

---

# Council

## OPEN MINUTES

---

Minutes of a meeting of Council held in the Council Chambers, 126-148 Oxford St, Levin, on Wednesday 13 March 2019 at 4.00 pm.

---

### PRESENT

<b>Mayor</b>	Mr M Feyen
<b>Deputy Mayor</b>	Mr W E R Bishop
<b>Councillors</b>	Mr R J Brannigan
	Mr R H Campbell
	Mr N G Gimblett
	Mr B F Judd
	Mrs V M Kaye-Simmons
	Mrs J F G Mason
	Mrs C B Mitchell
	Ms P Tukapua
	Mr B P Wanden

### IN ATTENDANCE

Mr D M Clapperton	(Chief Executive)
Mr M J Lester	(Group Manager – Corporate Services)
Mr D McCorkindale	(Group Manager – Strategy & Development)
Mr I McLachlan	(Group Manager – Customer & Regulatory Services)
Mrs N Brady	(Group Manager – H2040 & Partnership Development)
Mr D Law	(Chief Financial Officer)
Mr D Haigh	(Growth Response Manager)
Mr R Green	(Interim Group Manager – Infrastructure Services)
Ms S Hori Te Pa	(Meeting Secretary)
Ms A Parker	(Meeting Secretary)

### MEDIA IN ATTENDANCE

Mr P Williams	(“Horowhenua Chronicle”)
---------------	--------------------------

### PUBLIC IN ATTENDANCE

There were 18 people in attendance at the commencement of the meeting.

---

## 1 Apologies

There were no apologies.

## 2 Public Participation

Name	Approved	Declined
Anne Hunt	8.2 Chief Executive's report <ul style="list-style-type: none"> <li>• 3.3 Foxton Beach Freeholding Account</li> <li>• 3.4 Te Takeretanga o Kura-hau pō</li> </ul> 8.4 Elections process 9.1 Resource consenting 9.2 Earthquake Prone Buildings Priority Areas / Buildings	7.1 Graffiti 7.2 Iwi consultation  Proceedings of Committees (adoption of minutes)
Tricia Metcalf	3.3. Foxton Beach Freeholding Account Strategy and Policy	10.2 Foxton Flood Relief Pipeline Report withdrawn from agenda.
Lew Rohloff Horowhenua GreyPower	8.1 Monitoring Report Item 18/640 – infrastructure funding	
Bill Huzziff		10.2 Foxton Flood Relief Pipeline Report withdrawn from agenda.
Sophie & Maurice Campbell	9.2 Earthquake Prone Buildings Priority Areas/ Buildings.	

Mr Clapperton advised that a decision had been made to withdraw 10.2 – Foxton Flood Relief Pipeline from tonight's Agenda to provide the opportunity for discussions to occur on the issue within the Foxton community. The report would be brought back to the April 2019 Council meeting following that dialogue.

## 3 Late Items

There were no late items.

## 4 Declaration of Interest

None declared.

## 5 Confirmation of Minutes – 27 February 2019

MOVED by Cr Judd, seconded Cr Campbell:

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

**CARRIED**

## 6 Announcements

### Horowhenua New Zealand Trust

Mr Cam Lewis, Chair, and Mr Anthony Young, Deputy Chair, presented a Horowhenua New Zealand Trust update which included the Trust's aspirations for the future. He confirmed that

the Trust had been successfully established by a small but committed group of interim trustees who were leaders in the community with deep connections and experiences and skill sets. Thought had been given to the foundation of the Trust to ensure it would serve this community and its ever-changing needs for generations to come as the Trustees wanted to see the Horowhenua realise its full potential.

Mr Lewis reiterated that interim Trustees have been appointed and there would be an opportunity for further Trustee appointments at a later date as diversity of skill set was very important to the Trust going forward.

Mr Young thanked Council for its support in getting the Trust up and running and said this presentation to Council would be the first of many to keep Council updated on outcomes.

#### Renee MacDonald

Ms Renee MacDonald spoke to the meeting about her desire to open up a korero within the community and whanau about addiction, mental health and suicide. She outlined her passion which was about creating opportunities through holistic healing and strategies, and pathways to overcoming systemic issues within the community. She was looking into what more could be done to overcome these issues within our community and she facilitated a support group for people overcoming addictions which was delivered from Hinemoa House in Levin.

#### Cr Wanden

Cr Wanden acknowledged and congratulated all those involved to recent community events that had been held in the district: Nigel Latta, Pasifika Celebration Day on Saturday and Art in the Park on Sunday – fantastic events that were a credit to the organisers and a fantastic showcase for this district. He further remarked on recent comments by the Mayor that had appeared in the media which had not been so positive, regardless of their context.

## **7 Proceedings of Committees**

### **7.1 Proceedings of the Community Wellbeing Committee 12 February 2019**

#### **Purpose**

To present to the Council the minutes of the Community Wellbeing Committee meeting held on 12 February 2019.

MOVED by Cr Campbell, seconded Cr Mitchell:

*THAT Report 19/61 Proceedings of the Community Wellbeing Committee 12 February 2019 be received.*

*THAT the Council receives the minutes of the Community Wellbeing Committee meeting held on 12 February 2019.*

**CARRIED**

### **7.2 Proceedings of the Finance, Audit & Risk Subcommittee 27 February 2019**

#### **Purpose**

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

MOVED by Cr Judd, seconded Cr Brannigan:

*THAT Report 19/62 Proceedings of the Finance, Audit & Risk Subcommittee 27 February 2019 be received.*

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

**CARRIED**

## 8 Executive

### 8.1 Monitoring Report to 13 March 2019

#### Purpose

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

MOVED by Cr Judd, seconded Cr Wanden:

*THAT Report 19/26 Monitoring Report to 13 March 2019 be received.*

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

**CARRIED**

#### Public Participation

Speaking to Item 18/640 – Productivity Commission Inquiry – Local Government Funding and Financing, Mr Lew Rohloff presented on behalf of Horowhenua GreyPower, noting the importance Council attached to closely monitoring the progress and eventual outcome of the Productivity Commission inquiry into Local Government Funding and Financing; however noting that Horowhenua District Council did not make its own submission.

Mr Clapperton informed the meeting that the Society of Local Government Managers (SOLGM) and Local Government New Zealand (LGNZ) both made submissions on behalf of the 78 Councils around the country. Both submissions reflected this Council's position.

### 8.2 Chief Executive's Report to 13 March 2019

#### Purpose

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

MOVED by Cr Mitchell, seconded Cr Judd:

*THAT Report 19/27 Chief Executive's Report to 13 March 2019 be received.*

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

**CARRIED**

#### Public Participation

In relation to 3.3 Foxton Beach Freeholding Account and saying it had been a big issue in terms of the Representation Review, Anne Hunt noted that one of the problems with the Fund was new people coming into the area who were not aware of its history. It was a statutory fund for the benefit of the inhabitants of Foxton Beach, not for Foxton and Foxton Beach community projects as noted in the Long Term Plan (page 392). She requested that when going out for public consultation the information

provided was correct in terms of the legislation and the Strategy and Policy were also correct.

Responding to comments made by Mrs Hunt in relation to a legal opinion that had been obtained, Mr Clapperton clarified that it was privileged to Council. With regard to funds being expended outside Foxton Beach, such as for the Foxton Pool, Te Awahou Nieuwe Stroom and the Health Centre, Mr Clapperton said the operative words in the Strategy and Policy were “for the benefit of” – it did not say it had to be spent in the boundary of Foxton Beach and this interpretation had been, and was still being, applied.

Speaking with regard to the update on the vacant café area at Te Takeretanga o Kura-hau-pō, Mrs Hunt raised the fact that suspending a taonga (a waka) over the café, which had occurred when the Centre had first opened, was culturally inappropriate. A taonga should not be placed close to food, and this could still be an issue that should be taken into account if and when a café was reinstated at Te Takeretanga o Kura-hau-pō.

An undertaking was given that this would be looked at.

On behalf of the Foxton Community Board, Tricia Metcalf suggested that the review of the Foxton Beach Freeholding Account Strategy and Policy should have been referred to the Board in the first instance. Whilst it was not suggested that the Strategy and Policy should not be reviewed, the recommendation that Council was requested to consider should have first gone to the Board in line with its advocacy or advisory role before being discussed by Council.

Mr Clapperton spoke to his report providing further comment on the individual items. With regard to the comments made on the review of the Foxton Beach Freeholding Account, he clarified that this Fund was managed by Council; the Foxton Community Board had no delegated authority, its role was to provide advocacy and advice back to Council. It had recently been brought to his attention that this Strategy and Policy had not been reviewed for ten years, when normally it would be reviewed every 3-5 years. With the intent of the Strategy having largely been achieved, what was needed was direction as to where to from here. The intent was for Council to approve the FBFA Strategy and Policy going out for review and obviously the Foxton Community Board would be involved in the process.

MOVED by Cr Gimblett, seconded Cr Brannigan:

*THAT the Horowhenua District Council gives approval for the Foxton Beach Freeholding Account Strategy and Policy to be reviewed with feedback to be sought from the Foxton Beach Community.*

**CARRIED**

### 8.3 Elections Processes - 2019 Local Body Elections

#### Purpose

To obtain Council's decision as to the order of candidates' names on the voting papers, and a decision regarding communications during the pre-election period for the 2019 triennial election.

MOVED by Cr Campbell, seconded Cr Judd:

*THAT Report 19/59 Elections Processes - 2019 Local Body Elections be received.*

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

**CARRIED**

### Public Participation

Mrs Hunt spoke to this matter commenting on issues in terms of communications during a previous election which she said had had a detrimental effect on her campaign and requested that during this election process any items linked or on Council websites were monitored on a regular basis.

The three options – alphabetical order of surname, pseudo random order or random order – were discussed, with Councillors indicating their preference. With eight opting for the order to be alphabetical and three for random it was:

MOVED by Cr Wanden, seconded Cr Campbell:

*THAT Council resolves that the candidates' names on the voting papers for the Horowhenua District Council be in alphabetical order.*

**CARRIED**

MOVED by Cr Wanden, seconded Deputy Mayor Bishop:

*THAT Council adopts the recommendations of the Office of the Auditor General regarding communications in a pre-election period.*

**CARRIED**

## **8.4 Documents Executed and Electronic Transactions Authorities Signed**

### **Purpose**

To present to Council 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 Mayor Feyen, seconded Cr Brannigan:

*THAT Report 19/28 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.*

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

- (a) *Renewal of Lease between Horowhenua District Council and Poplar Partnership Limited for an area of 58.1917 hectares more or less at Target Reserve. Renewed for a term of five (5) years from 1 October 2017, with the final expiry date of 30 September 2022.*
- (b) *Deed of Variation and Renewal of Lease between Horowhenua District Council and Ministry of Social Development for part ground floor, Corner Salisbury and Durham Streets, Levin. Renewed for a term of three (3) years from 1 November 2018 to 31 October 2021. Two further rights of renewals, with a final expiry date of 31 October 2030.*

**CARRIED**

## **9 Customer and Regulatory Services**

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

### Purpose

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

MOVED by Cr Campbell, seconded Cr Kaye-Simmons:

*THAT Report 19/29 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**

### Public Participation

Mrs Hunt spoke about the importance of resource consents that were issued under delegated authority being monitored properly.

## 9.2 Earthquake Prone Buildings - Priority Areas/Buildings

### Purpose

To re-table the following recommendation from the Hearings Committee of Council for Council to make a decision to support or to not support:

*THAT Horowhenua District Council adopts the extended area in Levin as a priority area, thus making all buildings in the identified Levin area priority buildings, with Shannon and Foxton to have no priority areas.*

MOVED by Cr Gimblett, seconded Cr Campbell:

*THAT Report 19/58 Earthquake Prone Buildings - Priority Areas/Buildings be received.*

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

**CARRIED**

### Public Participation

Mrs Anne Hunt stressed the importance of the Statement of Proposal for the Earthquake Prone Buildings - Priority Areas/Buildings and questioned why Foxton was not included in the priority area noting its historic significance.

Saying they were in support of all earthquake-prone buildings being upgraded, Maurice and Sophie Campbell outlined their concerns over Council creating a priority area in Levin and halving the timeframe for building upgrades to take place. Mr & Mrs Campbell urged Council to make a decision for all of the district and to vote for option No. 2 which was for no priority areas in the Horowhenua.

Moved: Cr Gimblett Seconded: Cr Campbell

- (1) the extended area in Levin as a priority area, thus making all buildings in the identified Levin area priority buildings, Foxton Main Street from Wharf to Clyde Streets, with Shannon to have no priority areas.

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

**For:**

Councillors: Ross Campbell  
Neville Gimblett

**Against:**

Mayor: Michael Feyen  
Deputy Mayor: Wayne Bishop  
Councillors: Ross Brannigan  
Barry Judd  
Victoria Kaye-Simmons  
Joanna Mason  
Christine Mitchell  
Piri-Hira Tukapua  
Bernard Wanden

The division was declared **LOST** by 2 votes to 9.

.MOVED by Cr Mason, seconded Cr Wanden:

*THAT the extended area in Levin as a priority area, thus making all buildings in the identified Levin area priority buildings, with Foxton and Shannon to have no priority areas.*

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

**For:**

Mayor: Michael Feyen  
Deputy Mayor: Wayne Bishop  
Councillors: Ross Brannigan  
Ross Campbell  
Neville Gimblett  
Barry Judd  
Victoria Kaye-Simmons  
Joanna Mason  
Christine Mitchell  
Piri-Hira Tukapua  
Bernard Wanden

**Against:**

The division was declared **CARRIED** by 11 votes to 0.

## 10 Infrastructure Services

### 10.1 Horowhenua Water Working Party - Draft Terms of Reference

#### **Purpose**

To seek the Horowhenua District Council's adoption of the Terms of Reference for the Horowhenua Water Working Party.

MOVED by Cr Kaye-Simmons, seconded Deputy Mayor Bishop:

*THAT Report 19/54 Horowhenua Water Working Party - Draft Terms of Reference be received.*

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

**CARRIED**

Speaking to the report, the Chief Executive requested two alterations/additions to the membership of the Working Party, with the Mayor to be included and clarifying that the Community Members referred to people from the community who had some expertise and knowledge in this space and would could contribute to the objectives



of the Working Party. It was also agreed that the membership would involve a member of the Tararua Growers Association.

Responding to a query with regard to a time frame, Mr Clapperton said the first step in the process was for him to have the Working Party formed and he would report back to Council on progress.

MOVED by Cr Judd, seconded Cr Campbell:

*THAT the Horowhenua District Council adopts the Terms of Reference, as amended for the Horowhenua Water Working Party.*

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

**For:**

Mayor: Michael Feyen  
Deputy Mayor: Wayne Bishop  
Councillors: Ross Brannigan  
Ross Campbell  
Neville Gimblett  
Barry Judd  
Victoria Kaye-Simmons  
Joanna Mason  
Christine Mitchell  
Piri-Hira Tukapua  
Bernard Wanden

**Against:**

The division was declared **CARRIED UNANIMOUSLY**

6.28 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:**.....