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# Strategy Committee

## OPEN MINUTES

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Minutes of a meeting of the Horowhenua District Council Strategy Committee held in the Council Chambers, 126-148 Oxford St, Levin, on Wednesday 4 April 2018 at 4.00 pm.

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### PRESENT

<b>Mayor</b>	Mayor M Feyen	
<b>Deputy Chairperson</b>	Cr V M Kaye-Simmons	(to 6.25 pm)
<b>Councillors</b>	Deputy Mayor W E R Bishop	
	Cr R J Brannigan	
	Cr R H Campbell	
	Cr N G Gimblett	
	Cr B F Judd	
	Cr J F G Mason	
	Cr C B Mitchell	
	Cr P Tukapua	
	Cr B P Wanden	

### IN ATTENDANCE

<b>Reporting Officer</b>	Mr D M Clapperton	(Chief Executive)
	Mr D Law	(Chief Financial Officer)
	Mr G Saidy	(Group Manager – Infrastructure Services)
	Mr M J Lester	(Group Manager – Corporate Services)
	Mr D McCorkindale	(Group Manager – Strategy & Development)
	Mrs N Brady	(Group Manager – Customer & Regulatory Services)
	Ms S Grant	(Group Manager – Community Services)
	Mr D Haigh	(Growth Response Manager)
	Mr I McLachlan	(Risk Management Lead)
<b>Meeting Secretary</b>	Mrs K J Corkill	

### ALSO IN ATTENDANCE

Mr R Fowler, QC (Barrister)

### PUBLIC IN ATTENDANCE

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

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**1 Apologies**

There were no apologies.

**2 Public Participation**

None requested.

**3 Late Items**

Whilst not specifically a late item, Mr Clapperton tabled the Draft Policy Statement on Land Transport and this was noted for the record.

**4 Declaration of Interest**

Mr Clapperton advised that as the In Committee Item was in relation to the Chief Executive Recruitment Process he would be withdrawing from the meeting at that juncture.

**5 Confirmation of Minutes – 28 February 2018**

MOVED by Cr Campbell, seconded Cr Mason:

*THAT the minutes of the meeting of the Strategy Committee held on Wednesday, 28 February 2018, be confirmed as a true and correct record.*

**CARRIED**

**6 Announcements**

There were no announcements.

**7 Executive**

**7.1 LGNZ Remit Application - Process for appointing the Deputy Mayor**

**Purpose**

To canvas the Committee as to its support for the attached Remit Application to the Local Government New Zealand (LGNZ) 2018 Annual General Meeting.

MOVED by Cr Campbell, seconded Cr Brannigan:

*THAT Report 18/172 LGNZ Remit Application - Process for appointing the Deputy Mayor be received.*

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

**CARRIED**

Mayor Feyen moved the recommendation seeking the Strategy Committee's endorsement of a remit application to LGNZ to clear up what he saw as a very confusing section of the Local Government Act. He stressed it was not about changing the current Deputy Mayor for this current term but he was looking to clear up a mixed message from the legislation (LGA, s41A) as it was now worded. He cited what had occurred in the past with the previous Mayor having appointed his Deputy, and as a new Mayor he would have liked the ability to choose as his deputy someone with whom he had an existing relationship.

Other Mayors with whom he had discussed this also felt it was confusing and he

believed it should be cleared up by a higher power (Central Government) rather than relying on advice from one legal firm.

The following was raised in discussion:

- it would be helpful to have a definitive response and to have any ambiguity in the legislation removed;
- there had been legal advice that the legislation was quite clear and should not be used in a circular way; however it was also noted that legal advice from a different law firm may have been to the contrary;
- the Minister of Local Government had said there was not a problem;
- this was not, in fact, a grey area, the legislation was quite clear and had operated as intended;
- the role of Deputy Mayor was important and the incumbent needed to be palatable to the Council as a whole, not just the Mayor;
- the legislation had been put in place by Government to allow a democratic decision to be made, which is what had occurred.

MOVED by Mayor Feyen, seconded Cr Campbell:

*THAT the Strategy Committee endorses the attached draft LGNZ Remit Application – Process for appointing the Deputy Mayor for submission to LGNZ as per their Remit Policy.*

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

**For:**

Mayor: Michael Feyen  
Councillors: Ross Campbell  
Neville Gimblett

**Against:**

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 3 votes to 8.

## 7.2 LGNZ Remit Application - Review of Māori Representation - Local Electoral Act 2001

### Purpose

The purpose of this report is to canvas the Committee as to its support for the attached Remit Application to the Local Government New Zealand (LGNZ) 2018 Annual General Meeting.

MOVED by Cr Tukapua, seconded Cr Brannigan:

*THAT Report 18/174 LGNZ Remit Application - Review of Māori Representation - Local Electoral Act 2001 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 this report, Cr Tukapua requested that recommendation 2.4 be addressed first as it was straightforward and was seeking support for the removal of the poll for Māori wards and constituencies as set out in the letter provided.

With only Cr Campbell expressing his opposition to the recommendation, it was:

MOVED by Cr Tukapua, seconded Cr Wanden:

*THAT the Horowhenua District Council supports LGNZ's request to the Coalition Government to remove the provision for the public to demand a poll on Māori wards and constituencies.*

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

**For:**

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

**Against:**

Councillor: Ross Campbell

The division was declared CARRIED by 10 votes to 1.

Saying she did not believe one size fitted all and she was seeking to bring about an innovative solution to enable fair and equitable Māori representation in local government, Cr Tukapua expressed the hope that the proposed remit might assist in coming up with something.

MOVED by Cr Tukapua, seconded Cr Gimblett:

*THAT the Strategy Committee endorses the attached draft LGNZ Remit Application – Review of Māori Representation within the Local Electoral Act 2001.*

**CARRIED UNANIMOUSLY**

Mr Clapperton provided some process clarification noting that there was a further step before this would go to Local Government New Zealand. It needed to be adopted by a Zone meeting or by five other Councils. It could be presented at the Zone 3 meeting on 19-20 April, with those attending then having to seek the response from their Council; or it could be circulated and responses sought by email.

## 8 Strategy and Development

### 8.1 Growth Response Projects Update

#### **Purpose**

To provide a status update on the Growth Response work programme with a focus on providing up to date information on current key projects and planning.

MOVED by Mayor Feyen, seconded Deputy Mayor Bishop:

*THAT Report 18/169 Growth Response Projects Update be received.*

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

**CARRIED**

Growth Response Manager, Mr Haigh, requested that the report be taken as read

and he took the opportunity to thank Elected Members and Officers for their input into the feedback to the Transport Agency on the O2NL project.

Noting the new information that had not been available prior to the NZTA feedback being compiled, Mr Clapperton commented on the draft 10 Year Policy Statement on Land Transport that had been released by government yesterday and tabled earlier in the meeting.

Mr Clapperton outlined some of the changes in strategic focus from the previous GPS and what that could mean for NZTA in its planning and for Council in terms of its own transport programme and the O2NL project. Council needed to be cognisant of what the impact might be going forwarded.

A further recommendation was proposed seeking Council's approval of the submission to NZTA.

MOVED by Deputy Mayor Bishop, seconded Cr Wanden:

*THAT the Strategy Committee recommends to the Horowhenua District Council that it approves the submission to the New Zealand Transport Agency on the Otaki to North of Levin (O2NL) Wellington Northern Corridor Project.*

**CARRIED UNANIMOUSLY**

## 9 Procedural motion to exclude the public

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

*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 Chief Executive Recruitment Process - Update

<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 6 and 7.</i>	<i>s6(a) - The making available of the information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences and the right to a fair trial. s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person. s7(2)(c)(i) - The withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information or information from the same source and it is in the public interest that</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 6 and 7.</i>

	<p><i>such information should continue to be supplied.</i></p> <p><i>s7(2)(d) - The withholding of the information is necessary to avoid prejudice to measures protecting the health and safety of members of the public.</i></p> <p><i>s7(2)(f)(ii) - The withholding of the information is necessary to maintain the effective conduct of public affairs through the protection of such members, officers, employees and persons from improper pressure or harassment.</i></p>	
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**AND FURTHER**

*THAT Mr Richard Fowler, QC, be invited to remain in the meeting to provide legal advice, and Mr Lester and Mrs Corkill to remain to provide governance advice and secretarial support.*

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**

5.20 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.

6.37 pm

There being no further business, the Chairperson declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD  
AT A MEETING OF THE STRATEGY COMMITTEE  
HELD ON

**DATE:**.....

**CHAIRPERSON:**.....