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# Council

## OPEN MINUTES

## UNCONFIRMED

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Minutes of a meeting of Council held in the Council Chambers, 126-148 Oxford St, Levin on Wednesday 4 September 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

### Reporting Officer

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

### 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  
Democracy Support Officer

### Meeting Secretary

Ashley Huria  
Grayson Rowse  
Alice Petersen

Cr Justin Tamihana spoke acknowledging the death of Te Kiingi Tuheitia.

**1 Apologies**

There were no apologies.

**2 Public Participation**

Charles Rudd – spoke on 9.2 – The Community Wellbeing Committee Proceedings of Committee.

Viv Bold – spoke on 8.1 – The Horowhenua Company Limited (Economic Development Services Contract Report 1 October 2021 - 30 June 2024), 8.3 – Actions and Monitoring Report.

Speakers on 7.1 – Horowhenua (Māori) Ward - Option to Retain or Disestablish for 2025 Elections spoke immediately prior to the consideration of this item..

**3 Late Items**

There were no late items.

Cr Piri-Hira Tukapua – announced that she intends to stand down as at 1 November 2024, thereby avoiding the need for a by-election. Her final Council meeting will be 30<sup>th</sup> October 2024.

**4 Declaration of Interest**

Cr Ross Brannigan – Item 8.2 – In relation to Emergency Management included in the OPR – If this is discussed Cr Brannigan will step away from the table.

Cr Justin Tamihana asked for confirmation on participation in the Māori Ward decision as a Māori Ward Councillor. The Chief Executive advised that no conflict exists, in the same way that there would be no conflict of interest for elected members considering a representation review.

**5 Confirmation of Minutes**

**Resolution Number CO/2024/273**

MOVED by Cr Allan, seconded Cr Jennings:

That the minutes of the meeting of the Council held on Wednesday, 24 July 2024, be confirmed as a true and correct record.

That the minutes of the meeting of the Public Excluded Meeting of Council held on Wednesday, 24 July 2024, be confirmed as a true and correct record.

**CARRIED**

**Reports for Decision**

**7.1 Horowhenua (Māori) Ward - Option to Retain or Disestablish for 2025 Elections**

Three iwi groups spoke to this item.

Muaūpoko Tribal Authority (MTA) (Kelly Tahiwī) – spoke on 7.1 – Horowhenua (Māori) Ward – Option to retain or Disestablish for 2025 Elections

Ngāti Tukorehe (Catherine Manning) – spoke on 7.1 – Horowhenua (Māori) Ward – Option to retain or Disestablish for 2025 Elections

Te Tumatakahuki (Shane Royal/Te Kenehi Teira)- spoke on 7.1 – Horowhenua (Māori) Ward – Option to retain or Disestablish for 2025 Elections

This report sought Council's decision on whether to retain or disestablish the Horowhenua (Māori) Ward for to the 2025 election.

**Resolution Number CO/2024/274**

MOVED by Mayor Wanden, seconded Cr Allan:

That Report 24/549 Horowhenua (Māori) Ward - Option to Retain or Disestablish for 2025 Elections be received.

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

**CARRIED**

Officers introduced the report and took questions from the table.

The officer's recommendation was:

MOVED by Mayor Wanden, seconded Cr Young:

The Council maintains the current representation arrangements, including Horowhenua (Māori) Ward, for the 2025 local body elections, noting that a binding referendum on retaining Māori wards will be conducted alongside the elections.

Debate commenced; and Cr Boyle moved an amendment to substitute the substantive motion

**Resolution Number CO/2024/275**

MOVED by Cr Boyle, seconded Cr Tamihana:

That the substantive motion reads: The Council maintains the current representation arrangements, including the retention of the Horowhenua (Māori) Ward.

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

**For:**

Councillors: David Allan  
Rogan Boyle  
Clint Grimstone  
Nina Hori Te Pa  
Jonathan Procter  
Justin Tamihana  
Piri-Hira Tukapua  
Alan Young

**Against:**

Councillors: Mike Barker  
Ross Brannigan  
Sam Jennings  
Paul Olsen  
Bernie Wanden

The division was declared **CARRIED** by 8 votes to 5.

**CARRIED**

The Mayor opened the debate on the substituted motion allowing all members to speak to it.

During debate members noted that Council is entrusted with the authority of adopting representation arrangements and setting up of general wards without recourse to a referendum and it should not be necessary to hold a referendum simply because a new ward would represent Māori.

Other proffered the view that this is a matter best decided by the voters of Horowhenua through a referendum, and by maintaining the current Horowhenua (Māori) Ward this would allow the referendum to occur.

Following the conclusion of the resumed debate, the amendment was put.

**Resolution Number CO/2024/276**

MOVED by Cr Boyle, seconded Cr Tamihana:

The Council maintains the current representation arrangements, including the retention of the Horowhenua (Māori) Ward.

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

**For:**

Councillors: David Allan  
Rogan Boyle  
Ross Brannigan  
Clint Grimstone  
Nina Hori Te Pa  
Sam Jennings  
Jonathan Procter  
Justin Tamihana  
Piri-Hira Tukapua  
Bernie Wanden  
Alan Young

**Against:**

Councillors: Mike Barker  
Paul Olsen

The division was declared CARRIED by 11 votes to 2.

**CARRIED**

**Resolution Number CO/2024/277**

MOVED by Mayor Wanden, seconded Cr Brannigan:

That in affirming Māori Wards, Council notes a binding referendum on retaining Māori wards will be conducted alongside the 2025 elections

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

**For:**

Councillors: Mike Barker  
Ross Brannigan  
Clint Grimstone  
Sam Jennings  
Paul Olsen  
Jonathan Procter  
Bernie Wanden  
Alan Young

**Against:**

Councillors: David Allan  
Rogan Boyle  
Nina Hori Te Pa  
Justin Tamihana  
Piri-Hira Tukapua

The division was declared CARRIED by 8 votes to 5

**CARRIED.**

The following was moved:

MOVED by Cr Jennings, seconded Cr Olsen:

That the Chief Executive brings a report back to Council with options related to Representation Review by March 2025.

**LOST**

*Councillor Hori Te Pa exited the meeting at 03:33 pm.*

## 6 Elected Members Reports

### 6.1 Mayoral Report - September 2024

This report updated Council on community events and functions, and Council-related meetings attended from 1 July – 17 August 2024, and to provide an update on items of interest.

As part of the Mayoral report, the Mayors Taskforce for Jobs Lead, Jo Humphries and Mayors Taskforce for Jobs Coordinator, Fraser Daysh, presented the meeting with a summary of their work.

#### **Resolution Number CO/2024/278**

MOVED by Mayor Wanden, seconded Cr Allan:

- 2.1 That Report 24/572 Mayoral Report - September 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**

### 6.2 Chair's Report - Te Awahou Foxton Community Board

The Chairperson's report highlighted to Council matters of interest for Te Awahou Foxton Community Board.

#### **Resolution Number CO/2024/279**

MOVED by Mayor Wanden, seconded Cr Olsen:

- 2.1 That Report 24/584 Chair's Report - Te Awahou Foxton Community Board be received.

**CARRIED**

## 7 Reports for Decision

### 7.2 Updates to Standing Orders, Terms of Reference and Councillor Appointments

This report sought Council's agreement to update Council's Terms of Reference for the Community Funding and Recognition, Standing Orders in relation to quorums and notes recent appointments of elected members to the Horowhenua Lake Domain Board.

#### **Resolution Number CO/2024/280**

MOVED by Mayor Wanden, seconded Cr Tukapua:

- 3.1 That Report 24/524 Updates to Standing Orders, Terms of Reference and Councillor Appointments 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/2024/281**

MOVED by Cr Grimstone, seconded Cr Brannigan:

That Council amend s. 2.2.2.1.a) in its Terms of Reference in relation to the Community Funding and Recognition to read:

- a) To consider the allocation of community grants in line with the relevant grants criteria and priorities for:
- Ūrupa Fund
  - Youth Development Fund
  - Community Events and Programmes Fund
  - Operations and Small Assets Fund

That Council amend standing order 13.8 to read:

“Members who attend meeting by audio link or audio-visual link will be counted as present for the purposes of a quorum.”

That Council note the appointment gazetted by the Minister of Conservation of His Worship the Mayor and Councillors Procter and Hori Te Pa as members of the Horowhenua Lake Domain Board for a term of up to five years, as representatives of the Horowhenua District Council.

**CARRIED**

Cr Tamihana voted against

Cr Tamihana noted his objection to the appointment of Councillors Procter and Hori Te Pa due to his concerns that they both hold conflicts of interests.

Cr Procter noted that he does not have any conflicts of interest in relation to the Horowhenua Lake Domain Board, and that if he did the normal process for declaring and managing conflicts of interest would be applied.

**7.3 Adoption of Meeting Schedule 2025**

This report sought Council's approval of the meeting schedule of Council and its committees for the period from 01 January 2025 to 10 October 2025.

**Resolution Number CO/2024/282**

MOVED by Mayor Wanden, seconded Cr Olsen:

- 3.1 That Report 24/573 Adoption of Meeting Schedule 2025 be received.
- 3.2 That this matter or decision is recognised as not significant in terms of S76 of the Local Government Act.
- 3.3 That Council adopts the schedule of meetings for the committees of Council for the period January 2025 to October 2025 based on a 12-week cycle as set out in Appendix A.
- 3.4 That Council notes that additional ordinary, extraordinary and multi-day meetings may be scheduled from time to time in consultation with the Mayor and Chief Executive.
- 3.5 That Council notes that meeting times for Council and committees will be publicly advertised when they are required in accordance with the Local



Government Official Information and Meetings Act 1987 and Local Government Act 2002.

**CARRIED**

## 8 Reports for Noting

### 8.1 The Horowhenua Company Limited - Economic Development Services Contract Report 1 October 2021 - 30 June 2024

This report presented the Horowhenua Company Limited's Economic Development Services Contract Report for the period 1 October 2021 – 30 June 2024.

The Chair and Chief Executive of The Horowhenua Company Limited attended the meeting and presented their report.

#### **Resolution Number CO/2024/283**

MOVED by Mayor Wanden, seconded Cr Young:

- 2.1 That Report 24/568 The Horowhenua Company Limited - Economic Development Services Contract Report 1 October 2021 - 30 June 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**

*Councillor Hori Te Pa returned to the meeting at 04:03 pm.*

### 8.2 Horowhenua District Council Organisation Performance Report September 2024

This report presented the Organisation Performance Report for September 2024.

#### **Resolution Number CO/2024/284**

MOVED by Mayor Wanden, seconded Cr Allan:

That Report Horowhenua District Council Organisation Performance Report September 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/2024/285**

MOVED by Mayor Wanden, seconded Cr Olsen:

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

**CARRIED**

### 8.3 Council Resolution and Actions Monitoring Report August 2024

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

**Resolution Number CO/2024/286**

MOVED by Mayor Wanden, seconded Cr Brannigan:

That Report 24/593 Council Resolution and Actions Monitoring Report August 2024 be received.

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 Risk and Assurance Committee 7 August 2024**

This report presented to Council the minutes of the Risk and Assurance Committee meeting held on 07 August 2024.

**Resolution Number CO/2024/287**

MOVED by Mayor Wanden, seconded Cr Jennings:

That Report 24/527 Proceedings of the Risk and Assurance Committee 7 August 2024 be received and noted.

**CARRIED**

**9.2 Proceedings of Te Awahou Foxton Community Board 19 August 2024**

This report presented to Council the minutes of the Te Awahou Foxton Community Board meeting held on 19 August 2024.

**Resolution Number CO/2024/288**

MOVED by Mayor Wanden, seconded Cr Allan:

That Report 24/577 Proceedings of Te Awahou Foxton Community Board 19 August 2024 be received and noted.

**CARRIED**

**9.3 Proceedings of the Community Wellbeing Committee 14 August 2024**

This report presented to Council the minutes of the Community Wellbeing Committee meeting held on 14 August 2024.

**Resolution Number CO/2024/289**

MOVED by Mayor Wanden, seconded Cr Allan:

That Report 24/581 Proceedings of the Community Wellbeing Committee 14 August 2024 be received and noted.

**CARRIED**



**9.4 Proceedings of the Chief Executive Employment and Performance Committee  
31 July 2024**

This report presented to Council the minutes of the Chief Executive Employment and Performance Committee meeting held on 31 July 2024.

**Resolution Number CO/2024/290**

MOVED by Mayor Wanden, seconded Cr Allan:

That Report 24/585 Proceedings of the Chief Executive Employment and Performance Committee 31 July 2024 be received and the minutes noted.

**CARRIED**

## 10 Procedural motion to exclude the public

### Resolution Number CO/2024/291

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:

### C1 Council Resolution and Actions Monitoring Report August 2024

<b>Reason:</b>	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.
<b>Interests:</b>	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).
<b>Grounds:</b>	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.
<b>Plain English Reason:</b>	These actions relate to potential or actual sales of property, and contract negotiations. The public release of these actions at this time may affect sales prices or disclose negotiation points..

### C2 Proceedings of the Public Excluded Session of the Risk and Assurance Committee 14 August 2024

<b>Reason:</b>	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.
<b>Interests:</b>	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)(e) - The withholding of the information is necessary to avoid prejudice to measures that prevent or mitigate material loss to members of the public.
<b>Grounds:</b>	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.
<b>Plain English Reason:</b>	Inherit classification from Risk and Assurance Agenda - 14 August 2024.

**C3 Proceedings of the Public Excluded Session of the Chief Executive  
Employment and Performance Committee**

<b>Reason:</b>	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.
<b>Interests:</b>	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)(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).
<b>Grounds:</b>	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.
<b>Plain English Reason:</b>	This report involves personal employment details of the Council's Chief Executive, including negotiation covering employment terms and conditions. It is not in the public interest to disclose these details at this time..

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**

4.48 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.

5.20 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:**