

# MINUTES

## ORDINARY COUNCIL MEETING

**Date:** Thursday, 28 July 2022

**Time:** 1.00 pm

**Venue:** Council Chamber  
Rangitikei District Council  
46 High Street  
Marton

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**Present**

HWTM Andy Watson  
Cr Nigel Belsham  
Cr Brian Carter  
Cr Fi Dalgety  
Cr Gill Duncan [*via Zoom*]  
Cr Angus Gordon  
Cr Richard Lambert  
Cr Waru Panapa [*via Zoom*]  
Cr Dave Wilson  
Cr Cath Ash [*via Zoom*]  
Cr Coral Raukawa [*via Zoom*]

**In attendance**

Mr Peter Beggs, Chief Executive  
Mr Arno Benadie, Chief Operating Officer  
Mr Dave Tombs, Group Manager – Corporate Services  
Ms Gaylene Prince, Group Manager – Community Services [*via Zoom*]  
Ms Katrina Gray, Senior Strategic Planner  
Mr Ash Garstang, Governance Advisor

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## 1 Welcome / Prayer

The meeting opened at 1.02 pm. Cr Belsham read the Council prayer.

## 2 Apologies

**Resolved minute number 22/RDC/261**

That the apology for Cr Hiroa be received.

Cr B Carter/Cr R Lambert. Carried

## 3 Public Forum

No public forum.

## 4 Conflict of Interest Declarations

Cr Dalgety declared a conflict of interest with regards to item 10.1 (Kiwiburn – Remittance of Fees Request), as a family member owns the property that is going to host the Kiwiburn event.

## 5 Confirmation of Order of Business

Item 10.3 (specifically the Marton to Bulls Wastewater Centralisation Project) was discussed after item 8.1 and before item 9.1.

A late item (item 13.5 'Bulls Property Disposals') was discussed in the public excluded session of the meeting.

## 6 Confirmation of Minutes

**Resolved minute number 22/RDC/262**

That the minutes of Ordinary Council Meeting held on 30 June 2022, without amendment, be taken as read and verified as an accurate and correct record of the meeting, and that the electronic signature of the Chair of this Committee be added to the official minutes document as a formal record.

Cr N Belsham/Cr B Carter. Carried

## 7 Follow-up Action Items from Previous Meetings

### 7.1 Follow-up Action Items from Council Meetings

The Mayor noted that the submission from himself and the Chief Executive on the Water Services Entities Bill (action item 11) was now uploaded on Council's website.

In response to a query around the agreement with the Mangaweka Bridge Historical group (action item 21), Mr Benadie advised that he is awaiting advice from the Manawatu District Council and expects to receive this by early August.

**Resolved minute number 22/RDC/263**

That the report 'Follow-up Action Items from Council Meetings' be received.

Cr R Lambert/Cr B Carter. Carried

## 8 Mayor's Report

### 8.1 Mayor's Report - July 2022

The Mayor tabled a report on the LGNZ conference held 20 – 22 July 2022. He noted that the Taxpayers Union had been excluded from the conference, alongside a sitting elected member from another council. Councillors agreed that these exclusions were troubling and that the Mayor should ask LGNZ to explain their justification for these decisions.

The Mayor noted a correction to his report; central government have reduced funding for the Mahi Tahī Employment Programme to \$230,000 (not \$30,000 as stated in the report), and Council may apply for up to \$450,000 in total.

In response to a query, the Mayor confirmed that Council's collaboration with iwi in this space will continue.

In response to a query, Mr Beggs confirmed that there is no impediment to providing the Taihape Squash Club with additional land (as per their request during the Annual Plan consultation) and that he has advised the club of this.

Regarding the recent direction from the Ministry of Health to six other councils to fluoridate their drinking water, the Mayor advised that it is likely that this will eventually impact all councils and that the only recourse from members of the public who disagree with these measures would be for them to write to their local Member of Parliament.

Council discussed the reduction in funding for roading from Waka Kotahi. The Mayor agreed that the underinvestment in roading from the Crown is a significant issue that is likely to have consequences in the future. Mr Beggs advised that the Ministry of Transport are completing a review in 2024 and have explicitly stated that they will work with territorial authorities on their roading programmes.

**Resolved minute number 22/RDC/264**

That the Mayor's Report – July 2022 be received.

HWTM/Cr A Gordon. Carried

## 9 Chief Executive's Report

### 9.1 Chief Executive's Report - July 2022

#### Health, Safety and Wellbeing Update

In response to a query, Mr Beggs advised that two of the events in June took place in community housing and one was in Te Matapihi.

#### Three Waters Council Transition Funding

Mr Beggs advised that the terms of funding do not prohibit Council from expressing a view contrary to the Three Waters Reform. Mr Beggs noted that he is reviewing these terms with the Executive Leadership Team and they will come back to Council for approval.

#### Tourism Infrastructure Fund – Springvale Bridge Toilet

Ms Prince advised that amenities (e.g., tables and chairs) will be included in the initial application. The Mayor noted the role of Warren Plimmer in servicing this site previously, and that his contribution should be recognised at the site in some way.

#### External Consultations / Submissions

Ms Gray advised that Officers would seek Council's approval for submissions where possible, but noted that there may be instances where this cannot be formally attained due to time constraints.

#### Fee Waiver – Hunterville Huntaway Festival

There was a robust discussion about this request, with several elected members feeling that it would not be appropriate for Council to financially contribute to the serving of alcohol.

**Resolved minute number 22/RDC/265**

That that Chief Executive's Report – July 2022 be received.

Cr R Lambert/Cr N Belsham. Carried

**Resolved minute number 22/RDC/266**

That Council delegate, for the remainder of this triennium, the authority to approve submissions on behalf of Council to the Mayor and Chief Executive, provided all Elected Members have been provided with an opportunity to input into the submission.

Cr A Gordon/Cr D Wilson. Carried

**Resolved minute number 22/RDC/267**

That Council approve the submission on the Electoral (Māori Option) Legislation Bill without amendment.

Cr D Wilson/Cr R Lambert. Carried

### **Recommendation**

That Council approves a waiver of 100% of the \$575 for the special licence fee (Liquor Licensing Fees) to the Hunterville Huntaway Festival Committee, for their annual event.

Cr Lambert/Cr Dalgety. Lost

### **Resolved minute number 22/RDC/268**

That Council does not approve any waiver for the special licence fee (Liquor Licensing Fees) to the Hunterville Huntaway Festival Committee, for their annual event.

Cr A Gordon/Cr N Belsham. Carried

## **10 Reports for Decision**

### **10.1 Kiwiburn - Remittance of Fees Request**

Mr Beggs advised that this application arose from a change to the resource consent (Section 127), specifically around the number of visitors attending the event. The amount that the organisation is requesting be remitted is solely for the cost of making that change.

### **Resolved minute number 22/RDC/269**

That the report 'Kiwiburn – Remittance of Fees Request' be received.

Cr G Duncan/Cr D Wilson. Carried

### **Recommendation**

That Council approves a remittance of 100% of \$2,096 for fees relating to a Section 127 (change of a condition for a resource consent) from Kiwiburn for their 2023 Burning Man event.

Cr Wilson/Cr Gordon. Lost

### **Resolved minute number 22/RDC/270**

That Council approves a remittance of 50% of \$2,096 for fees relating to a Section 127 (change of a condition for a resource consent) from Kiwiburn for their 2023 Burning Man event.

Cr N Belsham/HWTM Carried

The meeting was adjourned at 3.09 pm and re-convened at 3.22 pm.

## 10.2 Agreement - Mayors Task Force For Jobs

Mr Beggs explained that he has spoken to Ngā Wairiki Ngāti Apa and advised them that Council would like to have a discussion with them around who the best contracting entity is to undertake this work. The Mayor advised that this is no criticism of the current incumbent, but rather that it is Council's responsibility to follow the procurement policy fairly.

Cr Raukawa raised a possible conflict of interest and sought the Mayor's advice, as she is a member of Ngā Wairiki Ngāti Apa. The Mayor advised that he did not believe her connection warranted a conflict of interest, as Cr Raukawa is not employed by the iwi in any shape or form and does not benefit financially from this programme.

### **Resolved minute number 22/RDC/271**

That the report 'Agreement – Mayors Taskforce for Jobs' be received.

Cr B Carter/Cr N Belsham. Carried

### **Resolved minute number 22/RDC/272**

That Council approves the agreement with Local Government New Zealand (LGNZ) for the delivery of the Mahi Tahi Programme (Mayors Taskforce for Jobs - MTFJ - Community Recovery Programme) until June 2023, and seeks funding of up to \$450,000.

Cr C Raukawa/Cr F Dalgety. Carried

### **Resolved minute number 22/RDC/273**

That Council authorises the Mayor and/or Chief Executive to sign the agreement with Local Government New Zealand (LGNZ) for the delivery of the Mahi Tahi Programme (Mayors Taskforce for Jobs – MTFJ – Community Recovery Programme).

Cr D Wilson/Cr N Belsham. Carried

### **Recommendation**

That Council:

- a. Endorses applying the opt-out procurement rule (Rule 11) of the procurement policy for the Consultants Ltd to undertake the work;

**OR**

- b. Directs Community Service Staff to undertake a tender process in accordance with Rule 4 of Council's procurement policy.

Cr Wilson/Cr Gordon. Left to lie

## 10.3 Project Management Office Report - July 2022

### Marion to Bulls Wastewater Centralisation Project (Presentation from Hamish Lowe)

Mr Lowe tabled his presentation for Council and spoke to it. In response to a query, he confirmed that the discharge will be treated (not raw sewerage).

In response to a query, Mr Benadie confirmed that future population growth had been considered for this project and there is sufficient capacity to provide for this.

In response to a query, Mr Lowe advised that a core group of individuals will be involved in the day-to-day oversight of the project, including himself, Mr Benadie and Mr Meihana. Engagement with other individuals and groups will be on a less regular basis (e.g., once a month or every two months), and as needed.

The Mayor advised that a previous advisory board had been established for this project and requested that staff investigate the status of this group. Mr Lowe agreed that a previous board had been established but advised that they had not met, although it would be useful to clarify their status and see if and how they can be incorporated into future activities for the project.

In response to a query, Mr Benadie advised that the pipe linking between SH 1 and SH 3 has been completed (except for three bridges).

#### Lake Waipu Improvement and Ratana Wastewater Treatment Project

In response to a query, Mr Benadie advised that the land for this project had to be obtained prior to applying for resource consents.

Mr Benadie confirmed that the project budget is on track, although there are unknown costs around the treatment upgrades and pipeline costs as the existing estimates are from 2018.

#### Taihape Amenities Building

Mr Benadie advised that the PMO is on track with this project and hope to coincide the building's opening with Gumboot Day in late January 2023.

Cr Panapa left the meeting at 3.51 pm.

#### Marton Rail Hub

Mr Beggs advised that the judge in this case issued a minute signalling the Environment Court's intention to direct the parties to mediation, to take place in mid-August. As the experts are agreed on most issues, the Commissioner facilitating the expert witness sessions has determined that there is sufficient agreement for the parties to come to a mediated outcome.

In response to a query, Mr Beggs advised that he has been in discussion with Council's legal team to ensure that the court date of 12 September will not be delayed due to any interim mediation.

In response to a query, the Mayor advised that court cases like this generally take less than a week, although the judge does have the ability to delay a decision or request further information.

#### Regional Treatment Plant Consenting Programme

There was some discussion around whether scope creep and variations to the contract should be highlighted as a risk. Mr Benadie advised that there are contingencies built into the contract and if there was ever any exceedance of these boundaries staff would bring this back to Council.

Cr Raukawa left the meeting at 4.07 pm.

#### Marae Water Assessments



In response to a query, Mr Benadie advised that this funding came from the Department of Internal Affairs. A portion of this money has been spent on engaging WSP to visit maraes and propose a list of potential solutions.

**Resolved minute number 22/RDC/274**

That the Project Management Office Report – July 2022 be received.

Cr R Lambert/Cr F Dalgety. Carried

## 11 Reports for Information

### 11.1 Remediation of the historic landfill on Putorino Road

Mr Benadie advised that although the process followed for this project was logical, there were several unknown factors (e.g., content of the landfill) and communication between the PMO and contractor was deficient. As a consequence of this, staff's reporting to Council was also deficient.

Mr Beggs advised that staff have considered the lessons from this project carefully and are committed to maintaining a high standard of reporting from the PMO.

**Resolved minute number 22/RDC/275**

That the report 'Remediation of the historic landfill on Putorino Road' be received

Cr B Carter/Cr D Wilson. Carried

### 11.2 Annual Report to the Alcohol and Regulatory Licensing Authority for the year ending 30 June 2022

Taken as read.

**Resolved minute number 22/RDC/276**

That the report 'Annual Report to the Alcohol and Regulatory Licensing Authority for the year ending 30 June 2022' be received.

Cr A Gordon/Cr C Ash. Carried

## 12 Minutes from Committees

### 12.1 Minutes from Committees

Taken as read.

**Resolved minute number 22/RDC/277**

That the following minutes are received:

- Audit & Risk Committee, 16 June 2022
- Erewhon Rural Water Supply Sub-Committee, 21 June 2022
- Finance/Performance Committee, 30 June 2022
- Policy/Planning Committee, 09 June 2022
- Te Roopuu Ahi Kaa Komiti, 14 June 2022
- Youth Council, 14 June 2022

Cr R Lambert/Cr B Carter. Carried

### 13 Public Excluded

The meeting went into public excluded session 4.26 pm.

#### Resolution to Exclude the Public

**Resolved minute number 22/RDC/278**

That the public be excluded from the following parts of the proceedings of this meeting.

- 1 Public Excluded Council Meeting - 30 June 2022
- 2 Follow-up Action Items from Council (Public Excluded) Meetings
- 3 Marton New Bore Drilling Contract
- 4 Poplar Grove boundary adjustment
- 5 Late Item - Bulls Property Disposals
- 6 Minutes from Committees (Public Excluded)

The general subject matter 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 of the *Local Government Official Information and Meetings Act 1987* for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
<b>13.1 - Public Excluded Council Meeting - 30 June 2022</b>	s7(2)(a) - Privacy s7(2)(b)(ii) - Commercial Position s7(2)(h) - Commercial Activities s7(2)(i) - Negotiations	s48(1)(a)
<b>13.2 - Follow-up Action Items from Council (Public Excluded) Meetings</b>	s7(2)(a) - Privacy s7(2)(b)(ii) - Commercial Position s7(2)(h) - Commercial Activities	s48(1)(a)(i)

	s7(2)(i) - Negotiations	
<b>13.3 - Marton New Bore Drilling Contract</b>	s7(2)(h) - Commercial Activities s7(2)(i) - Negotiations	s48(1)(a)(i)
<b>13.4 - Poplar Grove boundary adjustment</b>	s7(2)(a) - Privacy	s48(1)(a)(i)
<b>13.5 - Late Item - Bulls Property Disposals</b>	s7(2)(b)(ii) - Commercial Position	s48(1)(a)(i)
<b>13.6 - Minutes from Committees (Public Excluded)</b>	s7(2)(j) - Improper Gain or Improper Advantage	s48(1)(a)(i)

This resolution is made in reliance on Section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interests protected by Section 6 or Section 7 of the Act which would be prejudiced by the holding or the whole or the relevant part of the proceedings of the meeting in public as specified above.

Cr N Belsham/Cr F Dalgety. Carried

## 14 Open Meeting

The meeting went into open session 5.24 pm.

**Resolved minute number 22/RDC/290**

That the public excluded meeting move into an open meeting, and the below recommendations be confirmed in the open meeting:

22/RDC/279 - 22/RDC/289

Cr F Dalgety/Cr R Lambert. Carried

**The meeting closed at 5.26 pm.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 25 August 2022.**

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**Chairperson**