
Council

OPEN MINUTES CONFIRMED

Minutes of a meeting of Council held in the Council Chambers, 126-148 Oxford St, Levin on Wednesday 8 May 2024 at 1:00 pm.

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

Apology

IN ATTENDANCE

Reporting Officer

Monique Davidson
Daniel Haigh
Jacinta Straker
Brent Harvey
David McCorkindale
Blair Spencer
Ashley Huria

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
Principal Advisor – Democracy
Business Support Officer – Democracy
Solid Waste Manager
Strategic Communications Manager
Policy Planner

Meeting Secretary

Grayson Rowse
Alice Petersen
David MacMillan
Lisa Campbell
Jacinta Ward

1 Apologies

Resolution Number CO/2024/98

MOVED by Mayor Wanden, seconded Cr Grimstone:

That apologies from Councillor Ross Brannigan be received and accepted.

CARRIED

2 Public Participation

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

Name	Organisation	Item speaking to
Mr Jim Harper	Foxton Historical Society	Item 7.1 – Three Waters Better-Off Funding.
Mr Brett Russell	-	Item 7.1 – Three Waters Better-Off Funding.
Mr Lyal Brenton	Foxton Beach Community Centre	Item 9.3 Proceedings of Te Awahou Foxton Community Board 8 April 2024

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/2024/99

MOVED by Mayor Wanden, seconded Cr Allan:

That the meeting minutes of Council, 20 March 2024 be accepted as a true and correct record.

CARRIED

Resolution Number CO/2024/100

MOVED by Mayor Wanden, seconded Cr Allan:

That the In-committee meeting minutes of Council, 20 March 2024 be accepted as a true and correct record.

CARRIED

Resolution Number CO/2024/101

MOVED by Mayor Wanden, seconded Cr Grimstone:

That the meeting minutes of the Extraordinary Council meeting, 17 April 2024 be accepted as a true and correct record.

CARRIED

6 Elected Members Reports

6.1 Mayoral Report - May 2024

His Worship the Mayor reported to Council on community events and Council-related meetings attended during March and April 2024, and provide an update on items of interest.

Resolution Number CO/2024/102

MOVED by Mayor Wanden, seconded Cr Procter:

- 2.1 That Report Mayoral Report - May 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

Resolution Number CO/2024/103

MOVED by Cr Allan, seconded Cr Olsen:

- 2.3 That Council authorises the Mayor, Crs Tamihana and Grimstone to attend the Local Government New Zealand Conference to be held in Wellington 21-23 August 2024.
- 2.4 That Council nominates Crs Tamihana and Grimstone as the alternates to exercise Council's voting rights, should the presiding delegate not be in attendance at the 2024 Annual General Meeting of Local Government New Zealand.

CARRIED

6.2 Member's Report Back on LGNZ Zone 3 Meeting

Councillor Tamihana reported back to Council on the LGNZ Zone 3 Meeting.

Resolution Number CO/2024/104

MOVED by Cr Tamihana, seconded Mayor Wanden:

- 2.1 That Report 24/255 Member's Report Back on LGNZ Zone 3 Meeting 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

7 Reports for Decision

7.1 Three Waters Better Off Funding

This report discussed and reviewed current Better Off Funding projects and identified opportunities for redirection of unspent funds.

Officers presented the report and highlighted key aspects of the options, noting a preference for option 2.

A suggestion to move to a contestable fund via rural halls fund would require a change to the rural halls funding criteria which would need to be referred back to Council to reset the criteria and approval for any change of the original intent would be needed from the Department of Internal Affairs. This would all need to occur prior to 30 June 2024. This approach was not favoured by Councillors.

A question was raised regarding upgrades for Marae – these had previously received funding of \$500,000 through earlier funding for waste water and stormwater upgrades.

Resolution Number CO/2024/105

MOVED by Mayor Wanden, seconded Cr Allan:

- 3.1 That Report 24/254 Three Waters Better Off Funding be received.
- 3.2 That this matter or decision is recognised as not significant in terms of S76 of the Local Government Act.

CARRIED

Resolution Number CO/2024/106

MOVED by Cr Boyle, seconded Cr Procter:

- 3.4 That Council retain all original funding allocations for the projects that are in progress; Te Maire Park Development Initiative; Levinable; Manakau Domain; Levin Town Centre; Foxton Courthouse Redevelopment; Events and Destination Management Strategy, and

Retain \$80,000.00 of funding for Lake Punahou and request that the Chief Executive meet with the Chairperson of the incoming Lake Domain Board to proceed with mutually agreed actions pertaining to permitted funding activities, and

Submits a re-allocation and change request for the Rural Halls Drinking and Wastewater Initiative as follows:

Re-allocate \$265,000.00 toward increased investment in water infrastructure or to help establish new water services delivery organisations as deemed appropriate by the Chief Executive, and

Retain \$135,000.00 and provide a one-off grant of \$15,000.00 to each of the following halls; Ihakara Hall, Ōhau Hall, Opiki Hall, Manakau Hall, Tokomaru Hall, Poroutawhao Hall, Koputaroa Hall, Moutoa Hall, Mangahao Hall (Mangaore) for the purpose of supporting rural halls, with emphasis on enhancing water and wastewater resilience and emergency preparedness, empowering them to strengthen their facilities and infrastructure to better withstand and respond to emergencies.

CARRIED

7.2 Major Contestable Events Fund

This report sought approval to establish a Major Contestable Events Fund of \$50,000 per annum.

Resolution Number CO/2024/107

MOVED by Mayor Wanden, seconded Cr Boyle:

- 3.1 That Report 24/1 Major Contestable Events Fund be received.
- 3.2 That this matter or decision is recognised as not significant in terms of S76 of the Local Government Act.

CARRIED

Officers presented the report and highlighted key aspects of the report.

Councillors noted the importance of this expenditure noting that major events do increase spending in the district contributing to the district's economic growth.

Applications to fund would be considered and assessed by Community Funding and Recognition Committee.

Resolution Number CO/2024/108

MOVED by Cr Allan, seconded Cr Jennings:

- 3.3 That Council approves the establishment of a Major Contestable Events Fund of \$50,000 per annum using the better off funding to fund the first year (2023/24).

CARRIED

Councillors acknowledged and congratulated the work of the officers in developing the Destination Management Plan and this associated events fund.

7.3 Selection of Best Practical Option for Management of the Leachate Ground Water Plume at the Old Levin Dump

This report sought approval from Council to proceed with the Best Practical Option (BPO) for the ongoing management of the leachate ground water plume, emanating from the Levin Old Dump.

Resolution Number CO/2024/109

MOVED by Mayor Wanden, seconded Cr Allan:

- 3.1 That Report 24/217 Selection of Best Practical Option for Management of the Leachate Ground Water Plume at the Old Levin Dump be received.
- 3.2 That this matter or decision is recognised as significant in terms of S76 of the Local Government Act.

CARRIED

Officers presented the report, noting the earlier briefings held with Councillors, and the engagement with Neighbourhood Liaison Group, Project Management Group and Iwi.

Engagement has occurred throughout the development and selection of the final BPO options.

A parallel process is looking at the final disposal of leachate removed from the site. This will consider matters such as current and future capacity of the waste water treatment plant to treat the leachate, and final detailed design parameters.

Piping leachate from the site to the waste water treatment plant will utilise existing infrastructure and is a preferable option supported by the PNG and ameliorating the concerns of the NLG over treatment at site.

Resolution Number CO/2024/110

MOVED by Cr Tamihana, seconded Cr Procter:

- 3.3 That Council approve Best Practical Option 3 – described as “full trench (200m) 100% extraction (360m³/day) discharge to sewer, with the associated budget for works of \$1,997,000.

CARRIED

7.4 Climate Change - Council Controlled Emissions

This report sought approval from Council to prioritise and fund the establishment of a Carbon Emissions Portal within the current financial year 2023/2024.

Resolution Number CO/2024/111

MOVED by Mayor Wanden, seconded Cr Allan:

- 3.1 That Report 24/248 Climate Change - Council Controlled Emissions be received.
- 3.2 That this matter or decision is recognised as not significant in terms of S76 of the Local Government Act.

CARRIED

Officers presented the report and outlined its purpose.

The funding would be committed for the 2023/24 year, and is in addition to the \$100,000 for activation of the Climate Change Action Plan

The portal can assist officers in the analysis they provide to Council to assist Council's decision making. There will be quantifiable data potentially showing the effect of decisions on emissions, and potential secondary benefits, including power savings and carbon offsets.

Resolution Number CO/2024/112

MOVED by Cr Boyle, seconded Cr Procter:

- 3.3 That Council supports the establishment of a Carbon Emission Portal to monitor and measure Council controlled emissions.

CARRIED

Cr Barker voted against this resolution

Some councillors expressed concern about the value of establishing a carbon emissions portal.

In support of the portal, councillors noted good data is needed to make good decision an establishing a portal helps provide that data. This information will contribute to future decision making.

Councillors considered whether to approve funding for this unbudgeted item, noting that the Chief Executive and officers, in bringing this report and recommendation, have done precisely what Council had asked of them.

While this is an investment in good decision making moving forward, the item is unbudgeted for this financial year. There was a feeling that the case for approving this unbudgeted expenditure had not been made, and that there was no reason why this matter could not wait until the outcome of the Long Term Plan 2024-44 was known.

Councillor Jennings moved the matter lay in the table until a later time as follows:

Resolution Number CO/2024/113

MOVED by Cr Jennings, seconded Cr Olsen:

That the matter lay on the table until some time after the LTP Deliberations.

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

For:

Councillors: David Allan
Mike Barker
Nina Hori Te Pa
Sam Jennings
Paul Olsen
Piri-Hira Tukapua
Mayor Bernie Wanden
Alan Young

Against:

Councillors: Rogan Boyle
Clint Grimstone
Jonathan Procter
Justin Tamihana

Cr Ross Brannigan was absent.

The division was declared CARRIED by 8 votes to 4.

CARRIED

7.5 Green Avenue Reserve - Revocation

This report considered submissions received through the consultation process undertaken over the Revocation of the Reserve Status of the Green Avenue Reserve to further the decision pertaining to the proposed revocation of reserve status and sale of the land for Affordable Housing.

Councillor Boyle exited the meeting at 03:06 pm.

Resolution Number CO/2024/114

MOVED by Mayor Wanden, seconded Cr Allan:

- 3.1 That Report 24/263 Green Avenue Reserve - Revocation be received.
- 3.2 That this matter or decision is recognised as not significant in terms of S76 of the Local Government Act.

CARRIED

Officers presented the report and highlighted key matters.

Resolution Number CO/2024/115

MOVED by Mayor Wanden, seconded Cr Olsen:

- 3.3 That Council considers the submissions provided in relation to the revocation of reserve status

CARRIED

Councillors thanked that submitters for their time, and noted the views they held about their neighbourhood

Resolution Number CO/2024/116

MOVED by Cr Grimstone, seconded Cr Allan:

- 3.4 That, having considered the submissions, Council agrees to proceed with the revocation process to make available the land for sale and affordable housing.

CARRIED

Crs Tamihana, Hori Te Pa, and Barker voted against this recommendation

8 Reports for Noting

8.1 Horowhenua District Council Organisation Performance Report May 2024

This report presented the Organisation Performance Report for May 2024.

Resolution Number CO/2024/117

MOVED by Mayor Wanden, seconded Cr Young:

- 2.1 That Report 24/245 Horowhenua District Council Organisation Performance Report May 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

The Mayor noted the usefulness of this report in providing a comprehensive view of the work of the council organisation.

Financial and non-financial reporting is provided primarily through this report, and this report gives Councillors an opportunity to question officers about the financial performance of the Council. This Report is also provided to the Independent Members of the Risk and Assurance Committee.

Resolution Number CO/2024/118

MOVED by Mayor Wanden, seconded Cr Jennings:

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

CARRIED

8.2 Council Resolution and Actions Monitoring Report May 2024

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

Resolution Number CO/2024/119

MOVED by Mayor Wanden, seconded Cr Allan:

- 2.1 That Report 24/244 Council Resolution and Actions Monitoring Report May 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

9 Proceedings of Committees

9.1 Proceedings of the Community Wellbeing Committee 27 March 2024

This report presented to Council the minutes of the Community Wellbeing Committee meeting held on 27 March 2024.

Resolution Number CO/2024/120

MOVED by Mayor Wanden, seconded Cr Grimstone:

- 2.1 That Report 24/226 Proceedings of the Community Wellbeing Committee 27 March 2024 be received.
- 2.2 That the Council receives the minutes of the Community Wellbeing Committee meeting held on 27 March 2024.

CARRIED

9.2 Proceedings of the Community Funding and Recognition Committee 10 April 2024

This report presented Council the minutes of the Community Funding and Recognition Committee meeting held on 10 April 2024.

Resolution Number CO/2024/121

MOVED by Mayor Wanden, seconded Cr Grimstone:

- 2.1 That the Council receives the minutes of the Community Funding and Recognition Committee meeting held on 10 April 2024.

CARRIED

9.3 Proceedings of Te Awahou Foxton Community Board 8 April 2024

This report presented to the Council the minutes of Te Awahou Foxton Community Board meeting held on 08 April 2024.

Resolution Number CO/2024/122

MOVED by Mayor Wanden, seconded Cr Allan:

- 2.1 That the Council receives the minutes of the Te Awahou Foxton Community Board meeting held on 08 April 2024.

CARRIED

The Chief Executive introduced the report.

The Chair of Te Awahou Foxton Community Board joined the table and answered questions from the Council, noting that there was a genuine need now for the replacement vehicle.

Councillors noted previous funding had been of significant benefit to the Foxton Beach community, and its worth has been proven. The proposal is for 50% of the purchase price and the Centre will be funding the remainder.

Some concern raised that there are decisions still being made around disbursements from the fund despite the review ongoing. In particular it was noted that hapū owners who are part of this review process, have strongly indicated that they do not wish to see any disbursements until the review is completed.

On contrast others felt that consideration of applications to the Endowment Fund should not be halted until and unless the Board agrees to a moratorium; to do so at this point would be unfair to the applicant.

It was suggested that officers convene a workshop with the Board and hapū owners to reach a consensus on how to manage the fund while that review is ongoing; and then if necessary, present a paper to the Board to endorse any agreement on the management of the fund in the interim.

Resolution Number CO/2024/123

MOVED by Cr Allan, seconded Cr Jennings:

- 2.2 That Council approve funding of \$27,241 from the Foxton Beach Endowment Fund to the Foxton Beach Community Centre as a grant towards the purchase of a 2024 Toyota RAV4.

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

For:

Councillors: David Allan
Mike Barker
Sam Jennings
Paul Olsen
Jonathan Procter
Bernie Wanden
Alan Young

Against:

Councillors: Clint Grimstone
Nina Hori Te Pa
Justin Tamihana

Cr Rogan Boyle left the room.
Cr Ross Brannigan was absent.
Cr Piri-Hira Tukapua abstained.
The division was declared CARRIED by 7 votes to 3.

CARRIED

10 Procedural motion to exclude the public

Resolution Number CO/2024/124

MOVED by Mayor Wanden, seconded Cr Jennings:

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:

7.5 Green Avenue Reserve - Revocation - Attachment B - Detailed Property Analysis - Green Avenue

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)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.	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.

C1 Tara-Ika Crown Infrastructure Partners Update and Procurement

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)(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 Council Resolution and Actions Monitoring Report May 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.

C3 Three Waters Service Delivery Management Options

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)(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 such information should continue to be supplied.	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

3.56 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.

4.34 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: .12 June 2024.....

CHAIRPERSON:

