
Council

OPEN MINUTES

Minutes of a meeting of Council held in the Council Chambers, 126-148 Oxford St, Levin on Wednesday 6 June 2018 at 4.00 pm.

PRESENT

Deputy Mayor	Mr W E R Bishop
Councillors	Mr R J Brannigan
	Mr R H Campbell
	Mr B F Judd
	Mrs V M Kaye-Simmons
	Mrs J F G Mason
	Mrs C B Mitchell
	Mr B P Wanden

IN ATTENDANCE

Mr D M Clapperton	(Chief Executive)
Mr D Law	(Chief Executive Officer)
Mr M J Lester	(Group Manager – Community Services)
Mr D McCorkindale	(Group Manager – Strategy & Development)
Mrs L Winiata	(Communications Manager)
Mr I McLachlan	(Risk Management Lead)
Mr S Wood	(Legal Advisor)
Ms S Hori Te Pa	(Meeting Secretary)
Ms S J Bowling	(Meeting Secretary)

PUBLIC IN ATTENDANCE

There were 6 members of the public in attendance at the commencement of the meeting.

1 Apologies

MOVED by Cr Wanden, seconded Cr Mason:

THAT the apologies from Mayor Feyen and Councillors Gimblett and Tukapua be accepted.

CARRIED

2 Public Participation

There were no requests for Public Participation..

3 Late Items

A late In-Committee item was signaled in relation to Resource Management Hearings Commissioners.

4 Declaration of Interest

Deputy Mayor Bishop declared an interest in page 53 – Resource Consenting (Planning) Matters Considered Under Delegated Authority.

5 Confirmation of Minutes – 18 April 2018

MOVED by Cr Campbell, seconded Cr Mitchell:

THAT the Open and In Committee minutes of the meeting of the Council held on Wednesday, 18 April 2018, 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 24 April 2018

Purpose

To present to the Council the minutes of the Community Wellbeing Committee meeting held on 24 April 2018.

MOVED by Cr Mason, seconded Cr Judd:

THAT Report 18/253 Proceedings of the Community Wellbeing Committee 24 April 2018 be received.

THAT the Council receives the minutes of the Community Wellbeing Committee meeting held on 24 April 2018.

CARRIED

7.2 Proceedings of the Foxton Community Board 7 May 2018

Purpose

To present to the Council the minutes of the Foxton Community Board meeting held on 7 May 2018.

MOVED by Cr Kaye-Simmons, seconded Cr Brannigan:

THAT Report 18/296 Proceedings of the Foxton Community Board 7 May 2018 be received.

THAT the Council receives the minutes of the Foxton Community Board meeting held on 7 May 2018.

CARRIED

7.3 Proceedings of the Finance, Audit & Risk Subcommittee 16 May 2018

Purpose

To present to the Council the minutes of the Finance, Audit & Risk Subcommittee meeting held on 16 May 2018.

MOVED by Cr Judd, seconded Cr Campbell:

THAT Report 18/297 Proceedings of the Finance, Audit & Risk Subcommittee 16 May 2018 be received.

THAT the Council receives the minutes of the Finance, Audit & Risk Subcommittee meeting held on 16 May 2018.

CARRIED

8 Executive

8.1 Monitoring Report to 6 June 2018

Purpose

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

MOVED by Cr Wanden, seconded Cr Brannigan:

THAT Report 18/282 Monitoring Report to 6 June 2018 be received.

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

CARRIED

8.2 Chief Executive's Report to 6 June 2018

Purpose

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

MOVED by Cr Mason, seconded Cr Mitchell:

THAT Report 18/252 Chief Executive's Report to 6 June 2018 be received.

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

CARRIED

MOVED by Cr Campbell, seconded Cr Kaye-Simmons:

THAT on behalf of the Horowhenua District Council the Chief Executive provides written support for the Rangitikei District Council's funding application to the Provincial Growth Fund to progress the construction of a multi-purpose centre for Bulls.

CARRIED

7.3 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 Cr Brannigan, seconded Cr Wanden:

THAT Report 18/117 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) *Electronic Transaction Authority relating to the sale of 11 Linklater Avenue, Foxton Beach to Shane Ruawai, contained in Certificate of Title 218524, WN11A/1283.*
- (b) *Transfer Instrument relating to the sale of 11 Linklater Avenue, Foxton Beach to Shane Ruawai, contained in Certificate of Title WN11A/1283.*
- (c) *Electronic Transaction Authority relating to the sale of 15-19 Durham Street, Levin to BOHR Property Limited, contained in Certificate of Title WN176/207, WN183/282, WN202/102.*
- (d) *Electronic Transaction Authority relating to the sale of 21-23 Durham Street, Levin to BOHR Property Limited, contained in Certificate of Title WN518/58, WN569/80.*
- (e) *Deed of Renewal and Variation of Lease with Contact Energy Limited relating to Part 18-24 Durham Street, Levin for a period of 3 years from 1 January 2017.*
- (f) *Deed of Lease with Mr George Jarvis relating to Part Matakara Island, Foxton being Manawatu-Kukutauaki 7E2B Block for a period of 24 months from 1 May 2018.*

CARRIED

7.4 Electra Trust 2018 Trustee Elections

Purpose

To decide Council's two candidates for the Electra Trust Election 2018.

MOVED by Cr Brannigan, seconded Cr Campbell:

THAT Report 18/281 on Electra Trust 2018 Trustee Elections 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 proceeds with exercising its voting rights for the Electra Trust 2018 Trustee Elections.

CARRIED

MOVED by Cr Brannigan, seconded Cr Campbell:

THAT the Horowhenua District Council votes for Ray Latham and John Olifent in the 2018 Electra Trust elections.

CARRIED

8 Customer and Regulatory Services

8.1 Adoption of Fees and Charges 2018/19: Food Act Premises and Resource Consenting (Planning)

Purpose

The purpose of this Report is to seek a resolution of Council to adopt fees and charges in respect of Food Act Premises and Resource Consenting for the 2018/19 year.

MOVED by Cr Judd, seconded Cr Mason:

THAT Report 18/301 on Adoption of Fees and Charges 2018/19: 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 Campbell, seconded Cr Judd

THAT the following Schedule of Fees and Charges (Food Act Premises and Resource Consenting) be adopted as operative fees and charges for the 2018/19 year, effective 1 July 2018:

Food Act Fees & Charges 2018/19

Description	Fees (incl. GST)
<i>Registering a Food Control Plan that is based on a MPI template</i>	<i>\$200.00 fixed fee</i>
<i>Registering a business under a national programme</i>	<i>\$150.00 fixed fee</i>
<i>Renewing the registration of a Food Control Plan that is based on a MPI template</i>	<i>\$150.00 fixed fee</i>
<i>Renewing the registration of a business operating under a national programme</i>	<i>\$150.00 fixed fee</i>
<i>Amendment to registration</i>	<i>Charged at hourly rate of \$150.00 per hour</i>
<i>Verification of a Food Control Plan that is based on an MPI template</i>	<i>\$150.00 fixed fee for up to 1 hour then additional time is charged at \$150.00 per hour</i>
<i>Verification of a National Programme</i>	<i>\$75.00 fixed fee (for up to 1 hour) then additional time is charged at \$150.00 per hour</i>
<i>Compliance and Monitoring</i>	<i>Charged at hourly rate of \$150.00 per hour</i>
<i>Charges for travel outside of Horowhenua District - Where a verifier is required to travel outside of the Horowhenua District to verify a template Food Control Plan or a National Programme.</i>	<i>Cost + 20%</i>

Resource Consenting (Planning) Fees & Charges 2018/19

Description	Fee/Charge
Consent Applications	
Processing Fee	\$150.00 per hour or part thereof
Fast – track application	\$1,000.00 deposit
Land Use Consent (non-notified)	\$1,000.00 deposit
Subdivision Consents (non-notified)	\$1,200.00 deposit
Digital Capture Levy (applies to all consent applications)	\$25.00 fee
Other Applications	Deposit & Time Based
Bond Administration	\$200.00 fee
s125 Extension of Time	\$750.00 fee
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	\$500.00 deposit
Any other application under provisions of LGA 1974 not repealed	\$500.00 deposit
Deemed Permitted Boundary Activities	\$350.00 fee
Marginal or Temporary Activities	\$500.00 deposit
Notification & Hearing Costs	Fee/Charge
Limited Notification	\$1,115.00 deposit
Full Notification	\$2,230.00 deposit
Hearing Costs	\$3,200.00 deposit (based on 6 hour hearing), charged at cost
s357 Lodgement of Objection & Assessment	\$550.00 deposit
Miscellaneous Matters	Fee/Charge
Consent Monitoring Fee	\$150 per hour or part thereof
Consultant s42A planning reports	Cost + 20%

<i>Specialist Reports</i>	<i>Cost + 20%</i>
<i>Disbursements</i>	<i>Cost + 20%</i>
<i>Pre-Hearing Meetings</i>	<i>Cost + 20%</i>

CARRIED

Having declared an interest in the following item, Deputy Mayor Bishop withdrew from the table with Cr Judd assuming the Chair.

8.2 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 Mitchell, seconded Cr Kaye-Simmons:

THAT Report 18/255 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

Deputy Mayor Bishop resumed the Chair.

9 Procedural motion to exclude the public

MOVED by Cr Campbell, seconded Cr Brannigan:

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 Legal Matters: Settlement Options - Historic Dispute

<i>Reason for passing this resolution in relation to each matter</i>	<i>Particular interest(s) protected (where applicable)</i>	<i>Ground(s) under section 48(1) for the passing of this resolution</i>
<i>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.</i>	<i>s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege. 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).</i>	<i>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.</i>

Late Item - Resource Management Hearings Commissioners

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

4.42 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.

5:18 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:.....