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# Council

## OPEN MINUTES

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Minutes of an extraordinary meeting of Council held in the Council Chambers, 126-148 Oxford St, Levin, on Thursday 17 December 2020 at 3.00 pm.

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### PRESENT

<b>Mayor</b>	Mr B P Wanden	
<b>Deputy Mayor</b>	Mrs J F G Mason	
<b>Councillors</b>	Mr D A Allan	(from 3.05 pm)
	Mr W E R Bishop	
	Mr R J Brannigan	
	Mr T N Isaacs	
	Mr S J R Jennings	
	Mrs V M Kaye-Simmons	
	Mr R R Ketu	
	Mrs C B Mitchell	
	Ms P Tukapua	

### IN ATTENDANCE

<b>Reporting Officer</b>	Mr D M Clapperton	(Chief Executive)
	Mr D Law	(Chief Financial Officer)
	Mr J Paulin	(Financial Accountant)
	Mr D McCorkindale	(Group Manager – People & Strategy)
	Mr K Peel	(Group Manager – Infrastructure Operations)
	Mrs L Slade	(Group Manager – People & Culture)
	Mr A Nelson	(Parks & Property Manager)
	Ms A Clark	(Parks & Property Lead South)
	Mrs K J Corkill	(Meeting Secretary)

### ALSO IN ATTENDANCE

	Ms T Whiti	(Accompanying Cr Ketu)
	Mr S Lucy	(Audit Director, Audit NZ – by audio /visual link)

### PUBLIC IN ATTENDANCE

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

The meeting commenced with a karakia (Cr Ketu).

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## 1 Apologies

An apology for lateness was recorded for Cr Allan.

MOVED by Cr Jennings, seconded Cr Brannigan:

*THAT the apology for lateness from Councillor Allan be accepted.*

**CARRIED**

## 2 Public Participation

### 7.1 Douglas Street Former Plantation Reserve Land

Charles Rudd  
Alan Day  
Barry Yates  
Sue Kersel

## 3 Late Items

There were no late items.

## 4 Declaration of Interest

There were no declarations of interest.

## 5 Announcements

Mayor Wanden noted that Item 7.2 – Lincoln Place Reserve – Levinable - had been withdrawn from today's Agenda and would be brought to Council in the New Year.

Cr Allan joined the meeting (3.05 pm).

## 6 Executive

### 6.1 **Annual Report for the year ended 30 June 2020**

#### **Purpose**

For the Horowhenua District Council to adopt the Annual Report for the year ended 30 June 2020.

Mr Paulin joined the table to speak to the report.

Noting that there had been some changes since the report had been prepared, Mr Paulin worked through these, with the updated information provided in hard copy to Elected Members. With regard to the changes, Mr Paulin said the most significant had been a correction of a spreadsheet error in the roading revaluation which had seen that figure increase by \$3.8m. That had not changed the operating result, but it had flowed through to the Balance Sheet and Fixed Asset Schedules.

MOVED by Cr Brannigan, seconded Cr Allan:

*THAT Report 20/578 Annual Report for the year ended 30 June 2020 be received.*

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

**CARRIED**

Speaking on behalf of Audit NZ, Audit Director Mr Lucy (via audio/visual link) noted:

- the audit opinion was qualified, with one of the reasons being due to the way Council recorded and measured complaints. There was also an issue with PNCC Afterhours, when receiving calls, not differentiating between different issues such as waste, water, fresh supply, etc. This was not a situation that was unique to HDC and had had an impact on a number of other Councils this year.
- all 30 June Audit opinions for the year included an additional paragraph that drew a reader's attention to where Council had recorded the impact of COVID-19 on its financials and service performance.
- the key matters looked at were as outlined in the audit plan and included how up-to-date the various (past and more recent) valuations of Property, Plant and Equipment, 3 Waters, Roading and Land and Buildings were, with the level of information provided by Officers being of a good standard.

With regard to the report to Council on Audit's more detailed findings, Mr Lucy apologised for an update not being provided by July 2020 as had been agreed. He said Audit would look to provide a draft report on the entire year by the end of January, which would close out a number of points from the previous report and any new ones; however there was nothing of any particular significance.

Mr Lucy expressed his thanks to Jeff Paulin, Abraham Chamberlain, the Finance Team and other Council Officers for the cooperation extended to Audit staff during what had been a stressful time for all.

Responding to a query from Mayor Wanden in terms of the timeline for next year and whether that would return to normal, Mr Lucy said that whilst there had been an extension of deadlines for Council this year from the end of October to the end of December, if the situation remained as it was currently the expectation was that timeframes would be back to normal and these would be locked in for the LTP and for the annual audit.

MOVED by Mayor Wanden, seconded Deputy Mayor Mason:

*THAT the Annual Report for the year ended 30 June 2020 is amended by adding the final Audit Opinion.*

*THAT the Annual Report for the year ended 30 June 2020 be adopted as amended.*

*THAT the Mayor and Chief Executive be authorised to sign the Annual Report on behalf of Council, and the Mayor, Chief Executive and Chief Financial Officer be authorised to sign the Letter of Representation addressed to the Council's Auditors for the year ended 30 June 2020.*

**CARRIED**

Mayor Wanden expressed his thanks to both the Auditors and to Council Officers acknowledging the enormous amount of work that had been involved during what had been a stressful year for both organisations.

## 7 Infrastructure Operations

### 7.1 Douglas Street Former Plantation Reserve Land

#### Purpose

To seek further direction from Council on the potential for disposal of a former plantation reserve subject to multiple previous Council resolutions.

Saying that his comments applied not only to this report but also to the withdrawn Lincoln Place Reserve report, Mr Charles Rudd outlined his concerns with regard to information that had been provided on Community Wellbeing, Consultation, Iwi and Other Considerations, also referencing the G2 Horowhenua Royal Commission of 1896 which recorded negotiations (which had included six conditions) between Major Kemp/Te Keepa Rangihwininui and the Crown for a block of land for the formation of a township. Mr Rudd suggested that in keeping with the recorded conditions, any of HDC's property assets which were in excess of requirements must be returned to the Muaūpoko Māori of Horowhenua Block 11. Mr Rudd provided a copy of his comments and the excerpt from the Horowhenua Royal Commission's report to which he had referred.

Affected residents, Mr Alan Day and Mr Barry Yates joined the table to respond to this application for Council to sell the reserve strip of land that bordered their property. Stressing that the developer who was seeking to purchase the land had had ample opportunity in the past, and still did, to access the land-locked section by other means, Mr Day provided, on screen (with a hard copy supplied to Elected Members) a history of the block showing current and historical maps and letters from 1987 to 1992 which outlined the circumstances that had led up to the current situation, noting that the original owner, Mr Douglas, when the reserve had been revoked, had said that he wished the land to be granted to the people adjoining it.

Summing up the residents' stance, Mr Day said following the Auditor saying that the land could not be gifted, it had to be sold, Council had set a value on it for sale. That had been accepted by the residents who had expected the sale to happen. There was then another delay because Council advised it may want to put an easement over the land; however, his argument was that, in law, an offer had been made by the seller; it had been accepted by the purchasers, so it should now be settled and finished once and for all.

Saying he had been a resident before Douglas Street was even in existence, Mr Yates supported Mr Day's comments. The residents had thought the agreement with Council was a done deal when that offer had been made; however, it had gone on and on, and they would now like it settled once and for all. He said he also felt that Mr Douglas' wishes, as the original owner of the land, should be respected.

MOVED by Cr Tukapua, seconded Cr Bishop:

*THAT Report 20/579 Douglas Street Former Plantation Reserve Land be received.*

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

**CARRIED**

Backing up what had been said by Alan Day and Barry Yates, Mrs Sue Kersel said that when they had purchased the property about three years ago, they had checked with Council and had been told by a Planner that nothing was going to happen with that land; it was owned by Council and had no services.

Mr Nelson and Mrs Clark joined the table to speak to the report and respond to questions from Elected Members. Requesting the report be taken as read, Mr Nelson said Council's direction was sought – either for the status quo to remain or a review be undertaken of the current situation – to address what had been a long-standing issue.

With it suggested that retaining the status quo would not bring the matter to a conclusion and in effect, directing officers to seek legal advice and come back with options for the disposal of the land was laying the matter on the table, it was:

MOVED by Cr Bishop, seconded Cr Allan:

*THAT in relation to the Douglas Street Former Plantation Reserve Land, the Horowhenua District Council resolves to instruct Officers to consider options for the potential disposal of the land subject to further legal clarification.*

**CARRIED**

The meeting concluded with a karakia (Cr Ketu).

4.21 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:**.....