playford Park  
Youth Voice Representatives

### **Late Items**

There were no late items for consideration.

### **Members' Conflict of Interest**

No Conflicts of Interest had been recorded.

### **Presentation by Waiopahu College**

His Worship the Mayor welcomed Waiopahu College students Willie Paia'aua and Anthony Suauili and Deputy Principal, Guy Reichenback, to share with Council their experience at the competition for culture at Polyfest 2010 (which they won) and the following performance at the Wellington Opera House to a packed crowd of 2,000 people at the Tu Tangata Festival.

A short DVD of the winning performance was shown, with Mayor Duffy congratulating the group on a superb performance and acknowledging the work that had gone in to such an undertaking, which was a great affirmation of the talent and commitment of young people within our community.

## **CONFIRMATION OF MINUTES**

Ordinary Meeting 1 September 2010 (Minute Items 1960-1972)

### **Resolved**

(McMeeken / Judd)

*"THAT the minutes of the Ordinary Meeting held on 1 September 2010 (Minute Items 1960-1972), as submitted, be confirmed as a true and correct record."*

## **MATTERS ARISING**

There were no matters arising.

## PROCEEDINGS OF COMMITTEES

### Item-1974 Foxton Community Board Proceedings 30 August 2010

**File No** 4302

#### **Purpose**

To present to the Horowhenua District Council the minutes of the Foxton Community Board meeting held on 30 August 2010.

#### **Resolved**

(Allan / Shaw)

*“THAT Report 4302 be received.”*

*“THAT the Horowhenua District Council **receive** the minutes of the Foxton Community Board meeting held on 30 August 2010.”*

Cr Hunt reiterated her concern that demolition of the Foxton Beach Yacht Club, an iconic Foxton structure, had commenced prior to the matter coming before either the Community Board or Council.

### Item-1975 Horowhenua Kapiti Councils Joint Economic Development Forum 25 August 2010

**File No** 4304

#### **Purpose**

To present to the Horowhenua District Council the minutes of the Horowhenua/Kapiti Coast District Councils Joint Economic Development forum held on 25 August 2010.

#### **Resolved**

(McMeeken / Good)

*“THAT Report 4304 be received.”*

*“THAT the Horowhenua District Council **receive** the minutes of the Horowhenua/Kapiti Coast District Councils Joint Economic Development forum held on 25 August 2010.”*

### Item-1976 Hearing Committee Minutes 13 September 2010

**File No** 4314

#### **Purpose**

To present to the Horowhenua District Council the minutes of the Hearing Committee meeting held on 13 September 2010 to consider Proposed Plan Change 23: Financial Contributions.

#### **Resolved**

(Judd / Allan)

*“THAT Report 4314 be received.”*

*“THAT the Horowhenua District Council **receive** the minutes of the Hearing Committee meeting held on 13 September 2010.”*

**Item-1977 Creative Communities NZ Scheme Special Committee 27 September 2010**

**File No 4312**

**Purpose**

To present to the Horowhenua District Council the minutes of the Creative Communities New Zealand Scheme Local Assessment Special Committee meeting held on 27 September 2010.

**Resolved**

(Good / Keenan)

*"THAT Report 4312 be received."*

**Resolved**

(Good / Keenan)

*"THAT the Horowhenua District Council **receive** the minutes of the Creative Communities New Zealand Scheme Local Assessment Special Committee meeting held on 27 September 2010."*

*"THAT the following recommendations made by the Creative Communities New Zealand Scheme Local Assessment Special Committee meeting held on 27 September 2010 be accepted:*

*"THAT the Horowhenua District Council ratifies the following applications totalling \$9,290 from the Creative Communities New Zealand Local Assessment Fund as follows:*

<b>Name</b>	<b>Project</b>	<b>Amount</b>
Horowhenua Arts Society Inc	Audrey Garratt Workshop Still Life	\$580
Horowhenua Arts Society Inc	Art in the Park 13 February 2011	\$800
Manakau Medieval Market Charitable Association	Manakau Medieval Market Event 12 February 2011	\$2,312
Levin Little Theatre Society Inc	End of Year Pantomime November 2010	\$1,598
Pipes & Drums of Horowhenua Inc	Open Days to promote band and encourage new members November 2010 and February 2011	\$2,000
James Laursen/Te Awahou Maori Womens Welfare League	Te Awahou Whanau Sports Day/Christmas Concert Event	\$2,000

AND FURTHER

*That the balance remaining from the total amount available for allocation be carried over to the next funding round in February 2011."*

*"THAT the present CCS Allocation Special Committee remain following the October 2010 local body elections until the advertising and appointment for replacement members is completed, with the Council being recommended to make three appointments for the 2010/2013 term of office*

AND FURTHER

*That the composition of Council's CCS Local Allocation Subcommittee in conforming with the revised criteria comprise at least 7 and not more than 11 members (appointed and public representatives) for the ensuing 3 year term*

AND FURTHER

*That Ms Rosalie Blake and Mr Tony Matthews as public representatives who have served less than one term of office (3 years) remain for a further three year term*

AND FURTHER

*That up to two of the longer serving public representatives be asked to remain for a further one year minimum period to maintain continuity*

AND FURTHER

*That public notices be undertaken in November 2010 inviting expressions of interest/ nominations for up to four positions on the CCS Local Allocations Special Committee, including both iwi and Pacifica representatives to serve for a 3 year term."*

## REPORTS

### **Item-1978 Monitoring Report Horowhenua District Council to 6 October 2010**

**File No**            **4305**

#### **Purpose**

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

#### **Resolved**

(Judd / Murray)

*“THAT Report 4305 be received.”*

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

### **Item-1979 Horowhenua District Plan. Plan Change 23: Financial Contributions**

**File No**            **4317**

#### **Purpose**

To adopt proposed Plan Change 23 being various amendments to the District Plan to remove its provisions for Financial Contributions as per the Financial Contributions policy in the LTCCP 2009 (page 159).

#### **Resolved**

(Judd / McMeeken)

*“THAT Report 4317 on Plan Change 23 be received.”*

Mr Thomas reiterated that this Plan Change was to give effect to the suspension of the Financial Contributions provision in the District Plan, which had been superseded by the introduction of a Development Contributions Policy in the 2009 LTCCP as required under the Local Government Act 2002. An appeal period would follow the adoption of the Plan Change, which would then be brought back to Council for final adoption.

Mr Thomas responded to Councillor queries:

- there was no intention under the change proposed to require developers to upgrade infrastructure over and above what was required to reasonably meet the needs of a development;
- the submissions that had been rejected had been outside the scope of this Plan Change and the submitters issues would certainly be raised again and addressed during the course of the District Plan Review.

Mr Roache had requested speaking rights, but his thrust had been to speak to the Development Contributions Policy. As this was not the appropriate item to express his concerns, he signalled his intention to speak to Development Contributions when the next available opportunity arose.

NOTED

#### **Resolved**

(Allan / McMeeken)

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

*“THAT in relation to Proposed Plan Change 23 (being an amendment to the Horowhenua District Council Operative District Plan) the Council, pursuant to Clause 10 of the First Schedule to the Resource Management Act, adopt the recommendation of the Hearing Committee and approve the amendment of the Operative Horowhenua District Council District Plan as set out in Attachment A to this report.”*

*“THAT the required notification of the decision be undertaken.”*

## **Item-1980 Foxton Recycling Station Relocation**

**File No**                **4318**

### **Purpose**

To update the Horowhenua District Council on further investigations carried out by Council Officers on points raised at the Foxton Community Board meeting held on 30 August 2010 in relation to the Foxton Recycling Station located on Ladys Mile.

To present information to allow the Council to make an informed decision on the future location and the level of service of the static recycling station in Foxton.

### **Resolved**

(Judd / McMeeken)

*“THAT Report 4318 on Proposed Relocation of the Foxton Recycling Station be received.”*

Mr Ward prefaced any comments from Mr de Burgh by noting the resolution that had been passed unanimously by the Foxton Community Board on Monday evening supporting the relocation of the Foxton Recycling Station, and which was before Council tonight for ratification. He confirmed that appropriate communication of the changes would be undertaken in the “Community Connection” and using letter box drops.

Mr Ten Have in speaking to this item referred to some history surrounding the Foxton Recycling Station, queried the process, and queried charges for the use of a second recycling crate. Mr Ten Have also suggested that there should be an open tender process for the building of the new recycling station.

Cr Hunt expressed her pleasure in the resolution of this issue as she had been concerned that Council had been operating the facility without the appropriate resource consent.

### **Resolved**

(Murray / McMeeken)

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

*“THAT the Foxton Community Board recommends the relocation of the Foxton Recycling Centre to the Foxton Waste Transfer Station in such a way as to ensure the general public has continued access to recycling facilities at no cost between 7.00 am and 5.00 pm, seven (7) days a week*

**AND FURTHER**

*THAT the location be reviewed for suitability of design and operational hours in twelve (12) months time.”*

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## **Item-1981 Multisport Development at Playford Park**

**File No**                **4316**

### **Purpose**

To update Council on the transition of Softball facilities from Donnelly Park to Playford Park, the growth and development a new Softball Club at Playford Park, and to outline the needs and opportunities for the future of Playford Park as a multisport park.

### **Resolved**

(McMeeken / Keenan)

*“THAT Report 4316 be received.”*

The fact that this was the second most used sports facility in the district was underlined by Mr Shore when he spoke to this report and it was going to get busier. To meet the added demand the amenities were sorely in need of an upgrade and there would be multiple benefits as a result of moving forward.

Caleb Jago-Ward (Horowhenua College), Jarred Gilmore (Manawatu College), Tayla Bennie (Waiopahu College) and Ashley Cotter-Hope (Youth in Employment) spoke to this item on behalf of Youth Voice and supported the recommendation to work towards the upgrade of Playford Park. They could see only positive benefits for youth and for the whole community.

Caleb Jago-Ward also complimented the Pacifika team from Waiopahu College for their amazing performance at the Tu Tangata Festival.

### **Resolved**

(McMeeken / Judd)

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

*“THAT Council directs Officers to work with the various Playford Park Sports clubs/codes and plan a strategy for the future development of the Park including a project funding plan, and recommendations for inclusion in the next LTCCP review.”*

## **Item-1982 Application For Funding - Aquatic Disability Hoists**

**File No**                **4310**

### **Purpose**

To receive a resolution from Council to source funding of \$29,969.00 (excluding GST) from the Horowhenua Community Trust for the purchase of two Poolside Hoists to be used at the Levin Aquatic Centre and Foxton Pools.

### **Resolved**

(Hunt / Allan)

*“THAT Report 4310 be received.”*

**Resolved**

(Hunt / Allan)

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

*“THAT Council resolve to ‘apply for funding of \$29,969 (excluding GST) to the Horowhenua Community Trust for the purchase and installation of Disabled Access Hoists for the Levin Aquatic Centre and Foxton Pools’.”*

**Item-1983 Chief Executive Officer's Report to 6 October 2010**

**File No**            **4307**

**Purpose**

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

**Resolved**

(Judd / McMeeken)

*“THAT Report 4307 be received.”*

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

3a. Community Wellbeing Committee Update

A report on this item would come to a Council meeting prior to Christmas.

3b. Shannon to Eketahuna Cycleway

Mr Clapperton had advised Mr Ward that Tararua District Council, at its meeting earlier in the day, had approved funding of \$15,000.00 to assist towards a feasibility study for the project.

In relation to identified budgets, Mr Ward referred Councillors back to the September 2010 Agenda where it was noted that funding would be available through Council's Economic Development budget, Development Planning budgets and Financial Contributions for Parks and Reserves.

**Resolved**

(Judd / Murray)

*“THAT the Horowhenua District Council commits the sum of \$15,000.00 from budgeted funds as its contribution towards the feasibility study for the Shannon to Eketahuna cycleway.”*

Cr Shaw expressed his concerns in relation to protection of the environment should the project proceed, particularly as the Tararua Ranges was an iconic and sensitive area.

**Resolved**

(Shaw / Judd)

*“THAT officers collate a list of local knowledge sources from both the Horowhenua and Tararua communities to assist with environmental and land use considerations of this project.”*

3c. Meetings Schedule

Cr Good reminded the CEO that the National Koha Conference was scheduled for the same day (28 October 2010) that Council was scheduled to adopt the 2010 Annual Report.

3e. 2010/2011 Monitoring Report

Item 32 - Ballance Street/Plimmer Terrace Intersection

Mr O'Connor advised that discussions were continuing with NZTA.

3f. Acknowledgement

In noting how quickly the last three years has passed, on behalf of staff Mr Ward thanked Councillors for their support, encouragement and advice, and for the adoption of good policies to take the district forward.

### **Item-1984 Documents Executed and Electronic Transactions Authorities Signed**

**File No**            **4309**

#### **Purpose**

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

#### **Resolved**

(McMeeken / Allan)

*“THAT Report 4309 be received.”*

#### **Resolved**

(McMeeken / Allan)

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

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

- i. Bond binding Brian Keith and Vivien Jean Greenwood and Terrence John Urquhart to Horowhenua District Council in the sum of Five Thousand Dollars (\$5,000) to comply with conditions on shifting a building onto Lot 4 DP 2860 with an area of 766m<sup>2</sup> comprised in Certificate of Title WN227/298 - 17 Futter Street, Foxton*
- ii. Bond binding Catherine Marie Lucy Lawrie to Horowhenua District Council in the sum of Two Thousand Dollars (\$2,000) to comply with conditions on shifting a building onto Lot 1 DP 367566 with an area of 15063m<sup>2</sup> comprised in Certificate of Title WN274523 - 48 Waihou Road, Levin Rural*
- iii. Electronic Transaction Authority relating to transfer of Part Lot 25 DP 24426 to Winifred Rosetta Boyer, 14 Ferguson Street, Levin*
- iv. New lease Horowhenua Savage Club on Part Section 68 Levin Suburban as part of Playford Park, Parker Avenue, Levin for a period of ten (10) years from 14 September 2010.*

- v. *Bond binding Oriel and Kerrie Robina Margaret Martin to Horowhenua District Council in the sum of Four Thousand Dollars (\$4,000) to comply with conditions on shifting a building onto Lot 56 DP 14610 with an area of 814m<sup>2</sup> comprised in Certificate of Title WN576/174 - 30 Pratt Avenue, Foxton Beach*
- vi. *New lease Fulton Hogan on Part of Lot 1 DP 48902 containing an area of 0.1471 hectares at the Levin Depot, Hokio Beach Road for a period of five (5) years from 1 July 2010.*
- vii. *Bond binding Nigel Robert Jan Van Der Schouw to Horowhenua District Council in the sum of Three Thousand Dollars (\$3,000) to comply with conditions on shifting a building onto Lot 1 DP 329197 with an area of 431m<sup>2</sup> comprised in Certificate of Title WN11/9269 - 3a Marine Parade North, Foxton Beach*
- viii. *Bond binding Peter Francis and Judith Karen Chiles to Horowhenua District Council in the sum of Eight Thousand Dollars (\$8,000) to comply with conditions on shifting a building onto Lot 1 DP 345894 with an area of 3151m<sup>2</sup> comprised in Certificate of Title WN 188108 - 46a Purcell Street, Foxton*
- ix. *Variation of Lease between Horowhenua District Council and Levin-Waitarere Surf Lifesaving Club Inc to more clearly define the use of the premises at Waitarere Beach*
- x. *New lease Wellington Region Free Kindergarten Association Inc on behalf of Parsons Avenue Kindergarten, Levin on part of Lot 30 DP 24032 Parsons Avenue, Levin, for a period of ten years from 1 July 2010.*
- xi. *Electronic Transaction Authority relating to sewage easement in favour of Horowhenua District Council over Part Lot 4 DP10437 and Part Lot 1 DP 10437 Avenue Road, Foxton."*

**Item-1985 Resource Consents Considered Under Delegated Authority**

**File No**                **4308**

**Purpose**

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

**Resolved**

(Keenan / Judd)

*"THAT Report 4308 be received."*

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

*"THAT the Land Use and Subdivision Resource Consents be received as listed."*

**All Subdivision Resource Consents Granted Under Delegated Authority**  
**21/08/10 to 23/09/10**

<b>Granted Date</b>	<b>File Ref</b>	<b>Subdivider</b>	<b>Address</b>
26-Aug-10	2998	Collis Blake	72-90 Fairfield Road, Levin
27-Aug-10	2999	Wayne Bishop	5-9 Buckley Road, Shannon Rural
10-Sep-10	2986	West Derby Stud Limited	341 Tararua Road, Levin Rural
13-Sep-10	3012	Foodstuffs Properties (Wellington) Ltd	141-145 Oxford Street, (21-29 Bath Street) Levin
14-Sep-10	3009	Michael & Josie Brown	110 Kawi Road, Levin
16-Sep-10	2816	Horowhenua District Council	7 Main Street, Foxton

21-Sep-10	3014	Geoffrey & Jane Lynch	21 Bond Street, Foxton Beach
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**All Land Use Resource Consents Granted Under Delegated Authority  
21/08/10 to 23/09/10**

<b>Granted Date</b>	<b>File Ref</b>	<b>Applicant</b>	<b>Address</b>
23-Aug-10	2987	Nigel Van Der Schouw	3A Marine Parade North, Foxton Beach
24-Aug-10	2997	Ngawara Cranfield	185A Hokio Sand Road, Levin Rural
24-Aug-10	2992	Jodi & Ellen Iwanica	108 State Highway 1, Foxton/Himatangi
25-Aug-10	2993	John & Sarah Andrews and Peter Gilbert	20 Manga Pirau Street, Waikawa Beach
27-Aug-10	2994	Peter & Judith Chiles	46A Purcell Street, Foxton Rural
30-Aug-10	2995	Kiwi Johnson	42 Plimmer Terrace, Shannon
31-Aug-10	3003	Jan Bevan & Patricia Coneybear	1A Strathmore Avenue, Levin
1-Sep-10	3005	Antares Restaurant Group Limited	141-145 Oxford Street, (21-29 Bath Street) Levin
2-Sep-10	3000	Heather Hutchison	130A Bartholomew Road, Levin
2-Sep-10	2996	Jennifer Cohr	16 Shortt Street, Foxton Beach
3-Sep-10	3008	Summerset Properties Limited	104 Liverpool Street, Levin
7-Sep-10	3006	Duncan Campbell	40 Nelson Street, Foxton Beach
8-Sep-10	3010	Sandra Lawrence	3 Avenue North Road, Levin Rural
8-Sep-10	2970	Christopher & Jaimee Thompson	23 Ladys Mile, Foxton
10-Sep-10	3002	Ross Campbell	32 Cambridge Street, Levin."

In closing the open portion of the final meeting for the triennium, the Mayor acknowledged that political participation over the three years had included vigorous debate, a good strategic focus, with some seed sown yet to bear fruit. He thanked all Councillors for their efforts and support.

Councillors Good, Judd, Allan and McMeeken rose to acknowledge their thanks for the leadership and support from Mayor Duffy, with Cr Allan also acknowledging the quality of the additional contribution provided by Hearing Committee members.

## **MOTION TO EXCLUDE THE PUBLIC**

### **Resolved**

(McMeeken / Allan)

*"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 1 September 2010 (Minute Item 1973)**  
**Item 1986 - In Committee Proceedings Foxton Community Board 30 August 2010**  
**Item 1987 - In Committee Proceedings Hearing Committee 13 September 2010**  
**Item 1988 - In Committee HDC Monitoring Report to 6 October 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, 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(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(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 5.35 pm.

In accordance with Standing Order 3.18.2 these Minutes were

AUTHENTICATED this                      day of    2010

.....  
**Chairperson**

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**Chief Executive Officer**