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# Council

## OPEN MINUTES

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Minutes of a meeting of Council held in the Council Chambers, 126-148 Oxford St, Levin, on Wednesday 11 December 2019 at 4.00 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	
	Mr W E R Bishop	
	Mr R J Brannigan	
	Mr T N Isaacs	
	Mr S J R Jennings	(via Audio/Visual link)
	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 McCorkindale	(Group Manager – Strategy & Development)
	Mr I McLachlan	(Group Manager – Customer & Regulatory Services)
	Mr K Peel	(Group Manager – Infrastructure Services)
	Mrs N Brady	(General Manager – H2040 & Partnership Development)
	Mr D Law	(Chief Financial Officer)
	Mrs L Winiata	(Community Engagement Manager)
	Mrs L Slade	(Acting Senior Manager – People & Culture)
	Mr B Harvey	(Community Facilities & Events Manager)
	Ms S Hori Te Pa	(Governance & Executive Team Leader)
	Ms A Parker	(Executive Assistant to the Mayor)
	Mrs K J Corkill	(Meeting Secretary)

### ALSO IN ATTENDANCE

Ms T Whiti (Secretary, Cr Ketu)

### MEDIA IN ATTENDANCE

Mr P Williams (“Chronicle”)  
Ms M Jacobs (“Manawatū Standard”)

### PUBLIC IN ATTENDANCE

There were no members of the public in attendance at the commencement of the meeting.

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**1 Apologies**

An apology was recorded for Foxton Community Board Chair, David Roache.

MOVED by Cr Allan, seconded Cr Bishop:

*THAT the apology from Mr Roache be accepted.*

**CARRIED**

**2 Public Participation**

None requested.

**3 Late Items**

There were no late items.

**4 Declaration of Interest**

There were no declarations of interest.

**5 Confirmation of Minutes**

MOVED by Cr Allan, seconded Cr Mitchell:

*THAT the minutes of the meeting of the Council held on Wednesday, 13 November 2019, be confirmed as a true and correct record.*

**CARRIED**

MOVED by Cr Bishop, seconded Cr Kaye-Simmons:

*THAT the minutes of the meeting of the Extraordinary Meeting of Council held on Wednesday, 27 November 2019, be confirmed as a true and correct record.*

**CARRIED**

**6 Announcements**

There were no announcements.

**7 Proceedings of Committees**

**7.1 Proceedings of the Community Wellbeing Committee 19 November 2019**

**Purpose**

To present to the Council the minutes of the Community Wellbeing Committee meeting held on 19 November 2019.

MOVED by Cr Kaye-Simmons, seconded Cr Brannigan:

*THAT Report 19/511 Proceedings of the Community Wellbeing Committee 19 November 2019 be received.*

*THAT the Council receives the minutes of the Community Wellbeing Committee meeting held on 19 November 2019.*

**CARRIED**

## 7.2 Proceedings of the Foxton Community Board 25 November 2019

### Purpose

To present to the Council the minutes of the Foxton Community Board meeting held on 25 November 2019.

MOVED by Cr Allan, seconded Cr Brannigan:

*THAT Report 19/510 Proceedings of the Foxton Community Board 25 November 2019 be received.*

*THAT the Council receives the minutes of the Foxton Community Board meeting held on 25 November 2019.*

**CARRIED**

Speaking in support of the funding being provided from the Foxton Beach Freeholding Account to the Foxton Beach Community Centre, Crs Allan and Brannigan noted this been thoroughly discussed by the Foxton Community Board and had been carried by a majority.

The value to the community provided by such volunteers was acknowledged and commended, with it confirmed that a review of the Foxton Beach Freeholding Fund Policy and Strategy was in train.

MOVED by Cr Allan, seconded Cr Brannigan:

*THAT the Horowhenua District Council approves that funding from the Foxton Beach Freeholding Account be granted to the Foxton Beach Community Centre (up to 50% of the purchase price) of a new vehicle, subject to the balance of the funding being available from other sources.*

**CARRIED**

## 7.3 Proceedings of the Finance, Audit & Risk Committee 27 November 2019

### Purpose

To present to the Council the minutes of the Finance, Audit & Risk Committee meeting held on 27 November 2019.

MOVED by Cr Bishop, seconded Cr Isaacs:

*THAT Report 19/512 Proceedings of the Finance, Audit & Risk Committee 27 November 2019 be received.*

*THAT the Council receives the minutes of the Finance, Audit & Risk Committee meeting held on 27 November 2019.*

**CARRIED**

## 8 Executive

### 8.1 Adoption of Standing Orders

#### Purpose

For the Horowhenua District Council to adopt Standing Orders for the conduct of its meetings and committees.

MOVED by Cr Allan, seconded Cr Tukapua:

*THAT Report 19/456 Adoption of Standing Orders be received.*

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

**CARRIED**

Mayor Wanden advised that there had been prior consultation with Councillors and the recommendations for consideration had arisen from responses that had indicated where further discussion was required. For a number of matters there was no change required to Standing Orders so an individual resolution had not been proposed.

With regard to reviewing delegations to the Foxton Community Board, it was clarified that the review of resources and financial delegations would involve both staff resources as well as financial delegations, with Mr Clapperton saying it may be that in conjunction with the Foxton Beach Freeholding Account review, the Foxton Community Board could be given financial delegation to approve allocations out of the Fund up to a certain amount rather than these having to come to Council for approval.

That this could be a new step forward for the Board for it to be more engaging and strategic was noted. The fact that it would be part of the Annual Plan process also provided an opportunity for the community to be involved.

MOVED by Cr Allan, seconded Cr Mason:

*THAT the Horowhenua District Council, in line with draft Standing Order 6.6, reviews the delegations to the Foxton Community Board during the 2020/21 Annual Plan process which will include resources and financial delegation;*

*AND FURTHER*

*THAT this review will be carried out in conjunction with the Foxton Beach Freeholding Account review.*

**CARRIED**

With Option A (being the most formal option when it came to speaking and moving motions) not being favoured, Option B and Option C were debated. As Chair, Mayor Wanden said he was comfortable with either option.

Option C was supported by Members as it was agreed it allowed for good discussion to occur to achieve a better outcome rather than having a process that hindered debate. It also signalled that there was no predetermination as a mover and seconder could amend their stance having heard other points of view. There was also still the option for a procedural motion to be put to end discussion.

MOVED by Cr Mitchell, seconded Cr Tukapua:

*THAT the Horowhenua District Council resolves that the default option for speaking and moving motions is Option C.*

**CARRIED**

Mayor Wanden outlined items where, because of the feedback received, a separate resolution was not required. These were:

- Filming and recording of meetings – it was proposed to go with the change that had been made during 2018 with filming and recording not being permitted by Elected Members or members of the public unless resolved otherwise by the Council or the Committee on a case by case basis.  
Reverting to what had traditionally been in Standing Orders which allowed members of the public to make electronic or digital recordings of meetings as long as the Chair was notified at the commencement of the meeting was raised

and discussed. It was suggested if there were clear guidelines in place it would preclude abuse of the process. To test the views around the table it was:

Moved by Cr Allan, seconded Cr Kaye-Simmons

“That members of the public may make electronic or digital recordings of meetings which are open to the public. Any recording of meetings must be notified to the Chairperson at the commencement of the meeting to ensure that the recording does not distract the meeting from fulfilling its business. Where circumstances require the Chairperson may stop the recording for a period of time.”

Raised in discussion:

- the inability of Council to control the inappropriate use of recordings;
- the fact that meetings were being livestreamed and recorded, and were able to be viewed;
- retaining the 2018 amendment removed any angst that recordings were being used inappropriately;
- there was still the ability for people to film; it was just a different process which provided flexibility;
- whether or not legal advice had been sought for the 2018 amendment, with Mr Clapperton saying that Council would not have gone that route if it was not permissible but he would confirm that.

On being put, the motion to revert to what had traditionally been in Standing Orders was lost.

- Public Forum and/or Public Participation – most Councillors had felt that public forum was not needed and public participation was sufficient, with His Worship the Mayor adding that members of the public who had any issues they wished to discuss could contact Elected Members outside of the meeting process.
- Keeping a record of workshops – which provided for a written record to be kept which would include: time, date, location and duration of a workshop; those present; and the general subject matter covered rather than individual minutes. This information would be reported quarterly to Council to provide an overview of what had been covered.
- The Chairperson having a casting vote - the Members had agreed to the Mayor/Chair not having a casting vote.
- Attendance by Audio Visual Link – (which had allowed Cr Jennings to participate in today’s meeting). No decision from Members was required. Anyone attending by audio/visual link was able to participate in the meeting, but would not be counted as present for the purposes of a quorum.
- Changes resulting from amendments to the Local Government Act 2002 for which no decision was required:
  - emergency meetings provided for as well as extraordinary meetings;
  - a Chairperson may recommend an amendment to a recommendation made to the Council by a committee or subcommittee;
  - Council’s minutes could now be kept electronically rather than in hard copy.

With regard to keeping a record of workshops, HWTM clarified that this did not include briefings which were not open to the public, whereas the public could attend workshops.

9.10 – Distribution of the Agenda was raised, with it requested that the time frame for sending out Agendas be amended to three (3) working days (rather than two) to allow more time for Elected Members to read and absorb items, particularly as Agendas going forward could be fairly significant. Mr Clapperton confirmed that, although there were some exceptions, the Agenda was usually available for

distribution mid-Friday afternoon. If there were items to accompany the Agenda that were not available, these were circulated separately.

With there being clear consensus that the sooner Agendas were available the better as it gave not only time for Members to read the information, but also to do research, it was:

MOVED by Cr Allan, seconded Cr Mitchell:

*THAT in relation to 9.10 Distribution of the agenda, the wording in Standing Orders be changed to provide for "at least three (3) clear working days" for the availability of Agendas.*

**CARRIED**

With it being clarified that keeping a record of workshops did not include briefings, whether or not attendance at briefings should also be recorded was discussed as briefings were a huge part of the way Councillors received information to give them a better understanding to make better decisions.

It was noted that even if Members were not able to attend workshops and briefings, the information was still available to them and caution was suggested, as although briefings and meetings were a fundamental part of what Elected Members did, there was a wide-ranging amount of activities outside of those. If there was an on-going lack of attendance at briefings by individual Councillors, it would be expected that the Mayor would bring it to that member's attention.

HWTM noted this was a procedural matter that could be revisited again in the future if that was required.

Reading out SO 19.1, the Chief Executive raised an issue with regard to the Mayor/Chair not having a casting vote (SO 19.1). If there was a tie then the Chair could not use their casting vote, there would not be a majority and that issue could not be decided. The various permutations of what could occur were discussed with it agreed to remain with the status quo – the Mayor/Chair having no casting vote.

MOVED by Cr Allan, seconded Cr Isaacs:

*THAT in accordance with clause 27, Schedule 7 of the Local Government Act 2002, with effect from 12 December 2019, the Horowhenua District Council, its Committees and Subcommittees adopts the attached Standing Orders as amended.*

**CARRIED**

## 8.2 Adoption of Code of Conduct

### Purpose

For Council to adopt its Code of Conduct, and to identify any areas for amendment at the beginning of this new triennium.

MOVED by Cr Brannigan, seconded Cr Allan:

*THAT Report 19/452 Adoption of Code of Conduct be received.*

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

**CARRIED**

Mr Clapperton confirmed that bios for Bruce Robertson and Robert Buchanan had been circulated. They were experienced people in their field and Council had used Bruce Robertson in the past on an internal investigation. Both gentlemen had the experience that would meet the requirements of an investigation should the need arise.

A suggestion had also been received to add a further bullet point under 12.2 Complaints - acknowledging the right of a member to decline to respond or participate in an investigation, and whether or not this component should be added to the process regarding a complaint referred to the Mayor/Chair was discussed. If supported, this would be included as the second bullet point and depending on the response, the other steps could still be pursued.

MOVED by Cr Jennings, seconded Cr Allan:

*THAT the following be added to 12.2 Complaints as the second bullet point:  
The member or members subject to the complaint will be advised by the Mayor or Chair, acknowledging the right of the member(s) to decline to respond or participate.*

**CARRIED**

MOVED by Cr Jennings, seconded Mayor Wanden:

*THAT the Horowhenua District Council adopts the Code of Conduct November 2019-2022 as amended.*

*THAT the Horowhenua District Council endorses the independent investigators, Bruce Robertson and Robert Buchanan.*

**CARRIED**

### 8.3 Monitoring Report to 11 December 2019

#### Purpose

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

MOVED by Cr Kaye-Simmons, seconded Cr Bishop:

*THAT Report 19/463 Monitoring Report to 11 December 2019 be received.*

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

**CARRIED**

Page 174 18/575 – Options for Potential Disposal – Court House Museum  
Mr Clapperton said he had provided information on the encumbrances referred to, to Elected Members and he thought the proposal from the Foxton Historical Society was imminent.

18/171 – Electric Vehicle Charging Station

Mayor Wanden noted the Foxton Vehicle Charging station would be open on Monday.

Page 175 19/27 – Foxton Beach Freeholding Account Strategy & Policy Review  
Mr Clapperton confirmed that iwi would be included in the Project Planning.

Page 176 19/199 – Development of a detailed design for a wetland at Holben Reserve

It was requested that the community be involved in assisting with planting when that project went ahead.



#### 8.4 Chief Executive's Report to 11 December 2019

##### Purpose

For the Chief Executive to update Councillors, or seek endorsement on, a number of matters being dealt with.

MOVED by Cr Allan, seconded Cr Tukapua:

*THAT Report 19/504 Chief Executive's Report to 11 December 2019 be received.*

*THAT these matters or decisions be recognised as not significant in terms of s76 of the Local Government Act 2002.*

**CARRIED**

##### 3.1 Council and Committees Meeting Schedule 2020

MOVED by Cr Kaye-Simmons, seconded Cr Bishop:

*THAT the Meeting Schedule for 2020 be amended as follows:*

*Council: Annual Plan 2020 deliberation dates to change from 3 & 4 June to 27 & 28 May.*

*Finance, Audit & Risk Committee: April meeting to change from 22 to 29 April; September meeting to change from 23 to 30 September.*

**CARRIED**

##### 3.2 Growth Dashboard – December 2019

With Mr Clapperton noting the significant growth happening in the district, Mr McCorkindale gave a PowerPoint presentation entitled "A Growing Horowhenua" which set out:

- Horowhenua Population (Census Data) from 1991 to 2018;
- the growth across the region from 2013-2018 with Horowhenua District showing the greatest average annual growth rate;
- the 2018 percentage of growth across the various age groups;
- age distribution comparing Horowhenua with that for New Zealand;
- growth trends;
- growth impacts which would affect such things as education, social support, health services, infrastructure, traffic, swimming pools and also housing;
- house price growth from 2009 to 2019;
- the top five areas in terms of population and housing increases.

HWTM said this highlighted the significant amount of work that Council had before it for this term and there was a need to ensure the wider community was well aware of what was happening within the district.

#### 8.5 Documents Executed and Electronic Transactions Authorities Signed

##### Purpose

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

MOVED by Cr Isaacs, seconded Cr Bishop:

*THAT Report 19/464 Documents Executed and Electronic Transactions Authorities Signed be received.*

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

**CARRIED**



MOVED by Cr Allan, seconded Cr Bishop:

*THAT the Horowhenua District Council hereby ratifies the signing of documents and Electronic Transaction Authorities as scheduled:*

- (a) *Electronic Transaction Authority relating to the sale of 207 Oxford Street, Levin to Anthony James Flynn, Gertruda Johanna Flynn & Peter James Connor, contained in Certificate of Title WN55B/886.*
- (b) *Electronic Transaction Authority relating to the caveat placed on 15-19 Durham Street, Levin, contained in Certificate of Titles WN183/282, WN176/207, WN202/102, WN569/80, WN518/58.*

**CARRIED**

## 9 Corporate Services

### 9.1 Elected Members' Allowances and Recovery of Expenses Policy

#### Purpose

For the Horowhenua District Council to adopt the 2019 Elected Members' Allowances and Recovery of Expenses Policy.

MOVED by Cr Allan, seconded Cr Bishop:

*THAT Report 19/509 Elected Members' Allowances and Recovery of Expenses Policy be received.*

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

**CARRIED**

Responding to a query in relation to the increase in the Communications Technology Allowance, Mr Clapperton said it fell under the Remuneration limit and any change would come via that organisation.

MOVED by Cr Brannigan, seconded Cr Allan:

*THAT the Horowhenua District Council adopts the Elected Members – Allowances and Recovery of Expenses Policy.*

**CARRIED**

## 10 Customer and Regulatory Services

### 10.1 Resource Consenting (Planning) Matters Considered Under Delegated Authority

#### Purpose

To present, **for information**, details of decisions made under delegated authority in respect of Resource Consenting (Planning) Matters.

MOVED by Cr Brannigan, seconded Cr Isaacs:

*THAT Report 19/465 Resource Consenting (Planning) Matters Considered Under Delegated Authority be received.*

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

**CARRIED**

5.25 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:**.....