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# Council

## OPEN MINUTES CONFIRMED

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Minutes of a meeting of Council held in the Council Chambers, 126-148 Oxford St, Levin on Wednesday 7 February 2024 at 1:00 pm.

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### PRESENT

**Mayor**

**Deputy Mayor**

**Councillors**

His Worship The Mayor Bernie Wanden

Councillor David Allan

Councillor Mike Barker

Councillor Rogan Boyle

Councillor Ross Brannigan

Councillor Clint Grimstone

Councillor Nina Hori Te Pa

Councillor Sam Jennings

Councillor Paul Olsen

Councillor Jonathan Procter

Councillor Justin Tamihana

Councillor Piri-Hira Tukapua

Councillor Alan Young

(via a/v link)

**Apology**

**Apology**

### IN ATTENDANCE

**Reporting Officer**

Monique Davidson

Daniel Haigh

Jacinta Straker

Brent Harvey

David McCorkindale

Blair Spencer

Ashley Huria

Carolyn Dick

Rob Benefield

Chief Executive

Group Manager - Community Infrastructure

Group Manager - Organisation Performance

Group Manager - Community Experience and Services

Group Manager – Community Vision and Delivery

Group Manager – Housing & Business Development

Business Performance Manager

Strategic Planning Manager

Acting Operations and Risk Manager

**Meeting Secretary**

Grayson Rowse

Alice Petersen

Principal Advisor – Democracy

Business Support Officer - Democracy

## 1 Apologies

### Apology

Resolution number **CO/2024/1**

MOVED by Mayor Wanden, seconded Cr Jennings:

That the apology from Councillor Young and Councillor Tamihana be accepted, and an apology for lateness from Councillor Procter be noted.

**CARRIED**

## 2 Public Participation

The following people attended the meeting and spoke to the listed items:

Name	Organisation	Item speaking to
Mrs Nola Fox	Foxton Memorial Hall Society Incorporated	Item 7.3 – Update on the Foxton Memorial Hall Disposal Process

## 3 Late Items

There were no late items.

## 4 Declaration of Interest

There were no declarations of interest.

## 5 Confirmation of Minutes

### Resolution Number **CO/2024/2**

MOVED by Mayor Wanden, seconded Cr Brannigan:

That the minutes of the meeting of the Council held on Wednesday, 13 December 2023, be confirmed as a true and correct record.

That the minutes of the meeting of the In Committee Meeting of Council held on Wednesday, 13 December 2023, be confirmed as a true and correct record.

**CARRIED**

## 6 Reports for Decision

### 6.1 Long Term Plan: Option to have Unaudited Consultation Document

This report sought Council agreement to not formally audit the Long Term Plan 2024-2044 Consultation Document, as part of this Long Term Plan cycle.

### Resolution Number **CO/2024/3**

MOVED by Mayor Wanden, seconded Cr Olsen:

That Report 24/23 Long Term Plan: Option to have Unaudited Consultation Document be received.

That this matter or decision is recognised as not significant in terms of s76 of the Local Government Act.

**CARRIED**

AuditNZ is looking at all Long Term Plan documents and will highlight any matters of concern to be addressed if necessary but they will not be issuing an Audit opinion.

There is a risk that an unidentified audit matter may not be raised until after consultation but as Audit are looking at all documents now this risk is low.

*Councillor Procter joined the meeting at 01:17 pm.*

**Resolution Number CO/2024/4**

MOVED by Cr Allan, seconded Cr Barker:

That, as permitted by the Minister of Local Government, Council agrees to have an unaudited consultation document for the Long Term Plan 2024-2044.

**CARRIED**

**6.2 Solid Waste - Future Direction and Long Term Plan Consultation Documents Submission**

This report presented Council the final draft of the Waste Assessment 2024, Waste Management and Minimisation Plan 2024-29 and the Landfill and Recycling Consultation Options Document for endorsement. This report represents a significant amount of work over the last 6 months, and reflects the direction of Council through a series of Council workshops.

***This report directly aligns with one of Council's top 10 priorities "Make a decision on the Future of the Levin Landfill and follow through on the review of our WMMP".***

**Resolution Number CO/2024/5**

MOVED by Mayor Wanden, seconded Cr Allan:

That Report 24/34 Solid Waste - Future Direction and Long Term Plan Consultation Documents Submission be received.

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

**CARRIED**

Councillors raised concerns that the proposed plan might close off future options, however officers reassured elected members that the plan can encompass future options.

Endorsing the Waste Assessment means the options considered are open to Council in the future.

Councillors noted the inclusion of Option 4 on the future of kerbside recycling; this option.

**Resolution Number CO/2024/6**

MOVED by Cr Allan, seconded Cr Hori Te Pa:

That Council endorse the Waste Assessment 2024, and note its role in guiding future decision related to the Solid Waste activity.

That Council adopt the Waste Management and Minimisation Plan 2024, noting the plan will be included in the community consultation for the Long Term Plan 2024-2044.

**CARRIED**

**Resolution Number CO/2024/7**

MOVED by Cr Hori Te Pa, seconded Cr Allan:

That Council endorse the Landfill and Recycling Consultation Options Document, noting the key elements will be included in the Long Term Plan Consultation Document and Supporting Information, which Council will formally consider the adoption of on the 6 March 2024.

That Council endorse for consultation Options 1, 2, 3 and 4 on the future provision of kerbside recycling services as part of the Long Term Plan 2024-2044.

**CARRIED**

**6.3 Update on the Foxton Memorial Hall Disposal Process**

This report updated Council on the recent Request for Proposal (RFP) process, and subsequent advice received in respect to the disposal process for the Foxton War Memorial Hall.

**Resolution Number CO/2024/8**

MOVED by Mayor Wanden, seconded Cr Brannigan:

That Report 23/834 Update on the Foxton Memorial Hall Disposal Process be received.

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

**CARRIED**

Officers noted a correction to paragraph. 4.7 that states the previous Council passed a resolution 'That the proceeds of the sale be ring-fenced for the Foxton Future activities' This is incorrect.

Officers explained the consultation process would involve a very simple community consultation process, providing a platform and opportunity for the community to provide their views on the proposal. It is not expected that the consultation will be significant because there has been extensive consultation in the past. There is no requirement for special consultative procedure s87 LGA 2002.

Consultation will be targeted to Foxton Community. Getting the consultation process correct is critical and how the options are framed is important. The option of not continuing with the decision to dispose needs to have the cost implications, and the potential for a targeted rate.

Councillors questioned whether there is mechanism to provide options other than sale or no sale of the hall. The Chief Executive reminded Councillors that a number of options had been investigated and consulted on by previous councils and this process is being guided by the outcome of those consultations.

**Resolution Number CO/2024/9**

MOVED by Cr Allan, seconded Cr Olsen:

That Council request the Chief Executive to pause the potential disposal of the Foxton War Memorial Hall and undertake further consultation with the community in respect to the disposal of this site.

That Council request the Chief Executive to seek to make contact with New Zealand Woolpack and Textile Limited, or those associated with it, in relation to the agreement with Foxton Borough Council.

That the Chief Executive reports to Council with results from further consultation, and recommendations on way forward.

**CARRIED**

**6.4 Governance Documents Update - January 2024**

This report updated various governance documents and sought Council's endorsement.

**This report directly aligns with one of Council's top 10 priorities "Get the basics right and support the customer focussed delivery of core services".**

Clarified that Councillor Tukapua requested to stand down. Councillors noted the heavy workload and thanked Cr Tukapua for her work.

**Resolution Number CO/2024/10**

MOVED by Cr Allan, seconded Cr Olsen:

That Report 24/22 Governance Documents Update - January 2024 be received.

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

**CARRIED**

**Resolution Number CO/2024/11**

MOVED by Mayor Wanden, seconded Cr Allan:

That Council endorse the Council and Committee Terms of Reference – amended February 2024.

That Council adopt the updated Governance Statement 2022 – 2025 – amended February 2024.

That Council adopt the updated Elected Members Allowances and Expenses Policy – amended February 2024.

**CARRIED**

**7 Reports for Noting**

**7.1 Horowhenua District Council Organisation Performance Report February 2024**

This report presented the Organisation Performance Report for February 2024.

**This report directly aligns with one of Council's top 10 priorities "Get the basics right and support the customer focussed delivery of core services".**

**Resolution Number CO/2024/12**

MOVED by Mayor Wanden, seconded Cr Allan:

- 2.1 That Report 24/26 Horowhenua District Council Organisation Performance Report February 2024 be received.
- 2.2 That this matter or decision is recognised as not significant in terms of S76 of the Local Government Act.

**CARRIED**

Councillors thanked officers on their work on this report.

Discussion around Consents and Consenting. Consent numbers are on track for 2023/24 financial year and there has been an improvement in processing times. The market is slowing and numbers are lower but the expectation is that in line with growth projections numbers will rise.

Chief Executive shared a fun fact that the day prior (6 February, Waitangi Day) the numbers through the Foxton Pools exceeded the numbers through Levin Aquatic Centre. It was also noted that the Foxton Pool Learn to Swim Enrolments are on track to exceed any term prior to the redevelopment.

#### **Resolution Number CO/2024/13**

MOVED by Mayor Wanden, seconded Cr Olsen:

That having considered all matters raised in the Organisation Performance Report February 2024 the report be noted.

**CARRIED**

### **7.2 Council Resolution and Actions Monitoring Report February 2024**

This report presented Council the updated monitoring report covering resolutions and requested actions from previous meetings of Council.

***This report directly aligns with one of Council's top 10 priorities "Get the basics right and support the customer focussed delivery of core services".***

#### **Resolution Number CO/2024/14**

MOVED by Mayor Wanden, seconded Cr Allan:

- 2.1 That Report 24/12 Council Resolution and Actions Monitoring Report February 2024 be received.
- 2.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

**CARRIED**

## **8 Proceedings of Committees**

### **8.1 Proceedings of the Te Awahou Foxton Community Board meeting 23 January 2024**

This report presented Council the minutes of the Te Awahou Foxton Community Board meeting held on 23 January 2024.

#### **Resolution Number CO/2024/15**

MOVED by Mayor Wanden, seconded Cr Allan:



- 2.1 That Report 24/32 Proceedings of the Te Awahou Foxton Community Board meeting 23 January 2024 be received.
- 2.2 That the Council receives the minutes of the Te Awahou Foxton Community Board meeting held on 23 January 2024.

**CARRIED**

**9 Procedural motion to exclude the public**

**Resolution Number CO/2024/16**

MOVED by Mayor Wanden, seconded Cr Olsen:

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 Road Maintenance, Renewals and Improvements Contract - Tender Outcome and Appointment of Contractor**

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)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information. s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities. 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.

**C2 Tanenuiarangi Manawatū Inc - Te Ao Turoa Environmental Centre**

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	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of

reason for withholding exists under section 7.	persons, including that of a deceased person. s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.	information for which good reason for withholding exists under section 7.
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**C3 Council Resolution and Actions Monitoring Report February 2024**

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)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person. s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities. 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.

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**

2.11 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.

3.23 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:** .18 March 2024.....

**CHAIRPERSON:**

