
Council

OPEN MINUTES CONFIRMED

Minutes of a meeting of Council held in the Council Chambers, 126-148 Oxford St, Levin on Wednesday 27 November 2024 at 11:00am.

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 Alan Young

Via audio/visual link

from 12.41pm

IN ATTENDANCE

Reporting Officer

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

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

Meeting Secretary



1 Apologies

There were no apologies.

2 Public Participation

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

Name	Agenda Item
Peter Mansell	8.3 Options for Reinstatement of Urban Berm Mowing

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/2024/342

MOVED by Mayor Wanden, seconded Cr Jennings:

That the minutes of the meeting of the Council held on Wednesday, 30 October 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, 30 October 2024, be confirmed as a true and correct record

CARRIED

6 Receipt of Petitions

6.1 Petition of Debra Betts, Pat O'Sullivan and 779 others

A petition was presented by Debra Betts and Pat Sullivan and 779 others requesting:

“an assurance from the Horowhenua District Council that a Waikawa footbridge will be retained into the future for the benefit of the Horowhenua community.”

This petition meets the requirements set out in Standing Order 18.

The Mayor acknowledged the views raised in the petition, and thanked the organisers.

Resolution Number CO/2024/343

MOVED by Cr Olsen, seconded Cr Allan:

That the Petition of Debra Betts, Pat O'Sullivan and 779 others be received and noted.

CARRIED

Resolution Number CO/2024/344

MOVED by Mayor Wanden, seconded Cr Procter:

That Council request the Chief Executive bring a report back on matters raised within the next 6 months

CARRIED

6.2 Petition of Allan Mitchell and 103 others

A petition was presented by Allan Mitchell and 103 others requesting:

“the Horowhenua District Council delay the introduction of fluoridation pending the outcome of the New Health vs Director-General of Health (DGH); write to the DGH and ask if she intends to prosecute the Council if fluoridation is not started by the due date; and, if the DGH does intend to prosecute, then the Council seek an interim injunction to delay fluoridation on the above basis.”

This petition meets the requirements set out in Standing Order 18

Resolution Number CO/2024/345

MOVED by Cr Tamihana, seconded Cr Olsen:

A. That the Petition of Allan Mitchell and 103 others be received and noted.

CARRIED

Resolution Number CO/2024/346

MOVED by Cr Barker, seconded Cr Young:

Request for CE to bring s report on matters raised with 6 months

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

For:

Councillors: Mike Barker
Rogan Boyle
Ross Brannigan
Clint Grimstone
Sam Jennings
Paul Olsen
Justin Tamihana
Bernie Wanden
Alan Young

Against:

Councillors: David Allan
Jonathan Procter

The division was declared **CARRIED** by 9 votes to 2

CARRIED

7 Elected Members Reports

7.1 Mayoral Report

This report updated Council on community events and functions, and Council-related meetings that I attended from 1 October to 19 November 2024, and to provide an update on items of interest.

It further sought Council’s agreement to not fill an extraordinary vacancy

Resolution Number CO/2024/347

MOVED by Mayor Wanden, seconded Cr Allan:

That Report Mayoral Report be received and noted.

CARRIED

Resolution Number CO/2024/348

MOVED by Mayor Wanden, seconded Cr Allan:

That Council resolve to not fill the extraordinary vacancy created by Cr Tukapua's resignation, as provided for in section 117(3)(b) Local Electoral Act 2001.

CARRIED

7.2 Chairperson's Update -Te Awahou Foxton Community Board

This report updated Council on matters of interest from the Chairperson of Te Awahou Foxton Community Board

Resolution Number CO/2024/349

MOVED by Mayor Wanden, seconded Cr Allan:

That Report 24/859 Chairperson's Update -Te Awahou Foxton Community Board be received and noted.

CARRIED

8 Reports for Decision

8.1 Local Water Done Well (Government Legislation) - Regional Options Appraisal

This report updated Council on the Government's Local Water Done Well policy and legislation, refined the options for the delivery of water services, and sought direction on which options should be further explored by officers.

This report also sought confirmation of which option(s) Council does not wish to consider further, so resources can be focused on confirming the preferred arrangement or model for formal consultation in early 2025.

Resolution Number CO/2024/350

MOVED by Mayor Wanden, seconded Cr Allan:

That Report 24/878 Local Water Done Well (Government Legislation) - Regional Options Appraisal be received.

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

CARRIED

In introducing this item, the Mayor acknowledged the privilege and responsibility of being able to make decisions that shape the future of the district. The Mayor also emphasised the need for productive and positive debate in the best interests of the community.

Councillors highlighted the complexity of these decisions and the need to balance various factors, including scale, community preferences, and alignment with council priorities.

Some councillors expressed preferences for some options over others, while others were hesitant to identify a preferred option at this stage, wanting to keep options open for further exploration and analysis.

There was a debate around whether to signal a preferred option now to provide clarity to the community and other councils, or to wait until more information was available.

Some councillors, raised concerns about ensuring adequate representation and protection of environmental and cultural interests in any water services delivery model.

Resolution Number CO/2024/351

MOVED by Cr Jennings, seconded Cr Procter:

- . That Council notes the legislative changes enacted under the Government's programme, Local Water Done Well through the Local Government (Water Services Preliminary Arrangements) Act 2024, to address long standing water infrastructure challenges which includes:
 - the requirement for Councils to produce a Water Services Delivery Plan and accompanying implementation plan by 3 September 2025
 - ensuring water services are financially sustainable; and
 - greater Central Government oversight through economic and quality regulation.
- . That Council notes the Government intends to introduce further water services legislation in December 2024 to be enacted in mid-2025 that will establish the economic and regulatory oversight regime for water services.

That Council notes that Horowhenua District Council is required by the Local Government (Water Services Preliminary Arrangements) Act 2024 to consider and consult with the community on at least two options for the future delivery model for water services, being the status quo model, and a water services council-controlled organisation or joint services arrangement.

CARRIED

Resolution Number CO/2024/352

MOVED by Cr Jennings, seconded Cr Procter:

- . That Council resolves to discontinue any further work and exit the Wellington Region Joint Water Services Delivery Plan project which currently includes; Kapiti Coast District Council, Porirua City Council, Wellington City Council, Hutt City Council, Upper Hutt City Council, Greater Wellington Regional Council, Masterton District Council

CARRIED

Resolution Number CO/2024/353

MOVED by Cr Olsen, seconded Cr Allan:

- . That Council resolves to discontinue any further work and exit the Manawatū-Whanganui Regional Joint Water Services Delivery Plan and Council Controlled Organisation project which currently includes; Palmerston North

City Council, Tararua District Council, Rangitikei District Council, Whanganui District Council and Ruapehu District Council.

CARRIED

Resolution Number CO/2024/354

MOVED by Cr Brannigan, seconded Cr Allan:

That Council resolves to continue to participate in the discussions with the Multi Council Joint Water Services Arrangement which includes; Horowhenua District Council, Manawatū District Council, Palmerston North City Council, and Kapiti Coast District Council.

That Council instruct the Chief Executive to carry-out further work to fully assess the viability and implications of establishing a multi-Council Water Services Delivery model.

CARRIED

Resolution Number CO/2024/355

MOVED by Cr Jennings, seconded Cr Olsen:

That Council resolves to continue to participate in the discussions with the Joint Council Water Services Arrangement which includes; Horowhenua District Council, and Kapiti Coast District Council.

That Council instruct the Chief Executive to carry-out further work to fully assess the viability and implications of establishing a multi-Council Water Services Delivery model.

CARRIED

Resolution Number CO/2024/356

MOVED by Cr Allan, seconded Cr Jennings:

That Council notes the Horowhenua District Council Water Services Council-Controlled Organisation for Horowhenua but does not pursue this option.

CARRIED

Resolution Number CO/2024/357

MOVED by Cr Olsen, seconded Cr Procter:

That for any reason any of the Councils relied upon for the preferred options do not pursue those options, that Horowhenua District Council continue to pursue a Multi-Council CCO with willing partners that caters for any combination of 2 or more Councils for consideration in place of any redundant preferred options.

CARRIED

Resolution Number CO/2024/358

MOVED by Cr Jennings, seconded Cr Allan:

That Council notes the Consumer Trust and Mixed Council/Consumer Trust models for water service delivery for Horowhenua but does not pursue these options.

CARRIED

Cr Nina Hori te Pa joined the meeting at 12.41pm

Resolution Number CO/2024/359

MOVED by Mayor Wanden, seconded Cr Olsen:

That Council include Options I (the Central four), J (Horowhenua Kapiti) and the status quo in the Statement of Proposal for community consultation.

CARRIED

Resolution Number CO/2024/360

MOVED by Mayor Wanden, seconded Cr Jennings:

That Council identify a preferred option at this stage

CARRIED

Crs Grimstone and Tamihana voted against.

MOVED by Mayor Wanden, seconded Cr Olsen

That Council identify a preferred option as Option I (the Central four)

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

For:

Councillors: Paul Olsen
Jonathan Procter
Bernie Wanden

Against:

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

Cr Nina Hori Te Pa abstained.

Cr Justin Tamihana abstained.

The division was declared LOST by 3 votes to 6.

LOST

Resolution Number CO/2024/361

MOVED by Cr Jennings, seconded Cr Young:

That Council identify a preferred option as Option J Horowhenua-Kapiti)

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

For:

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

Against:

Councillors: Clint Grimstone
Paul Olsen
Jonathan Procter

Cr Nina Hori Te Pa abstained.

Cr Justin Tamihana abstained.

The division was declared CARRIED by 7 votes to 3.

CARRIED

Resolution Number CO/2024/362

MOVED by Cr Olsen, seconded Cr Procter:

- N. That the Chief Executive be instructed to report back to the Council with a Statement of Proposal and the relevant consultation documentation prior to the commencement of formal consultation.

CARRIED

8.2 Muhunua West Road Reserve Licence

This report sought Council's direction on entering into a licence agreement for a portion of the Muhunua Road West Esplanade Reserve (Lot 4, DP 44581), following a direct approach by Grenadier Limited, a private developer. The report also presented options available regarding the licence process if Council elected to license the land in question.

Resolution Number CO/2024/363

MOVED by Mayor Wanden, seconded Cr Brannigan:

That Report 24/783 Muhunua West Road Reserve Licence be received.

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

CARRIED

Councillors sought clarification over the difference between a lease and licence arrangement.

Resolution Number CO/2024/364

MOVED by Mayor Wanden, seconded Cr Olsen:

That, subject to the reclassification of the esplanade reserve to a recreation reserve, Council proceeds with public notification of its intention to grant a licence to Grenadier Limited, based on the following key terms:

Licence Term: A maximum term of 99 years (33+33+33).

Public Access: Continued public access through a defined public walkway connecting Muhunua Road West to the beach to be developed and maintained by the licensee.

Environmental and Cultural Protections: Conditions to safeguard environmental and cultural values

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

For:

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

Against:

Councillors: Rogan Boyle
Nina Hori Te Pa
Justin Tamihana

The division was declared **CARRIED** by 9 votes to 3.

CARRIED

Resolution Number CO/2024/365

MOVED by Cr Allan, seconded Cr Brannigan:

That Council publicly notify its intention to reclassify the reserve to a recreation reserve.

That Council publicly notify its intention to grant the licence

CARRIED

The meeting was adjourned at 1.20pm, and resumed 1.51pm

Councillor Allan exited the meeting at 1:51 pm.

8.3 Options for Reinstatement of Urban Berm Mowing

This report outlined potential options for reinstatement of levels of service for urban roadside berm maintenance in the district following the decision by Council to remove this level of service in the Long Term Plan 2024-2044.

Resolution Number CO/2024/366

MOVED by Mayor Wanden, seconded Cr Young:

That Report 24/852 Options for Reinstatement of Urban Berm Mowing be received.

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

CARRIED

A number of councillors expressed conflicting views, initially supporting the cost-saving decision but then questioning whether it was making people's lives easier and better. Most suggested a middle-ground option rather than full reinstatement.

Some emphasised the need to stick to the long-term plan decision and provide stable governance, rather than flip-flopping on decisions.

Several advocated for a partial reintroduction of berm mowing in critical areas, arguing for a phased approach rather than full reinstatement.

Others argued strongly for the reinstatement of berm mowing to address community concerns and improve the appearance of the district.

There was debate around the fairness and equity of the previous berm mowing regime, with concerns raised about gaps in coverage and the need to ensure a more consistent and equitable service.

The financial implications were discussed, including the potential rate increase required for full reinstatement versus a more targeted approach.

MOVED by Cr Jennings, seconded Cr Barker:

That Council approves the reinstatement of all Urban Berm Mowing, at a cost of \$240,000, to mow areas involved in the previous schedule which was stopped 1 July 2024.

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

For:

Councillors: Mike Barker
Ross Brannigan
Clint Grimstone
Sam Jennings
Paul Olsen

Against:

Councillors: Rogan Boyle
Nina Hori Te Pa
Jonathan Procter
Justin Tamihana
Bernie Wanden
Alan Young

Cr David Allan had left the meeting.

The division was declared LOST by 5 votes to 6.

LOST

MOVED by Cr Tamihana, seconded Cr Brannigan:

That Council approves two Urban Berm Mowing Resources, at a cost of \$160,000, to mow entrances and exits to towns and urban berms on roads that have a 70km/hour speed limit or higher and berms that are 300 square metres or more.

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

For:

Councillors: Mike Barker
Ross Brannigan
Sam Jennings
Paul Olsen
Justin Tamihana

Against:

Councillors: Rogan Boyle
Clint Grimstone
Nina Hori Te Pa
Jonathan Procter
Bernie Wanden
Alan Young

Cr David Allan had left the meeting.

The division was declared LOST by 5 votes to 6.

LOST

Resolution Number CO/2024/367

MOVED by Cr Olsen, seconded Cr Young:

The Council approves one Urban Berm Mowing Resource, at a cost of \$80,000, to mow entrances and exits to towns and urban berms on roads that have a 70km/hour speed limit or higher.

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

For:

Councillors: Rogan Boyle
Ross Brannigan
Clint Grimstone
Nina Hori Te Pa
Sam Jennings
Paul Olsen
Justin Tamihana
Alan Young

Against:

Councillors: Mike Barker
Jonathan Procter
Bernie Wanden

Cr David Allan had left the meeting.

The division was declared CARRIED by 8 votes to 3.

CARRIED

Resolution Number CO/2024/368

MOVED by Cr Olsen, seconded Cr Young:

That Council notes any changes to Berm Mowing is not included in the Long Term Plan budget approved by Council in June 2024 and the additional costs for berm mowing will be met by the existing Growth Reserves Budget with subsequent reductions in levels of service for the current financial year.

CARRIED

8.4 Adoption of Public Places Bylaw 2024

This report presented the final draft Public Places Bylaw 2024 to Council for adoption, following the consideration of submissions received to the draft bylaw having been considered by the Hearings and Regulatory Committee on 9 October 2024, which has subsequently resolved to recommend Council adopt the bylaw with a few changes as discussed in this report.

Resolution Number CO/2024/369

MOVED by Mayor Wanden, seconded Cr Young:

That Report 24/846 Adoption of Public Places Bylaw 2024 be received.

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

CARRIED

Offices noted some minor editorial amendments to bylaw at section 14 to better clarify the intent around beach access routes rather than vehicle access.

Council was satisfied with the bylaw and the consultation process that had been undertaken.

The earlier recommendation from the Hearings and Regulatory Committee around the development of a comprehensive beach bylaw was noted.

Resolution Number CO/2024/370

MOVED by Cr Jennings, seconded Mayor Wanden:

That Council resolve to adopt the Public Places Bylaw 2024, attached as Attachment A as an operative bylaw of Council effective 1 December 2024; and in doing so determines that

A bylaw is still the most appropriate way of addressing the perceived problems of regulating the use of Public Places in the Horowhenua; and

That the draft bylaw is the most appropriate form of bylaw and does not give rise to implications under the New Zealand Bill of Rights Act 1990; and

That the Public Places Bylaw 2016 is revoked, and the new Public Places Bylaw 2024 takes effect from 1 December 2024.

CARRIED

Resolution Number CO/2024/371

MOVED by Cr Jennings, seconded Cr Olsen:

That Council acknowledges the recommendation from the Hearings and Regulatory Committee meeting on 9 October 2024 that Council develop a comprehensive beach bylaw.

CARRIED

8.5 Climate Action Plan

This report is to presented the Climate Action Plan 2024 for Council to consider adopting. The contents of this report speak to the background, previous direction and options for this Plan.

Resolution Number CO/2024/372

MOVED by Mayor Wanden, seconded Cr Brannigan:

That Report 24/818 Climate Action Plan be received.

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

CARRIED

Some noted concerns about the adoption of the Climate Action Plan noting the plan would be wasteful and would make no difference to the impacts of climate change. There were further concerns that given the current financial climate, the plan should be delayed.

However the majority of Councillors supported the adoption of the Climate Action Plan.

MOVED by Cr Barker, seconded Cr Olsen:

That the Climate Action Plan is not adopted by Council, with no further work to be carried out

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

For:

Councillors: Mike Barker
Paul Olsen

Against:

Councillors: Rogan Boyle
Clint Grimstone
Nina Hori Te Pa
Sam Jennings
Jonathan Procter
Justin Tamihana
Bernie Wanden
Alan Young

Cr David Allan had left the meeting.

Cr Ross Brannigan had left the meeting

The division was declared **LOST** by 2 votes to 8

LOST

Resolution Number CO/2024/373

MOVED by Cr Boyle, seconded Cr Young:

That Council adopts the Climate Action Plan 2024, delegating authority to the Chief Executive to make minor and/or editorial changes as required prior to publication.

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

For:

Councillors: Rogan Boyle
Clint Grimstone
Nina Hori Te Pa
Sam Jennings
Jonathan Procter
Justin Tamihana
Bernie Wanden
Alan Young

Against:

Councillors: Mike Barker
Paul Olsen

Cr David Allan left the room.

Cr Brannigan had left the meeting

The division was declared CARRIED by 8 votes to 2.

CARRIED

Resolution Number CO/2024/374

MOVED by Cr Young, seconded Cr Hori Te Pa:

That Council notes that adoption of the Climate Action Plan would directly align with the progression of Priority: Enriching Our Environment, and enable the implementation of actionable outcomes via Long Term Plan funding.

CARRIED

8.6 2025 Triennial Election - Order of Candidate Names on Voting Documents

This report requested a decision from Council as to the order of candidates' names on voting documents for the 2025 local authority elections, as per the Local Electoral Regulations 2001.

Resolution Number CO/2024/375

MOVED by Mayor Wanden, seconded Cr Hori Te Pa:

That Report 24/819 2025 Triennial Election - Order of Candidate Names on Voting Documents be received.

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

CARRIED

Councillors sought clarification of any additional costs for any of the options noted. Officers advised there was negligible cost differences.

Resolution Number CO/2024/376

MOVED by Cr Jennings, seconded Cr Young:

That Council resolves that the 2022 triennial elections have the names of candidates arranged in alphabetical order.

CARRIED

9 Proceedings of Committees

9.1 Proceedings of the Community Wellbeing Committee 6 November 2024

This report presented Council the minutes of the Community Wellbeing Committee meeting held on 06 November 2024.

Resolution Number CO/2024/377

MOVED by Cr Hori Te Pa, seconded Mayor Wanden:

That Report 24/855 Proceedings of the Community Wellbeing Committee 6 November 2024 and the minutes be received and noted.

CARRIED

9.2 Proceedings of Te Awahou Foxton Community Board 11 November 2024

This report presented Council the minutes of the Te Awahou Foxton Community Board meeting held on 11 November 2024.

Resolution Number CO/2024/378

MOVED by Mayor Wanden, seconded Cr Jennings:

That Report 24/856 Proceedings of Te Awahou Foxton Community Board 11 November 2024 and the minutes be received and noted.

CARRIED

9.3 Proceedings of the Chief Executive Employment and Performance Committee 13 November 2024

This report presented Council the minutes of the Chief Executive Employment and Performance Committee meeting held on 13 November 2024.

Resolution Number CO/2024/379

MOVED by Mayor Wanden, seconded Cr Jennings:

That Report 24/857 Proceedings of the Chief Executive Employment and Performance Committee 13 November 2024 and the minutes be received and noted.

CARRIED

10 Procedural motion to exclude the public

Resolution Number CO/2024/380

MOVED by Mayor Wanden, seconded Cr Young:

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 War Memorial Hall and Village Green - Decision to Progress

Reason:	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.
Interests:	s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.
Grounds:	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.
Plain English Reason:	Commercial in Confidence.

C2 Proceedings of Public Excluded Chief Executive Employment and Performance Committee 13 November 2024

Reason:	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.
Interests:	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.
Grounds:	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.
Plain English Reason:	This report contains details of employment discussions of an individual for which there is no public interest in releasing.

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

3.46 pm The public were excluded.

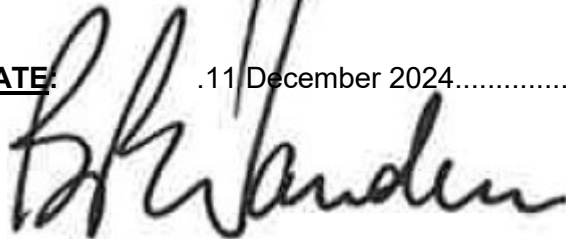
Resolutions in relation to the confidential items are recorded in the confidential section of these minutes and are not publicly available.

4.20pm

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: .11 December 2024.....



CHAIRPERSON: