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# Council

## OPEN MINUTES

## CONFIRMED

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Minutes of a meeting of Council held in the Council Chambers, 126-148 Oxford St, Levin on Wednesday 14 December 2022 at 1.05pm.

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### PRESENT

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

### IN ATTENDANCE

<b>Reporting Officer</b>	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
<b>Meeting Secretary</b>	Jody Lygo	Democracy Support Officer
	Tony Parsons	Programme Manager
	James Wallace	Land Transport Manager
	Carolyn Dick	Strategic Planning Manager
	Sean Hester	Parks and Property Lead (North)

Cr Procter opened the meeting with a Karakia.

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## Acknowledgment

Victoria Kaye-Simmons was presented with a gift on behalf of Council for her service to the district and the community over four terms as a Councillor.

### 1 Apologies

There were none.

### 2 Public Participation

Bruce Little	Item 6.2.: Oxford Street Plane Trees
Peter Everton – Neighbourhood Liaison Group	Item 6.3: Levin Landfill Old Dump Remediation Options
Eugene Henare	Item 6.3: Levin Landfill Old Dump Remediation Options
Charles Rudd	Item 6.1.: Lease for new Levin-Waitāreke Surf Lifesaving Club building Item 6.2.: Oxford Street Plane Trees Item 6.3.: Levin Landfill Old Dump Remediation
Vivienne Bold	Item 6.2.: Oxford Street Plane Trees
Jenny Rowan	Item 6.3.: Levin Landfill Old Dump Remediation Options

### 3 Late Items

#### 3.1 Late Item

Progress Report and Scope of the Draft Long Term Plan 2021-2041 Amendment.

The reason that this item was not on the when it was sent out is that information for this report was not available until after the Council Workshop on Wednesday 7 December 2022,

And the reason that this item cannot wait until the next Council meeting is because the approval of this paper's recommendations by Council is required to progress papers regarding the Long Term Plan Amendment for the next Council meeting on 1 February 2023.

#### **Resolution Number CO/2022/164**

MOVED by Cr Jennings, seconded Cr Brannigan:

That item 7.3 Progress Report and Scope of the Draft Long Term Plan 2021-2041 Amendment be accepted as a late item and be considered as part of this meeting, immediately before item 7.1.

**CARRIED**

### 4 Declaration of Interest

There were none.

## 5 Confirmation of Minutes

### Resolution Number CO/2022/165

MOVED by Cr Jennings, seconded Cr Allan:

That the minutes of the meeting of the Council held on Wednesday, 23 November 2022, be confirmed as a true and correct record.

**CARRIED**

### Resolution Number CO/2022/166

MOVED by Cr Allan, seconded Cr Hori Te Pa:

That the minutes of the meeting of the In Committee Meeting of Council held on Wednesday, 23 November 2022, be confirmed as a true and correct record.

**CARRIED**

## 6 Reports for Decision

### 6.3 Levin Landfill Old Dump Remediation Options

The purpose of this report is to discuss the remediation options for the closed 'Old Dump' portions of the Levin Landfill site. This decision will require approval of funding for the initial recommended remediation actions as well as approval to progress further remediation action investigations. This will include bringing back a request for approval for those stages once the scope of work and timeframes are further developed.

The proposed remediation works would ensure that the Resource Consent compliance requirements are met and be in alignment with the Agreement in Relation to the Levin Landfill, signed between Horowhenua District Council and the S274 parties (Landfill Agreement, 13 March 2019).

### Resolution Number CO/2022/167

MOVED by Cr Allan, seconded Cr Hori Te Pa:

That Report 22/679 Levin Landfill Old Dump Remediation Options be received.

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

**CARRIED**

The Group Manager – Community Infrastructure joined the table to speak to this item. Speaking to the options Providing some background information, as well as speaking to points raised during public participation.

### Resolution Number CO/2022/168

MOVED by Cr Procter, seconded Cr Tamihana:

That Council agrees to:

- Procure a maintenance contractor to monitor the landfill cap and repair as needed (including repairing seeps as needed) at an estimated cost of \$130,000 per annum as part of opex expenditure.

- Fund the importation of clay soil, shaping the top of the Old Dump to stop water ponding, cease ingress and control surface stormwater flows. Re-establish vegetation, at an estimated cost of \$320,000 to be completed by June 2023.
- Procure specialist assistance to confirm contamination in the gully area at borehole C2, scope the required remediation of contaminated land, and undertake remediation at an estimated cost of \$300,000. Initial actions to be completed by June 2023.
- Approve a programme of work to firstly assess targeted restoration areas of the Tatana Drain and Hokio Stream by working alongside Iwi and willing landowners, develop a restoration programme, secure additional funding and then proceed with appropriate restoration projects. The initial cost of this action is \$300,000.
- Authorise Council Officers to undertake scoping activities to determine the cost of adding additional capping to the top and sides of the Old Dump as suitable soil becomes available and ensure that suitable drainage is constructed as capping is applied.

Council notes that taking these actions does not preclude any further remediation actions or enhancements on the sites. Any further remediation actions or enhancements above the scope of those outlined above will be returned to Council for approval before commencing.

Council authorise the Chief Executive to begin the procurement process to undertake the work identified and authorise the Chief Executive to enter into contracts to begin the work required over the summer earthworks season.

**CARRIED**

#### **6.1 Lease for new Levin-Waitārere Surf Lifesaving Club building**

To seek approval from Council to enter into a lease with the Levin-Waitārere Surf Lifesaving Club, for the new Surf Club building at Waitārere Beach.

##### **Resolution Number CO/2022/169**

MOVED by Mayor Wanden, seconded Cr Young:

That Report 22/672 Lease for new Levin-Waitārere Surf Lifesaving Club building be received.

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

**CARRIED**

The Parks and Property Lead (North) and Parks and Property Manager joined the table to speak to this report, providing some further information and answering Councillors questions.

It was noted that we are no longer in a contract with Surf Life Saving New Zealand, and instead provide a grant to each club located in the District.

##### **Resolution Number CO/2022/170**

MOVED by Cr Boyle, seconded Cr Jennings:

- 3.3 That Council enter into a lease agreement of thirty (30) years with the Levin-Waitārere Surf Lifesaving Club at a rental level calculated to align with the criteria set out in Council's Community Leasing Policy.
- 3.4 That Council notes the Community Leasing Policy sets out the criteria for assessing the level of subsidy that would apply to this community lease
- 3.5 That Council give delegated authority to the Chief Executive Officer to negotiate and enter into a new lease on Council's behalf.

**CARRIED**

## **6.2 Oxford Street Plane Trees**

To seek direction from Council on the currently deferred Resource Consent Application to remove the Plane Trees on Oxford Street between Queen Street and Devon Street.

Group Manager, Community Experience and Services joined the table with the Parks and Property Manager to speak to this report, seeking direction from Councillors and providing further information when requested.

### **Resolution Number CO/2022/171**

MOVED by Mayor Wanden, seconded Cr Allan:

That Report 22/673 Oxford Street Plane Trees be received.

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

**CARRIED**

Discussion was held around the Options provided.

### **Resolution Number CO/2022/172**

MOVED by Cr Allan, seconded Cr Olsen:

That Council continues current pruning of the Oxford Street Plane trees and progress the resource consent application for the removal of Oxford Street Plane trees, noting there will be an estimated \$120,000 required for the consent and consultants would be in addition to the current operating expenditure of \$50,000. (Option 2);

That Council approves the additional expenditure for the chosen option.

**CARRIED**

## **6.4 Progress Report and Scope of the Draft Long Term Plan 2021-2041 Amendment**

The purpose of this report is to seek approval of the direction and scope of the Draft Long-Term Plan 2021-2041 Amendment and Annual Plan 2023/2024.

### **Resolution Number CO/2022/173**

MOVED by Mayor Wanden, seconded Cr Hori Te Pa:

That Report 22/701 Progress Report and Scope of the Draft Long Term Plan 2021-2041 Amendment be received.

**CARRIED**

**Resolution Number CO/2022/174**

MOVED by Mayor Wanden, seconded Cr Allan:

That Council approves the scope of the Long Term Plan 2021-2041 Amendment as the Future of the Levin Landfill, Key Water Projects, Revenue and Financing Policy, and Rates Review. Dependent on future decisions by Council, Levels of Service for various activities may also be included in this amendment to help keep the rates income increase to an affordable level.

That Council acknowledges that uncontrollable cost pressures are going to have a significant impact going into the 2023/2024 financial year and beyond.

That Council acknowledges that the early budgets and rate income increase are not palatable and that the budgets will continue to be worked on by Council officers. Officers will present a range of options to the Council workshops that would result in a rate income increase between 5 and 10%

**CARRIED**

Item - 6.3 Levin Landfill Old Dump Remediation Options - has been moved to another part of the document.

## **7 Reports for Noting**

### **7.1 Long Term Plan 2021 - 2041 Monitoring Report**

The purpose of this report is to present to Council the ongoing monitoring report, which reflects the progress of those actions and recommendations from the Long Term Plan 2021-2041 deliberations.

**Resolution Number CO/2022/175**

MOVED by Mayor Wanden, seconded Cr Young:

That Report 22/605 Long Term Plan 2021 - 2041 Monitoring Report be received.

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

**CARRIED**

## 7.2 Council Resolution and Actions Monitoring Report December 2022

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/2022/176**

MOVED by Mayor Wanden, seconded Cr Allan:

That Report, Council Resolution and Actions Monitoring Report December 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 Progress Report and Scope of the Draft Long Term Plan 2021-2041 Amendment

The purpose of this report is to seek approval of the direction and scope of the Draft Long-Term Plan 2021-2041 Amendment and Annual Plan 2023/2024.

### **Resolution Number CO/2022/177**

MOVED by Mayor Wanden, seconded Cr Hori Te Pa:

That Report 22/701 Progress Report and Scope of the Draft Long Term Plan 2021-2041 Amendment be received.

**CARRIED**

### **Resolution Number CO/2022/178**

MOVED by Mayor Wanden, seconded Cr Allan:

That Council approves the scope of the Long Term Plan 2021-2041 Amendment as the Future of the Levin Landfill, Key Water Projects, Revenue and Financing Policy, and Rates Review. Dependent on future decisions by Council, Levels of Service for various activities may also be included in this amendment to help keep the rates income increase to an affordable level.

That Council acknowledges that uncontrollable cost pressures are going to have a significant impact going into the 2023/2024 financial year and beyond.

That Council acknowledges that the early budgets and rate income increase are not palatable and that the budgets will continue to be worked on by Council officers. Officers will present a range of options to the Council workshops that would result in a rate income increase between 5 and 10%.

**CARRIED**

## 8 Proceedings of Committees

### 8.1 Proceedings of the Te Awahou Foxton Community Board Meeting held 21 November 2022

To present to the Council the minutes of the Te Awahou Foxton Community Board meeting held on 21 November 2022.

#### Resolution Number CO/2022/179

MOVED by Mayor Wanden, seconded Cr Brannigan:

That Report 22/677 Proceedings of the Te Awahou Foxton Community Board Meeting held 21 November 2022 be received.

That the Council receives the minutes of the Te Awahou Foxton Community Board meeting held on 21 November 2022.

**CARRIED**

## 9 Procedural motion to exclude the public

### Resolution Number CO/2022/180

MOVED by Cr Hori Te Pa, seconded Cr Jennings:

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:

#### C1 Procurement Plan: Wastewater Stage 2 and Water Main 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)(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.

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**



4.18 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.

4.27 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:** 1 February 2023

**CHAIRPERSON:**

A handwritten signature in black ink, appearing to read 'B. Warden', is written over the printed name of the Chairperson.