
Council

OPEN MINUTES

UNCONFIRMED

Minutes of a meeting of Council held in the Council Chambers, 126-148 Oxford St, Levin on Wednesday 12 June 2024 at 1:00 pm.

PRESENT

Mayor	His Worship The Mayor Bernie Wanden
Deputy Mayor	Councillor David Allan
Councillors	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

IN ATTENDANCE

Reporting Officer	Monique Davidson	Chief Executive
	Daniel Haigh	Group Manager - Community Infrastructure
	Jacinta Straker	Group Manager - Organisation Performance
	Brent Harvey	Group Manager - Community Experience and Services
	David McCorkindale	Group Manager – Community Vision and Delivery
	Blair Spencer	Group Manager – Housing & Business Development
	Mark Hammond	Community Facilities and Services Manager
	Vaimoana Miller	Customer & Compliance
	Julia Atkins	Community Development Team Lead
	Emma Gowan	Community Development Adviser
	Tony Parsons	Principal Project Manager
	James Wallace	Land Transport Manager
	Ashley Huria	Business Performance Manager
Meeting Secretary	Grayson Rowse	Principal Advisor – Democracy
	Alice Petersen	Business Support Officer – Democracy

1 Apologies

Apology

Resolution Number CO/2024/183

MOVED by Mayor Wanden, seconded Cr Young:

That the apology from Cr Nina Hori Te Pa and Cr Paul Olsen be accepted.

CARRIED

Cr Jonathan Procter would be late joining the meeting.
Cr Justin Tamihana attended via audio/visual link

2 Public Participation

The following members of the public attended the meeting and spoke on the listed items:

Name	Agenda Item
Hayden Turoa	7.2 Foxton War Memorial Hall and 9.4 Proceedings of the Extraordinary Te Awahou Foxton Community Board meeting 4 June 2024
Brett Russell	7.2 Foxton War Memorial Hall
Sue-Ann Russell	7.2 Foxton War Memorial Hall
Nola Fox	7.2 Foxton War Memorial Hall
David Roache	7.2 Foxton War Memorial Hall

3 Late Items

There were no late items.

4 Declaration of Interest

Cr Tukapua declared conflict of interest in Item 9.4 Proceedings of the Extraordinary Te Awahou Foxton Community Board meeting 4 June 2024 in relation to the application of funding from the Foxton Beach Endowment Fund for Paranui Marae.

5 Confirmation of Minutes

Resolution Number CO/2024/184

MOVED by Mayor Wanden, seconded Cr Jennings:

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

That the meeting minutes of Council, 1 May 2024 be accepted as a true and correct record.

That the meeting minutes of Council, 8 May 2024 be accepted as a true and correct record.

That the meeting minutes of In-committee Council, 8 May 2024 be accepted as a true and correct record.

That the minutes of the meeting of the Council held on Wednesday, 22 May 2024, be confirmed as a true and correct record.

CARRIED

6 Elected Members Reports

6.1 Mayoral Report - June 2024

This item was presented to Council for Mayor Wanden to report on community events and Council-related meetings attended during May 2024, and provide an update on items of interest.

Resolution Number CO/2024/185

MOVED by Mayor Wanden, seconded Cr Young:

That Report 24/384 Mayoral Report - June 2024 be received.

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

CARRIED

Resolution Number CO/2024/186

MOVED by Mayor Wanden, seconded Cr Boyle:

That Council endorse and submit to NZ Transport Agency Waka Kotahi the Submission: Emergency Works Investment Policy Review by 19 June 2024.

CARRIED

6.2 Chairperson's Report - Te Awahou Foxton Community Board

This item presented the report from Te Awahou Foxton Community Board Chair and provide an opportunity for the Chairperson to highlight matters from the last Board meeting.

Resolution Number CO/2024/187

MOVED by Mayor Wanden, seconded Cr Allan:

That Report 24/388 Chairperson's Report - Te Awahou Foxton Community Board be received.

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

7.2 Foxton War Memorial Hall

This item was presented to provide Council on the results of the recent community consultation that has been undertaken in relation to the Foxton War Memorial Hall and to seek direction in terms of the next steps in relation to the disposal of this property.

Resolution Number CO/2024/188

MOVED by Mayor Wanden, seconded Cr Young:

That Report 24/326 Foxton War Memorial Hall be received.

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

CARRIED

Officers introduced the report taking the opportunity to thank all those who provided input in the recent consultation process. It was clarified that if resolution was to sell on the open market, all offers would return to Council for final decision and conditions can be applied.

Broad discussion around the absence of the signed agreement. Chair of Risk and Assurance is going to explore a programme of work around archival management to reduce risk in this area.

Resolution Number CO/2024/189

MOVED by Cr Allan, seconded Cr Young:

That Council asks the Foxton War Memorial Hall Incorporated Society and local hapu to work together on the development of a shared business plan for the Hall, to be submitted to Council by 15 September 2024, and subsequently presented to Council on 16 October 2024.

That on receiving the business plan, and Council being satisfied with the business plan, that Council transfers the ownership and ongoing management of the Foxton War Memorial Hall for \$1 to a community organisation that reflects the shared objectives of the Foxton War Memorial Hall Incorporated Society and Te Tumatakahuki.

That should a successful business plan not be presented, that Council proceeds with selling the Foxton War Memorial Hall on the open market.

That the Chief Executive be requested to develop a Sale and Purchase agreement that reflects Council's intentions to transfer the Foxton War Memorial Hall, which incorporates a condition that should the Hall not be strengthened by 2030, or be able to sustain an operation at any time that is consistent with the intention of community use then the Hall be transferred back to Council ownership and that Council then proceeds with selling the Foxton War Memorial Hall on the open market.

That Council notes that no funding is provided for the Foxton War Memorial Hall from 1 July 2024 in the budgets, and until such time that an asset transfer is achieved, the level of service provided by Council will reflect that no funding is provided for.

CARRIED

9.4 Proceedings of the Extraordinary Te Awahou Foxton Community Board meeting 4 June 2024

This item presented to the Council the minutes of the Te Awahou Foxton Community Board meeting held on 04 June 2024.

Cr Tukapua declared conflict of interest in Item 9.4 Proceedings of the Extraordinary Te Awahou Foxton Community Board meeting 4 June 2024 in relation to the application of funding from the Foxton Beach Endowment Fund for Paranui Marae. Cr Tukapua did not take part in debate or discussion of this item.

Councillor Tukapua exited the meeting at 2:48 pm.

Resolution Number CO/2024/190

MOVED by Mayor Wanden, seconded Cr Allan:

That Report 24/383 Proceedings of the Extraordinary Te Awahou Foxton Community Board meeting 4 June 2024 be received and noted.

CARRIED

Kere Kere Ward Councillors Allan and Brannigan spoke to the recommendation highlighting the links of Paranui Marae to the Foxton and Foxton Beach Community particularly through Manawatū College and local primary schools along with the historic and current links to the land.

Resolution Number CO/2024/191

MOVED by Cr Allan, seconded Cr Brannigan:

That the Council approve funding of up to \$170,000 from the Foxton Beach Endowment Fund as a grant to enable the completion of the refurbishment of the kitchen at Paranui Marae.

CARRIED

Councillor Tukapua returned to the meeting at 2:59 pm.

Councillor Allan exited the meeting at 2:59 am.

Councillor Tamihana exited the meeting at 2:59 pm.

Councillor Young exited the meeting at 2:59 pm.

Councillor Tamihana returned to the meeting at 3:01 pm.

Councillor Young returned to the meeting at 3:01 pm.

Councillor Allan returned to the meeting at 3:02 pm.

7.1 2024-44 Long Term Plan Adoption of 2024/25 Fees & Charges

The purpose of this report is to recommend that Council adopt the user fees and charges for the 2024/25 financial year of the 2024-44 Long Term Plan.

Resolution Number CO/2024/192

MOVED by Mayor Wanden, seconded Cr Jennings:

That Report 24/241 2024-44 Long Term Plan Adoption of 2024/25 Fees & Charges be received.

That this matter or decision is recognised as significant in terms of S76 of the Local Government Act.

CARRIED

Officers presented the report noted that Fees & Changes are brought forward earlier than the full Long Term Plan to allow officers time to prepare for changes in fees for 1 July 2024.

Resolution Number CO/2024/193

MOVED by Mayor Wanden, seconded Cr Jennings:

- 3.3 That the Council adopts the 2024/25 Schedule of User Fees and Charges, attached as Appendix 1 to this report.
- 3.4 That the Council delegates to the Chief Executive, the authority to approve minor editorial changes (only if required as part of formally adopting the 2024-44 Long Term Plan on the 26 June 2024), to the Schedule of User Fees and Charges, attached as Appendix 1 to this report.

CARRIED

7.3 Commencing Bylaw Reviews - Section 155 Assessments: Solid Waste Bylaw; and Animal Nuisance and the Keeping of Pigs, Poultry and Bees Bylaw.

This item presented to Council the review of whether the Solid Waste and Animal Nuisance and the Keeping of Pigs, Poultry and Bees Bylaws continue to be required and recommended the next steps for Council Officers.

Resolution Number CO/2024/194

MOVED by Mayor Wanden, seconded Cr Allan:

That Report 24/339 Commencing Bylaw Reviews - Section 155 Assessments: Solid Waste Bylaw; and Animal Nuisance and the Keeping of Pigs, Poultry and Bees Bylaw. be received.

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

CARRIED

Officers presented the report noting that is a procedural report to start the process and to seek Council confirmation that the statutory review of these bylaws is complete. Officers advised that the reason why these bylaws are before Council is because both bylaws were last reviewed in 2014 and are on a 10-year review cycle.

Resolution Number CO/2024/195

MOVED by Mayor Wanden, seconded Cr Young:

That Council confirms the completion of the statutory review of the Solid Waste Bylaw 2014 and the Animal Nuisance and the Keeping of Pigs, Poultry and Bees Bylaw 2014, and in doing so determines that

- a. a bylaw is still the most appropriate way of addressing the perceived problems of regulating solid waste and animal nuisance matters; and
- b. that the current bylaws are the most appropriate form of bylaw and do not give rise to implications under the New Zealand Bill of Rights Act 1990.

That Officers, as delegated by the Chief Executive, prepare a further options report for amending the bylaws.

CARRIED

7.4 Adoption of He Hapori Pakari - Community Wellbeing Strategy

This item presented to Council for adoption He Hapori Pakari - Community Wellbeing Strategy 2024-2027.

Resolution Number CO/2024/196

MOVED by Mayor Wanden, seconded Cr Brannigan:

That Report 24/357 Adoption of He Hapori Pakari - Community Wellbeing Strategy be received.

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

CARRIED

Some councillors expressed concerns about the inclusion of some sectors of the community in the strategy and action plan. Officers will provide further details at a future workshop.

Resolution Number CO/2024/197

MOVED by Cr Boyle, seconded Cr Young:

That Council adopts He Hapori Pakari - Community Wellbeing Strategy 2024-2027 and associated Action Plan.

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

For:

Councillors: David Allan
Mike Barker
Rogan Boyle
Ross Brannigan
Clint Grimstone
Sam Jennings
Mayor Bernie Wanden
Alan Young

Against:

Councillors: Justin Tamihana
Piri-Hira Tukapua

Cr Nina Hori Te Pa was absent.

Cr Paul Olsen was absent.

Cr Jonathon Procter was absent

The division was declared CARRIED by 8 votes to 2.

CARRIED

Resolution Number CO/2024/198

MOVED by Cr Jennings, seconded Cr Tukapua:

That Council authorises the Chief Executive to make any editorial changes necessary in consultation with the Mayor, prior to publication of the Plan noting the discussion and questions raised during the meeting 12 June 2024.

CARRIED

Crs Boyle and Grimstone voted against

Councillor Allan exited the meeting at 4:05 pm.

Councillor Allan returned to the meeting at 4:08 pm.

The meeting adjourned for a break at 4.09pm and readjourned at 4.24pm

8 Reports for Noting

8.1 Interim Organisation Performance Report - May 2024

This item presented to Council the Interim Organisation Performance Report for May 2024.

Resolution Number CO/2024/199

MOVED by Mayor Wanden, seconded Cr Allan:

That Report 24/125 Interim Organisation Performance Report - May 2024 be received.

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

CARRIED

Resolution Number CO/2024/200

MOVED by Mayor Wanden, seconded Cr Grimstone:

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

CARRIED

Queries raised from the table around remainder of capital budget and confidence in whether will be spent. Officers advised confidence is meeting capital budget over May/June period.

Discussion around the 'Performance Matters' section of the report highlighting the positive progress the organisation has made in this space but noting the increase in annual leave liability. Chief Executive advised this remains and focus and steps are being taken to reduce this.

8.2 Council Resolution and Actions Monitoring Report June 2024

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

Resolution Number CO/2024/201

MOVED by Mayor Wanden, seconded Cr Allan:

That Report 24/380 Council Resolution and Actions Monitoring Report June 2024 be received.

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

CARRIED

Discussion around Memorandum of Understanding for Windmill Trust and whether this is the right tool and the importance of inclusion of Destination Management as this was basis of their LTP submission. Officers advised they're working with the Windmill Trust to get the best possible outcome factoring in tourism.

9 Proceedings of Committees

9.1 Proceedings of the Risk and Assurance Committee 15 May 2024

This item presented to Council the minutes of the Risk and Assurance Committee meeting held on 15 May 2024.

Resolution Number CO/2024/202

MOVED by Mayor Wanden, seconded Cr Jennings:

That Report 24/379 Proceedings of the Risk and Assurance Committee 15 May 2024 be received and noted.

CARRIED

9.2 Proceedings of the Community Wellbeing Committee - 22 May 2024

This item presented to Council the minutes of the Community Wellbeing Committee meeting held on 22 May 2024. Matters raised in this meeting have been further developed in an earlier report to Council.

Resolution Number CO/2024/203

MOVED by Mayor Wanden, seconded Cr Allan:

That Report 24/371 Proceedings of the Community Wellbeing Committee - 22 May 2024 be received.

That the Council receives the minutes of the Community Wellbeing Committee meeting held on 22 May 2024.

CARRIED

9.3 Proceedings of the Te Awahou Foxton Community Board - 27 May 2024

This item presented to Council the minutes of the Te Awahou Foxton Community Board meeting held on 27 May 2024.

Resolution Number CO/2024/204

MOVED by Mayor Wanden, seconded Cr Allan:

That Report 24/370 Proceedings of the Te Awahou Foxton Community Board - 27 May 2024 be received.

CARRIED

10 Procedural motion to exclude the public

Resolution Number CO/2024/205

MOVED by Mayor Wanden, seconded Cr Allan:

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 Levin Town Centre Transformation - Expressions of Interest - Reimagining the Levin War Memorial Hall and Village Green

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. Commercial in confidence.	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 Property Sale - 645 Hokio Beach Road

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.

C3 Kennedy Drive Stormwater - Private Developer Agreement

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.

C4 SH1 (Oxford Street) and Tyne Street Wastewater Main

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	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	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.	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.	withholding exists under section 7.
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C5 Council Resolution and Actions Monitoring Report June 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)(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.

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

4.41 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.

6.22 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: