

# Council

# **OPEN MINUTES**

Minutes of a meeting of Council held in the Council Chambers, 126-148 Oxford St, Levin, on Wednesday 12 June 2019 at 2.00 pm.

# PRESENT

Deputy Mayor Councillors

Mr R J Brannigan Mr R H Campbell Mr N G Gimblett Mr B F Judd Mrs J F G Mason Mrs C B Mitchell Ms P Tukapua Mr B P Wanden

Mr W E R Bishop

(from 2.15 pm)

# IN ATTENDANCE

Mr D M Clapperton Mr D Law Mr M J Lester Mr D McCorkindale Mr R Green Mr K Peel Mr D Haigh Mrs V Miller Ms M Leyland Mr A Nelson Mr D O'Regan Ms S Hori Te Pa Ms A Parker Mrs K J Corkill (Chief Executive)
(Chief Financial Officer)
(Group Manager – Corporate Services)
(Group Manager – Strategy & Development)
(Acting Group Manager – Infrastructure Services)
(Roading Manager)
(Growth Response Manager)
(Compliance Manager)
(Consents Manager)
(Consents Manager)
(Property & Parks Manager)
(Executive Assistant)
(Governance & Executive Team Leader)
(Executive Assistant to the Mayor
(Meeting Secretary)

# **MEDIA IN ATTENDANCE**

Ms A Loo Mr P Williams ("Manawatu Standard") ("The Chronicle")

# **PUBLIC IN ATTENDANCE**

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

# 1 Apologies

Apologies was recorded for Mayor Feyen, Cr Kaye-Simmons and Foxton Community Board Chair, David Roache.

MOVED by Cr Judd, seconded Cr Tukapua:

THAT the apologies from Mayor Feyen, Cr Kaye-Simmons and Mr Roache be accepted.

CARRIED

Cr Tukapua expressed her dissatisfaction at the Mayor being absent once again from a Council meeting and requested information with regard to his attendance record.

# 2 Public Participation

8.2 <u>Chief Executive's Report</u> 3.2 LGNZ – Consideration of Remits

> Lew Rohloff, Horowhenua GreyPower Christina Paton

### 11.1 <u>Update to the Land Transport Bylaw 2017 – Part 10 Schedule of Speed Limits –</u> <u>Rural Roads</u>

Errol Brown Muhunoa East Rural Women of NZ – Pauline Masters Pauline Masters Malcolm Hadlum

#### 3 Late Items

Mr Clapperton signaled that he would be seeking approval to add a late In Committee item to the Agenda under Standing Order 9.12 which allowed for Council to deal with an item not on the Agenda providing that the following information was provided during the public part of the meeting:

- The reason the item was not on the agenda
- The reason why the discussion of the item could not be delayed until a subsequent meeting.

The property disposal issue was not on the agenda as Council only received the proposal on Wednesday, 5 June, which did not give enough time for Officers to review and provide appropriate advice prior to the production and circulation of the Agenda.

Mr Clapperton advised that the item could not wait until a subsequent meeting as the proposal involved a third party that required certainty around Council's position due to commercial imperatives. Also, due to commercial sensitivities the item needed to be considered by Council with the public excluded.

MOVED by Cr Campbell, seconded Cr Wanden:

THAT the Horowhenua District Council agrees to considering the late item 'Update on Disposal of Council-owned Non-core Property" on completion of today's agenda with the public excluded.

# 4 Declaration of Interest

Deputy Mayor Bishop declared an interest in relation to the late item, "Update on Disposal of Council-owned Non-core Property".

# 5 Confirmation of Minutes – 10 April 2019

MOVED by Cr Wanden, seconded Cr Brannigan:

THAT the minutes of the meeting of the Council held on Wednesday, 10 April 2019, be confirmed as a true and correct record.

#### CARRIED

#### 6 Announcements

Mr Clapperton advised that with the agreement of the meeting, item 11.1 – Statement of Proposal – Update on the Land Transport Bylaw 2017 – Part 10 Schedule of Speed Limits would be brought forward and addressed following receipt of Proceedings of Committees.

With regard to item 8.4 – Delegations Register, Mr Clapperton advised that this item had been withdrawn from today's meeting with the intent to have that as part of a briefing to Council so Elected Members could understand the changes being proposed, with it to come to Council at a future meeting.

# Foxton Community Board Update

On behalf of the Foxton Community Board, Deputy Chair, Ms Metcalf, reported:

#### East Drainage Scheme

She and Messrs Roache, Barber and Huzziff had recently met with Laddie Kuta and Daniel McMullan from E2 Environmental Consulting Engineers. The meeting and drive around had been very informative and successful with Mr Kuta addressing and being very supportive of the concerns expressed regarding the East Drainage Scheme. They were looking forward to the results of E2 Environmental's deliberations.

# Foxton Beach Pump Track – Award for Outstanding Active Park

The FCB was absolutely delighted that the Pump Track had won the Outstanding Active Park Award and congratulated everyone involved. The Board would like to see the award being displayed at Te Awahou Nieuwe Stroom, together with the other awards that had been won for the TANS complex.

#### Foxton Pool Update

It was pleasing to see there had been increased usage at the Foxton Pool and staff planning for next year was anticipated.

# Holben Reserve Wetland Development

The Board was looking forward to seeing the draft drawings for the Holben Reserve Wetland and then getting them out to the community for consideration.

# Signage – Foxton & Foxton Beach

Last Monday she had attended a special Manawatū Estuary Trust meeting to discuss the current Estuary signage, its suitability and what further signs were sought to provide direction and/or information to visitors and locals.

# Foxton Beach Carpark and Fore-dune Works

The Board was pleased that the re-profiling and replanting of the fore-dune at Foxton Beach fitted within the current Horizons' consent and, as such, would be maintenance and not a new project.

# Notice of Motion - Tax Relief for Mandated Earthquake Strengthening

She was very pleased that this was being referred to the LGNZ National Council rather than it going to the LGNZ AGM in the first instance. This was very positive and she hoped it would get some traction with the National Council.

In relation to the last matter mentioned by Ms Metcalf, Mr Clapperton noted that LGNZ was taking this on directly because of the support that was articulated for it at the last Zone 3 meeting. He thanked Ms Metcalf for bringing it to everyone's attention, with LGNZ being very keen to support it.

Cr Gimblett joined the meeting (2.15 pm).

Deputy Mayor Bishop said it was appropriate to acknowledge the well-deserved QSM received by Mr Gary O'Brien for his many, many years of service to this community in a number of areas, including youth and sports. Deputy Mayor Bishop thanked Mr O'Brien for all the things he had added to the lives of the young and not so young in the Horowhenua.

# 7 Proceedings of Committees

# 7.1 Proceedings of the Finance, Audit & Risk Subcommittee 24 April 2019

#### Purpose

To present to the Council the minutes of the Finance, Audit & Risk Subcommittee meeting held on 24 April 2019.

MOVED by Cr Judd, seconded Cr Wanden:

THAT Report 19/164 Proceedings of the Finance, Audit & Risk Subcommittee 24 April 2019 be received.

THAT the Council receives the minutes of the Finance, Audit & Risk Subcommittee meeting held on 24 April 2019.

#### CARRIED

# 7.2 Proceedings of the Community Wellbeing Committee 14 May 2019

#### Purpose

To present to the Council the minutes of the Community Wellbeing Committee meeting held on 14 May 2019.

MOVED by Cr Judd, seconded Cr Mason:

THAT Report 19/189 Proceedings of the Community Wellbeing Committee 14 May 2019 be received.

THAT the Council receives the minutes of the Community Wellbeing Committee meeting held on 14 May 2019.

CARRIED

# 7.3 Proceedings of the Foxton Community Board 27 May 2019

#### Purpose

To present to the Council the minutes of the Foxton Community Board meeting held on 27 May 2019.

MOVED by Cr Brannigan, seconded Cr Gimblett:

THAT Report 19/199 Proceedings of the Foxton Community Board 27 May 2019 be received.

THAT the Council receives the minutes of the Foxton Community Board meeting held on 27 May 2019.

### CARRIED

MOVED by Cr Campbell, seconded Cr Mason:

THAT the following decision is recognised as not significant in terms of s76 of the Local Government Act 2002.

THAT as recommended by the Foxton Community Board, the Horowhenua District Council supports the development of a detailed design for a wetland at Holben Reserve and requests officers to progress to a detailed design through an RFP process.

#### CARRIED

# 7.4 Proceedings of the Finance, Audit & Risk Subcommittee 22 May 2019

#### Purpose

To present to the Council the minutes of the Finance, Audit & Risk Subcommittee meeting held on 22 May 2019.

With the removal of Cr Brannigan's name from the list of those present, it was:

MOVED by Cr Wanden, seconded Cr Mitchell:

THAT Report 19/201 Proceedings of the Finance, Audit & Risk Subcommittee 22 May 2019 be received.

THAT the Council receives the minutes (Open and In Committee) of the Finance, Audit & Risk Subcommittee meeting held on 22 May 2019.

#### CARRIED

As previously advised, and with the agreement of the meeting, item 11.1 was the next Agenda item addressed.

#### 11 Infrastructure Services

# 11.1 Statement of Proposal - Update to the Land Transport Bylaw 2017 - Part 10 Schedule of Speed Limits

#### Purpose

To obtain Council's acceptance of the proposed changes to speed limits as set out in the Statement of Proposal.

To gain Council's approval to initiate the public notification process to update the Land Transport Bylaw 2017: Part 10 Schedule of Speed Limits.

MOVED by Cr Campbell, seconded Cr Mitchell:

THAT Report 19/172 Statement of Proposal - Update to the Land Transport Bylaw 2017 - Part 10 Schedule of Speed Limits be received.

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

#### **Public Participation**

Speaking on what he said was a topical problem, Mr <u>Errol Brown</u> gave an overview of the background to speed limits in New Zealand, and he highlighted what he saw

as the issues in relation to the various types of roads within the district and also catering for the differences in vehicles and their drivers when it came to setting road speeds in areas like Horowhenua, particularly as Council was not in a position to build every road as a motorway. Noting that fatal accidents happened within 3km of one's front door, he advocated for harmonisation of speed limits and keeping it simple.

Speaking on behalf of the <u>Muhunoa East Rural Women of NZ</u>, <u>Pauline Masters</u> expressed their concern about the speed limits near rural schools, noting that, although a lot of people were not aware ot it, the Rural Women's Groups had had legislation passed so that the speed limit – in both directions – when passing a school bus that was stopped for children to get on or off was now 20 km/h. She also commented on the review the organisation was undertaking of the Policy in relation to school bus eligibility.

From her personal perspective, Mrs Masters said she lived at Lake Papaitonga Road and that road was not on the list. Citing the speed limits and the road configuration in that area, Mrs Masters said she would like to see the speed limit for that type of road reduced to 60 km/h. Whilst people who lived in the area knew the hazards of country roads; many visitors did not. She further identified other roads where she had safety concerns with her comments supporting the need for a reduction in the speed limit and also where other safety measures, such as road marking, would assist.

Responding to Mrs Masters' comment about Lake Papaitonga Road, Mr Clapperton clarified that only the roads where a change in the speed limit was proposed were included in the roading list attached to the report.

Mr <u>Malcolm Hadlum</u> raised what he described as a dangerous situation in relation to the access/egress to his winery in terms of not only speed but also visiility which was exacerbated by the amount of traffic now on the road. Saying there had been three deaths and thirty accidents in the area since he had lived there, Mr Hadlum requested that Officers look at the speed limit being reduced to 60 rather than the proposed 80 km/h.

Council's Roading Manager, Mr Peel joined the table to speak to the report. Responding to comments and queries in relation to what other options were available over and above imposing speed limits in areas where 80 km/h did not suit a road or section of road, Mr Peel said that consistent speed along a road was essential so people did not get confused. Signage would be used when and where required. Initially Officers would concentrate on the worst spots and would start to engineer some roads, but it would take time. Mr Peel responded to further queries in relation to appropriate speed limits for rural roads; whether or not the FAR rate would be affected by the changes proposed; school bus eligibility; roads that crossed the boundary with other Councils; school signage; other changes which could follow the speed limit reductions; enforcement of the speed limits.

Mr Clapperton further highlighted the change that had occurred in the Government Policy Statement on Land Transport, covered in 2.3 of the report, which essentially focussed on safety, resilience and access.

With Councillors generally expressing their support for the proposed changes, it was:

MOVED by Cr Campbell, seconded Cr Brannigan:

THAT the Horowhenua District Council adopts the speed limit changes laid out in the

### Statement of Proposal.

THAT the Horowhenua District Council proceed to Publicly Notify the update to Land Transport Bylaw 2017, Part 10, Schedule of Speed Limits.

CARRIED

#### 8 Executive

### 8.1 Monitoring Report to 12 June 2019

#### Purpose

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

MOVED by Cr Tukapua, seconded Cr Mason:

THAT Report 19/153 Monitoring Report to 12 June 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 48	<u> 18/171 – Electric Vehicle Charging Stations</u>
-	The contract was with the provider awaiting signing.

Page 50 <u>18/575 – Options for Disposal of the Foxton Court House Museum</u> Mr Clapperton to check on the status of this.

# 8.2 Chief Executive's Report to 12 June 2019

#### Purpose

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

MOVED by Cr Brannigan, seconded Cr Mason:

THAT Report 19/154 Chief Executive's Report to 12 June 2019 be received.

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

#### <u>CARRIED</u>

#### Public Participation

# 3.2 LGNZ 2019 AGM – Consideration of Remits

Speaking on behalf of <u>Horowhenua GreyPower</u>, Mr <u>Lew Rohloff</u> requested that Councillors support the recommendation that Council direct its delegate to vote in support of the LGNZ Remit No 10 on Social Housing and to reject the recommendation to not support Remit No 23 on the Mayoral decision to appoint the Deputy Mayor, providing the reasoning for both viewpoints. A copy of GreyPower's submissions are **attached** to the official minutes.

Mrs <u>Christina Paton</u> requested Elected Members to support Remit No 1 – Climate Change – Local Government Representation, and also to support Remit No 2 – Ban on the Sale of Fireworks to the General Public..

MOVED by Cr Wanden, seconded Cr Brannigan:

THAT the Horowhenua District Council supports the proposed changes to LGNZ Rules

and the Mayor is authorised to vote at the LGNZ AGM accordingly.

# CARRIED

With the remits addressed individually, it was:

MOVED by Cr Judd, seconded Cr Campbell:

THAT the Horowhenua District Council provides the following direction to the Mayor for voting on Remits at the LGNZ 2019 Annual General Meeting:

1.	Climate Change – Local Government Representation	Support
2.	Ban on the Sale of Fireworks to the General Public	Support
З.	Traffic Offences – Red Light Running	Support
4.	Prohibit Parking on Grass Berms	Not Support
5.	Short-term Guest Accommodation	Support
6.	Nitrate in Drinking Water	Support
7.	Local Government Official Information and Meetings Act (1987)	Support
8.	Weed Control	Support
9.	Building Defects Claims	Support
10.	Social Housing	Support
11.	Procurement	Support
12.	Single Use Polystyrene	Support
13.	Local Government Act 2002	Support
14.	Campground Regulations	Support
15.	Living Wage	Support
16.	Sale and Supply of Alcohol Act	Support
17.	Greenhouse Gases	Neutral
18.	Climate Change – Funding Policy Framework	Support
19.	Road Safety	Support
20.	Mobility Scooter Safety	Support
21.	Museums and Galleries	Support
22.	Resource Management Act	Support
23.	Mayor Decision to Appoint Deputy Mayor	Not support
24.	Beauty Industry	Neutral

# CARRIED

#### 8.3 Electra Trust 2019 Trustee Elections

#### Purpose

To decide Council's two candidates for the Electra Trust Election 2019.

MOVED by Cr Brannigan, seconded Cr Mason:

THAT Report 19/193 Electra Trust 2019 Trustee Elections be received.

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

#### MOVED by Cr Campbell, seconded Cr Mitchell:

#### CARRIED

THAT the Horowhenua District Council proceeds with exercising its voting rights for the Electra Trust 2019 Trustee Elections.

#### CARRIED

With each Councillor Indicating their preferred candidate(s), it was:

MOVED by Cr Mason, seconded Cr Brannigan:

THAT the Horowhenua District Council votes for Sharon Crosbie and John Yeoman in the 2019 Electra Trust elections.

# 8.4 Delegations Register - Review

#### Purpose

To seek Council's adoption of the Delegations Register following a review to reflect legislative and staff changes.

As advised by the Chief Executive, this item had been withdrawn, to be addressed at a future meeting.

The meeting adjourned (4.07-4.22 pm)

# 8.5 2019/20 Draft Exceptions Annual Plan

#### Purpose

To provide Elected Members with the opportunity to debate and provide direction on the various components of the 2019/20 Draft Exceptions Annual Plan (Draft EAP) prior to its adoption on 26 June 2019.

MOVED by Cr Campbell, seconded Cr Mitchell:

THAT Report 19/203 2019/20 Draft Exceptions Annual Plan be received.

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

#### CARRIED

With the report taken as read, Messrs Lester, Law and McCorkindale joined the table to respond to queries from Elected Members. A schedule of indicative rates on selected properties was also tabled which indicated where significant changes had occurred following the further analysis by Officers.

Thanks were expressed to the Senior Management Team for the work undertaken which had brought the proposed General Rates increase down from over 16 to 8.8%. MOVED by Cr Mitchell, seconded Cr Brannigan:

THAT the Horowhenua District Council agrees to the proposed changes to the Draft EAP and requests Officers to prepare a final Draft EAP reflecting Council's decisions for presentation to the 26 June 2019 meeting for adoption.

#### CARRIED

#### 9 Customer and Regulatory Services

# 9.1 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 Mason, seconded Cr Wanden:

THAT Report 19/156 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.

# 9.2 Adoption of Fees and Charges 2019/2020: Food Act Premises and Resource Consenting (Planning)

#### Purpose

To seek a resolution of Council to adopt fees and charges in respect of Food Act Premises and Resource Consenting for the 2019/2020 year.

MOVED by Cr Brannigan, seconded Cr Judd:

THAT Report 19/195 on Adoption of Fees and Charges 2019/2020: Food Act Premises and Resource Consenting (Planning) 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 Judd, seconded Cr Wanden:

THAT the following:

# Food Act (2014) – Fees and Charges 2019/20

Description	Fees (incl GST)	
Registering a Food Control Plan that is based on a MPI template	\$250.00 fixed fee	
Registering a business under a national programme	\$250.00 fixed fee	
Renewing the registration of a Food Control Plan that is based on a MPI template	\$200.00 fixed fee	
Renewing the registration of a business operating under a national programme	\$200.00 fixed fee	
Amendment to registration	Charged at hourly rate of \$150.00 per hour	
Verification of a Food Control Plan that is based on an MPI template	\$150.00 fixed fee (for up to 1 hour) then additional time charged at \$150.00 per hour	
Verification of a National Programme *Not currently available, expected to be available part-way through the 2019/20 year	\$150.00 fixed fee (for up to 1 hour) then additional time charged at \$150.00 per hour	
Compliance and Monitoring	Charged at hourly rate of \$150.00 per hour	
Charges for travel outside of Horowhenua District - *Applicable where a verifier is required to travel outside of the Horowhenua District to verify a template Food Control Plan or a National Programme business.	Cost + 20%	

#### and

# Resource Consenting – Fees and Charges 2019/20

Description	2019/20
Consent Applications	
Processing Fee	\$155.00 per hour
10 Day Land Use Consents	\$1,000.00 fee
Land Use Consent (non-notified)	\$1,000.00 deposit
Subdivision Consents (non-notified)	\$1,200.00 deposit
Digital Capture Levy (applies to hard copy consent applications only)	\$200.00 fee
Other Applications	Deposit & Time Based Fee
Bond Administration	\$200.00 fee
s125 Extension of Time	\$750.00 fee

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s221 Preparation of Consent Notice	\$210.00 fee
S223 Approval of Land Transfer Plan	\$150.00 fee
Certificate of Compliance	\$600.00 deposit
Existing Use Certificate	\$600.00 deposit
s127 Application	\$600.00 deposit
s221 Consent Notice Amendment and/or cancellation	\$600.00 deposit
s224(c) or (f) Application	\$400.00 deposit
Outline Plan approval or waiver	\$600.00 deposit
Any other application or certificate under the RMA	\$205.00 deposit
Any other application under provisions of LGA 1974 not repealed	\$500.00 deposit
Boundary Activities	\$350 fixed fee
Marginal or Temporary Activities	\$500 per hour or part thereof
Notification & Hearing Costs	
Limited Notification	\$1,115.00 deposit
Full Notification	\$2,230.00 deposit
Hearing Costs – Council Hearings Committee	\$3,200.00 deposit based on
	6 hour hearing
Commissioner Costs	At cost
s357 Lodgement of Objection & Assessment	\$550.00 deposit
Miscellaneous Matters	
Consultant s42A planning reports	Cost + 20%
Specialist Reports	Cost + 20%
Mileage	AA rate applicable
Disbursements	Cost + 20%
Pre-Hearing Meetings	Cost + 20%

be adopted as operative fees and charges for the 2019/2020 year, effective from 1 July 2019.

#### CARRIED

### 10 Finance

# **10.1 Liability Management Policy Changes**

# Purpose

- To recommend changes to the Liability Management Policy relating to the management of Interest Rate Risk, (paragraph 4.3) specifically in relation to Fixed Rate Hedging Percentages, and
- To recommend some minor wording change to paragraph 4.6 Management of Funding Risk.

MOVED by Cr Tukapua, seconded Cr Gimblett:

THAT Report 19/198 Liability Management Policy Changes 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 Judd, seconded Cr Tukapua:

THAT the Horowhenua District Council adopts the changes as identified in the draft Liability Management Policy.

# Exclusion of the Public : Local Government Official Information and Meetings Act 1987

MOVED by Cr Campbell, seconded Cr Brannigan:

THAT the public be excluded from the following part(s) of the proceedings of this meeting, with the Council Officers remaining being the Chief Executive, the Group Manager – Corporate Services, the Executive Assistant and the Meeting Secretary.

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:

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)(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.				

#### Update on Disposal of Council-owned Non-core Property

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

#### 4.39 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

6.13 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

<u>DATE</u>:.....

CHAIRPERSON: