
Council

OPEN MINUTES

UNCONFIRMED

Minutes of a meeting of Council held in the Council Chambers, 126-148 Oxford St, Levin on Wednesday 23 November 2022 at 1.00pm.

PRESENT

Mayor	His Worship The Mayor Bernie Wanden
Deputy Mayor	Councillor David Allan
Councillors	Councillor Rogan Boyle
	Councillor Ross Brannigan
	Councillor Clint Grimstone
	Councillor Nina Hori Te Pa
	Councillor Sam Jennings
	Councillor Jonathan Procter
	Councillor Justin Tamihana
	Councillor Piri-Hira Tukapua
	Councillor Alan Young

IN ATTENDANCE

Reporting Officer	Monique Davidson	Chief Executive
	Daniel Haigh	Group Manager - Community Infrastructure
	Jacinta Straker	Group Manager - Organisation Performance
	Brent Harvey	Group Manager - Community Experience and Services
	Arthur Nelson	Parks and Property Manager
	Ben Blyton	Procurement Advisor
	Ashley Huria	Business Performance Manager
	Grayson Rowse	Principal Advisor – Democracy
Meeting Secretary	Jody Lygo	Democracy Support Officer

1 Apologies

Resolution Number CO/2022/137

MOVED by Mayor Wanden, seconded Cr Procter:

That apologies from Councillor Mike Barker and Councillor Paul Olsen be received and accepted

CARRIED

2 Public Participation

Mr Charles Rudd spoke to item 6.1

3 Late Items

Two late items were presented for considered for inclusion in this agenda.

3.1 Late Items

Resolution Number CO/2022/138

MOVED by Mayor Wanden, seconded Cr Brannigan:

That item 6.8 Appointment to Procurement Review Group be accepted as a late item and be considered as part of this meeting.

That item 6.9 Endorsement of Mayoral Declaration of Communities for Local Democracy be accepted as a late item and be considered as part of this meeting

CARRIED

4 Declaration of Interest

There were no declarations of interest.

5 Confirmation of Minutes

Resolution Number CO/2022/139

MOVED by Mayor Wanden, seconded Cr Boyle:

That the minutes of the meeting of the Council held on Wednesday, 16 November 2022, be confirmed as a true and correct record

CARRIED

6 Reports for Decision

6.1 Future of Levin Landfill Decision - Long Term Plan Process

Purpose

The purpose of this report is to discuss the two options of when to make a decision regarding the future of the Levin Landfill, either as part of an amendment to the 2021 Long Term Plan (LTP-21), or as part of the 2024 Long Term Plan (LTP-24). The final decisions would therefore be made by Council in either June 2023 or June 2024.

Resolution Number CO/2022/140

MOVED by Mayor Wanden, seconded Cr Allan:

That Report – Future of Levin Landfill Decision - Long Term Plan Process – be received.

That this matter or decision is recognised as significant in terms of S76 of the Local Government Act.

CARRIED

Resolution Number CO/2022/141

MOVED by Mayor Wanden, seconded Cr Young:

That Council notes its obligations under S97 of the Local Government Act to ensure that where a local authority is altering significantly the intended level of service for any significant activity, that decision can only be made where the decision is explicitly provided for in the Long Term Plan, or the Long Term Plan is amended.

That Council agrees to make a decision about the future of the Levin Landfill as an amendment to the 2021 Long Term Plan, enabling a decision on the future of the Levin Landfill to be made in June 2023.

CARRIED

6.2 Resurfacing of Donnelly Park Netball Courts

Purpose

To seek direction from Council on whether it wishes to bring forward funding to renew the netball surface and fencing at Donnelly Park from 23/24 to 22/23.

Resolution Number CO/2022/142

MOVED by Mayor Wanden, seconded Cr Procter:

That Report – Resurfacing of Donnelly Park Netball Courts – be received.

That this matter or decision is recognised as not significant in terms of S76 of the Local Government Act.

CARRIED

Resolution Number CO/2022/143

MOVED by Cr Tukapua, seconded Cr Grimstone:

That Council bring forward \$400,000 of renewals funding from 23/24 to 22/23 to enable the resurfacing and re-fencing of the netball courts at Donnelly Park.

CARRIED

6.3 Advance Funding Horowhenua Sports Turf Trust

Purpose

To seek a resolution from Council to pay in advance its annual contribution of \$25,000 (23/24) for artificial turf renewal at the Halliwell Turf, Donnelly Park. This to meet potential shortfalls in the current budget.

Resolution Number CO/2022/144

MOVED by Mayor Wanden, seconded Cr Young:

That Report – Advance Funding Horowhenua Sports Turf Trust – be received.

That this matter or decision is recognised as not significant in terms of S76 of the Local Government Act.

CARRIED

Resolution Number CO/2022/145

MOVED by Cr Jennings, seconded Cr Brannigan:

That Council agrees to release in advance its contribution of \$25,000 in 23/24 for completion of the necessary works for replacement of the Halliwell Turf, and repair of the accompanying floodlights.

CARRIED

6.4 2022-23 Financial Decisions Required by Council

Purpose

This is a regular paper to update Elected Members on a number of current matters and items of interest that affect the Council's financial position and require Council approval to progress.

This paper includes changes to the capital programme for 2022/23.

Resolution Number CO/2022/146

MOVED by Mayor Wanden, seconded Cr Boyle:

That Report – 2022-23 Financial Decisions Required by Council – be received.

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

CARRIED

Resolution Number CO/2022/147

MOVED by Cr Boyle, seconded Cr Allan:

That the Council approve an additional capital budget of \$1,000,000 to provide for the fluoridation of the Levin water supply.

A division was called for, voting on which was as follows:

For:

Councillors: David Allan
Rogan Boyle
Ross Brannigan
Clint Grimstone
Nina Hori Te Pa
Sam Jennings
Jonothan Procter
Justin Tamihana
Bernie Wanden

Against:

Councillors: Piri-Hira Tukapua
Alan Young

Cr Mike Barker was absent.

Cr Paul Olsen was absent.

The division was declared CARRIED by 9 votes to 2.

CARRIED

6.8 Appointment to Procurement Review Group

Purpose

To appoint a Councillor, and an alternate, to the Horowhenua District Council Procurement Review Group as required by the Council's Procurement Policy adopted 14 September 2022.

Resolution Number CO/2022/148

MOVED by Mayor Wanden, seconded Cr Allan:

That Report – Appointment to Procurement Review Group – be received.

That this matter or decision is recognised as not significant in terms of S76 of the Local Government Act.

CARRIED

Resolution Number CO/2022/149

MOVED by Mayor Wanden, seconded Cr Young:

That Council appoint Cr Jennings to the Procurement Review Group for the 2022/25 term and name Cr Olsen as an alternate should that be required.

CARRIED

6.9 Endorsement of Draft Mayoral Declaration for Communities for Local Democracy

Purpose

To seek Council's support for the endorsement by the Mayor of the Communities for Local Democracy (C4LD) Declaration

Resolution Number CO/2022/150

MOVED by Mayor Wanden, seconded Cr Allan:

That the Report – Endorsement of Draft Mayoral Declaration for Communities for Local Democracy – be received.

That this matter or decision is recognised as not significant in terms of S76 of the Local Government Act.

CARRIED

Resolution Number CO/2022/151

MOVED by Mayor Wanden, seconded Cr Allan:

That Council support the Mayor's endorsement of the Communities for Local Democracy Declaration as attached at Appendix A.

CARRIED

7 Reports for Noting

7.1 Organisation Performance Report

Purpose

The purpose of this report is to present to Council the organisation report for September –November 2022.

Resolution Number CO/2022/152

MOVED by Mayor Wanden, seconded Cr Brannigan:

That the Organisation Performance Report be received.

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

CARRIED

Resolution Number CO/2022/153

MOVED by Mayor Wanden, seconded Cr Hori Te Pa:

That having considered all matters raised in the Organisation Performance Report September - November 2022 report be noted.

CARRIED

7.2 Mayoral Report to 15 November 2022

Purpose

The purpose of this report is to report on community events and Council-related meetings that I have attended from October – 15 November 2022, and provide an update on items of interest.

Resolution Number CO/2022/154

MOVED by Mayor Wanden, seconded Cr Allan:

That the Mayoral Report to 15 November 2022 be received.

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

CARRIED

7.3 Council Resolution and Actions Monitoring Report November 2022

Purpose

The purpose of this report is to present to Council the updated monitoring report covering resolutions and requested actions from previous meetings of Council.

Resolution Number CO/2022/155

MOVED by Mayor Wanden, seconded Cr Boyle:

That the Council Resolution and Actions Monitoring Report November 2022 be received.

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

CARRIED

7.4 Council Forward Work Programme

Purpose

To provide Council with a preview of items to be brought to future Council meetings.

Resolution Number CO/2022/156

MOVED by Mayor Wanden, seconded Cr Boyle:

That the Council Forward Work Programme be received.

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

CARRIED

8 Procedural motion to exclude the public

Resolution Number CO/2022/157

MOVED by Mayor Wanden, seconded Cr Tamihana:

That the public be excluded from the following part(s) of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

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 which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

6.5 Levin Adventure Park Lease

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities. s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

6.6 Procurement Plan - Kings Drive Wastewater Reticulation Renewal

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person. s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities. s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

6.7 Horowhenua Alliance - Three-Waters Operations & Maintenance - Contract

Extension Variation Agreement

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	<p>s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.</p> <p>s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.</p> <p>s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p>	<p>s48(1)(a)</p> <p>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.</p>

The text of these resolutions is made available to the public who are present at the meeting and form part of the minutes of the meeting.

CARRIED

2.37 pm The public were excluded.

Resolutions in relation to the confidential items are recorded in the confidential section of these minutes and are not publicly available.

3.34 pm

There being no further business, the Chairperson declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD
AT A MEETING OF COUNCIL HELD ON

DATE:.....

CHAIRPERSON:.....