

Notice is hereby given that an ordinary meeting of the Horowhenua District Council will be held on:

Date: Wednesday 15 March 2017
Time: 4.00 pm
Meeting Room: Council Chambers
Venue: 126-148 Oxford St
Levin

Council OPEN AGENDA

MEMBERSHIP

Mayor	Mr Michael Feyen	
Deputy Mayor	Mr Wayne Bishop	
Councillors	Mr Ross Brannigan	
	Mr Ross Campbell	
	Mr Barry Judd	
	Mr Neville Gimblett	
	Mrs Victoria Kaye-Simmons	
	Mrs Jo Mason	
	Mrs Christine Mitchell	
	Ms Piri-Hira Tukapua	
	Mr Bernie Wanden	
Reporting Officer	Mr David Clapperton	(Chief Executive)
Meeting Secretary	Mrs Karen Corkill	
	Ms Sharon Bowling	

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Full Agendas are available on Council's website
www.horowhenua.govt.nz

Full Agendas are also available to be collected from:
Horowhenua District Council Service Centre, 126 Oxford Street, Levin
Foxton Service Centre/Library, Clyde Street, Foxton,
Shannon Service Centre/Library, Plimmer Terrace, Shannon
and Te Takere/Library, Bath Street, Levin

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1 Apologies

2 Public Participation

Notification to speak is required by 12 noon on the day of the meeting. Further information is available on www.horowhenua.govt.nz or by phoning 06 366 0999.

3 Late Items

To consider, and if thought fit, to pass a resolution to permit the Council to consider any further items which do not appear on the Agenda of this meeting and/or the meeting to be held with the public excluded.

Such resolution is required to be made pursuant to Section 46A(7) of the Local Government Official Information and Meetings Act 1987, and the Chairperson must advise:

- (i) The reason why the item was not on the Agenda, and
- (ii) The reason why the discussion of this item cannot be delayed until a subsequent meeting.

4 Declaration of Interest

Members are reminded of their obligation to declare any conflicts of interest they might have in respect of the items on this Agenda.

5 Confirmation of Minutes

5.1 Meeting minutes Council, 1 February 2017

5.2 Meeting minutes Extraordinary Meeting of Council, 1 March 2017

6 Announcements

Foxton Community Board

Board Chair, David Roache, will give an update on behalf of the Foxton Community Board.

Proceedings of the Foxton Community Board 20 February 2017

File No.: 17/79

1. Purpose

To present to the Council the minutes of the Foxton Community Board meeting held on 20 February 2017.

2. Recommendation

- 2.1 That Report 17/79 Proceedings of the Foxton Community Board 20 February 2017 be received.
- 2.2 That the Council receive the minutes of the Foxton Community Board meeting held on 20 February 2017.

3. Issues for Consideration

The following matters considered by the Foxton Community Board require further consideration by Council:

Chief Executive's Report – Meeting Frequency and Commencement Time

The Board adopted a six weekly cycle, to align with Council's meeting schedule for 2017.

With the adoption of the new schedule, Cr Gimblett advised that he would be unavailable for the next two Community Board meetings as he had prior commitments (which had not been an issue if the Board had been meeting monthly).

As the two Kere Kere Ward Councillors were in effect sharing the Board role, albeit for 18 months apiece, it was suggested Council be requested to endorse Cr Brannigan sitting in on those meetings that Cr Gimblett could not attend.

THAT Council be requested to appoint Cr Brannigan to attend those meetings of the Foxton Community Board that Cr Gimblett is unable to attend.

Foxton Beach Reserves Investment Plan

THAT the Foxton Community Board approves the Foxton Beach Reserves Investment Plan and recommends that officers now take it to Council for adoption.

Attachments



Foxton Beach Reserves Investment Plan provided under separate cover.

Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

Signatories

Author(s)	David Clapperton Chief Executive	
Approved by	David Clapperton Chief Executive	

Foxton Community Board

OPEN MINUTES

Minutes of a meeting of the Foxton Community Board held in the Manawatu College Library, Ladys Mile, Foxton, on Monday 20 February 2017 at 6.00 pm.

PRESENT

Chairperson	Mr D J Roache
Deputy Chairperson	Ms P R Metcalf
Members	Mr D A Allan
	Mr J F Girling
	Ms J M Lundie
	Cr N G Gimblett

IN ATTENDANCE

Mr D M Clapperton	(Chief Executive) (from 6.20 pm)
Mr A Nelson	(Property & Parks Manager)
Mrs D Kidd	(Community Services Manager)
Mr P Gaydon	(Water & Waste Services Manager)
Mr J Richmond	(Aquatics Manager)
Miss C O'Shea	(Graduate Strategic Planner)
Mrs K J Corkill	(Meeting Secretary)

ALSO IN ATTENDANCE

His Worship the Mayor, Mr M Feyen

PUBLIC IN ATTENDANCE

There was one member of the public in attendance at the commencement of the evening although the numbers increased to approximately ten when the Foxton Pool item was presented.

1 Apologies

There were no apologies.

2 Public Speaking Rights

- 9.5 Foxton Pool – Extended Season Trial
Rosalie Huzziff
Christina Paton

3 Late Items

There were no late items.

4 Declaration of Interest

9.4 Chief Executive's Report 3.5 Electronic Sign – Manawatu College

David Allan as he was a teacher at Manawatu College.

5 Confirmation of Minutes

MOVED by Mr Allan, seconded Mr Girling:

THAT the minutes of the meeting of the Foxton Community Board held on Monday, 21 November 2016, be confirmed as a true and correct record.

CARRIED

6 Matters Arising

Ms Metcalf noted that on page 3 re Foxton Water it should read “tests had to be done to see if the aquifer had good water quality” not “which tests indicated had good water quality”.

With regard to the Foxton Freeholding Account item in the Chief Executive's Report (page 5), Mrs Metcalf said she struggled with the comment that “this was a cash flow report not a balance sheet” as a cash flow report would include capital expenses and would not have depreciation as an expense. The report was a hybrid of a Profit & Loss Statement and a Balance Sheet, showing Operating Income and Expenses as well as capital income and expenditure.

7 Leave of Absence

None requested.

8 Announcements

Council's Water & Waste Services Manager, Paul Gaydon, would be providing an update on Foxton Water.

9 Reports

9.1 Adoption of Standing Orders

Purpose

The purpose of this report is for the Foxton Community Board to adopt Standing Orders for the conduct of its meetings.

MOVED by Ms Metcalf, seconded Mr Girling:

THAT Report 17/36 Adoption of Standing Orders be received.

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

CARRIED

9.10 in Standing Orders re the Distribution of Agendas and the number of clear working days that should be allowed for agenda distribution was considered. Four clear working days was proposed rather than the two provided for. It was agreed after further discussion that increasing the two clear working days to three was a good compromise and Standing Orders should be amended to reflect the change.

MOVED by Mr Allan, seconded Ms Lundie:

THAT Standing Order 9.10 should be amended to provide for three (3) clear working days for distribution of Agendas.

CARRIED

Mr Allan raised the fact that in the previous Standing orders there was a clause that allowed a Member to make a personal explanation and he suggested it would be helpful to have that reinstated.

MOVED by Mr Allan, seconded Ms Metcalf:

THAT advice be sought on the consequences of not including in Standing Orders the opportunity for a Member to make a personal explanation.

CARRIED

MOVED by Mr Allan, seconded Ms Metcalf:

THAT in accordance with clause 27, Schedule 7 of the Local Government Act 2002, with effect from 20 February 2017 the Foxton Community Board adopts Standing Orders with the amendment in 9.10 to allow for three (3) clear working days for distribution of Agendas.

CARRIED

9.2 Adoption of Code of Conduct

Purpose

For the Foxton Community Board to adopt its Code of Conduct for the new triennium.

MOVED by Mr Allan, seconded Mr Girling:

THAT Report 17/59 Code of Conduct be received.

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

CARRIED

The inclusion of the Mayor being able to speak on behalf of the Community Board (page 93, 6.1 Media contact on behalf of the Foxton Community Board) was discussed.

Mr Clapperton advised that the Mayor being the first point of contact could be deleted, but the Mayor would still have the opportunity to comment on a generic activity that might occur in the district.

Cr Gimblett further noted that this was about media contact on behalf of the Community Board. The Community Board's role was purely to promote the interests of Foxton and Foxton Beach which may be different from the interests of the wider district. If the Board chose to promote something totally outrageous the Mayor may have no option but to speak against it.

MOVED by Mr Allan, seconded Cr Gimblett:

THAT the mayor be removed from the Code of Conduct as one of the first points of media contact for the Foxton Community Board.

On being put there were four for the motion, with Mr Girling and Ms Lundie abstaining from voting. The motion was, therefore:

CARRIED

Under 5.2 Relationships with staff, Mr Allan proposed adding the words "...this includes the requirement for Board members to give officers adequate notification of any questions likely to require research by officers prior to a meeting of the Board" to the third bullet point on page 93, giving his rationale for the addition.

MOVED by Mr Allan, seconded Cr Gimblett:

THAT the words "...this includes the requirement for Board members to give officers adequate notification of any questions likely to require research by officers prior to a meeting of the Board" be added to the third bullet point on page 93.

CARRIED

MOVED by Mr Allan, seconded Cr Gimblett:

THAT the Foxton Community Board adopts the Code of Conduct with the amendments as proposed.

CARRIED

9.3 Monitoring Report to 20 February 2017

Purpose

To present to Foxton Community Board the updated monitoring report covering requested actions from previous meetings of the Community Board.

MOVED by Mr Allan, seconded Ms Metcalf:

THAT Report 17/31 Monitoring Report to 20 February 2017 be received.

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

CARRIED

Page 108 Item 14/32 – Sand Dune Management – Surf Club Car Park

Giving a verbal update Mr Nelson noted that there was the ability under the existing resource consent to lower the dunes at the back of the car park. A price was to be sought for that but there was no money for that work in this year's budget. To do anything on the front of the car park would need another resource consent.

Commenting that the Board's driver had been the dunes at the front of the carpark, Mr Roache requested that a report be brought to the next Board meeting on how that could be progressed.

Mr Nelson said his initial response would be that a full consent would be required but he would provide something for the next Board meeting.

Page 110 Item 15/459 – SORT Funding

With Ms Lundie not having been at the last meeting, the Mayor and the Chief Executive provided an update.

The CE further suggested that this item now be deleted from the Monitoring Report and have a River Loop update coming back on a six weekly cycle.

MOVED by Cr Gimblett, seconded Ms Metcalf:

THAT Item 15/459 – SORT Funding be deleted from the Monitoring Report and future updates be provided under the aegis of the Foxton River Loop Working Party.

CARRIED

- Page 111 Item 16/59 – Feasibility of Installing a Toilet at Foxton Cemetery
Mr Nelson advised that contractors were on site at present preparing the road for tarsealing. The toilet had been ordered and should be on site in March/April. The roading should take 8-10 weeks and it should be completed by April/May.
- Page 112 Item 16/16 – Kings Canal and Purcell Street Stormwater Catchment
Mr Clapperton said he would pursue this with Horizons, which had put \$15,000 in its budget to progress this. Once Horizons had considered the report it would come to the Foxton Community Board. He would need to confirm with Horizons when that would occur. There was also time for the Board to consider whether it should put in a submission to Horizons Annual Plan.
- Page 113 Item 16/341 – Foxton River Loop Working Party
Mr Clapperton expanded on this item saying that the particular piece of work requiring iwi approval was in relation to the opening of the existing loop rather than the new loop.
- Page 114 Roore Street Drainage
Mr Gaydon advised that this matter had not been progressed as yet due to the 14 November 2016 earthquake and the camera that would have been used having been diverted to Porirua. They had also been waiting for summer to arrive. The camera should be available next week when the drainage issue could be further investigated.
- Increasing parking capacity in Thomas Place
There had been no progress on this as yet.
- Page 113 Foxton & Foxton Beach Water
The good news from Mr Gaydon's PowerPoint presentation was that Foxton's water problems appeared to have been solved and following some investigations of various options and the decision to trial a greensand filtration media, Foxton Beach's issues could be addressed by the end of June.
Mayor Feyen suggested this was an opportunity to communicate good news out to the public.
Mr Clapperton suggested waiting a few weeks until the Foxton Beach trial had been done before the positive message was put out to the wider community to ensure that all worked well. The results of the Foxton Beach greensand filtration trial would be brought back to the next Community Board meeting.

9.4 Chief Executive's Report to 20 February 2017

Purpose

To present to the Foxton Community Board, for information, issues relating to the Foxton Community Board area.

MOVED by Ms Metcalf, seconded Mr Girling:

THAT Report 17/32 Chief Executive's Report to 20 February 2017 be received.

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

CARRIED

3.4 Ultra-Fast Broadband

Mr Clapperton noted that the issue with ultra-fast broadband was not about getting fibre down the road but about getting it to the houses. The uptake in the Horowhenua was low and people needed to be encouraged to connect.

3.1 Te Awahou Nieuwe Stroom Update

Mr Clapperton said that those who had been through the building so far had been suitably impressed: it was spectacular.

3.2 Meeting Frequency & Commencement Time

With members having agreed on a monthly schedule at the November 2016 Board meeting, after discussion it was agreed that having the Board's schedule aligned to the Council's schedule made sense.

MOVED by Mr Allan, seconded Ms Metcalf:

THAT the Foxton Community Board adopts the meeting schedule for 2017:

CARRIED

With the adoption of the new schedule, Cr Gimblett advised that he would be unavailable for the next two Community Board meetings as he had prior commitments (which had not been an issue if the Board had been meeting monthly).

As the two Kere Kere Ward Councillors were in effect sharing the Board role, albeit for 18 months apiece, it was suggested Council be requested to endorse Cr Brannigan sitting in on those meetings that Cr Gimblett could not attend.

MOVED by Mr Allan, seconded Ms Metcalf:

THAT Council be requested to appoint Cr Brannigan to attend those meetings of the Foxton Community Board that Cr Gimblett is unable to attend.

CARRIED

Having declared a conflict of interest with regard to the next item, Mr Allan left the table.

3.5 Electronic Sign – Manawatu College

Mr Clapperton said it was not the intention for the Board to fund the whole of this proposed project, but as it was going to be a community sign the Board could support and endorse the College applying for funding from other sources. The Board could also indicate through the Annual Plan process a suitable amount for Council to consider contributing to the project.

Mr Clapperton indicated that there could be Officer assistance with preparing funding applications, with Mrs Kidd confirming that there was training within Council's capacity building programme on how to obtain funding and how to prepare a business case.

MOVED by Cr Gimblett, seconded Mr Girling:

THAT the Foxton Community Board submits to Council's Annual Plan process supporting the provision of an electronic sign at Manawatu College.

CARRIED

Mr Alan rejoined the table.

3.6 Manawatu Estuary Trust – Minutes 7 February 2017

Mrs Metcalf summarised the highlights in the Trust's Minutes:

- the Trust had purchased two new spotting scopes;
- the Estuary had been visited by the Home Schoolers who were staying at

the motor camp, with the spotting scopes being a great hit. The children and their parents were amazed at the detail they could see whilst viewing the birds on the spit;

- the parents' permission had been given to put a photo and a brief report re the visit in the paper and on the website;
- MET had promised to donate \$1,000 to be used to promote the Estuary at Te Awahou Nieuwe Stroom.

Mrs Metcalf requested an update on the dog signage, with Mr Roache saying it needed to be verified that the signs were in the right place.

Mr Nelson said he would follow that up.

If there were similar matters of concern, Mr Clapperton requested that Members email him so they could be followed up straightaway.

3.8 Foxton Community Board Long Term Plan Monitoring Report 107 – Introduction of Water Tanks for New urban residential homes

Responding to a query, Mr Clapperton said this had been raised at Council as well and was a matter of policy that required considerable research before it reached the point where it might be considered by way of a policy change. That may be a discussion leading into the LTP next year. It was not just about the principle of having water tanks on new properties, it was about a more holistic approach around water management and water take and how to deal with that on a long term basis. This was also on Council's Monitoring Report.

9.5 Foxton Pool - Extended Season Trial

Purpose

To present to the Foxton Community Board a report on the Foxton Pool extended season trial.

MOVED by Mr Allan, seconded Mr Girling:

THAT Report 17/37 Foxton Pool - Extended Season Trial be received.

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

CARRIED

Mrs Huzziff and Mrs Paton joined the table to speak to this report.

Mrs Huzziff provided pool attendance figures which showed quite a difference from attendance in May 2009 (19,000) and more recent figures. As a person who took Learn to Swim classes at the Pool on a voluntary basis, she commented on issues with the Pool's construction, fees for swimmers, opening hours, and the Pool's possible future particularly taking into the number of visitors that could be attracted to Foxton by Te Awahou Nieuwe Stroom.

Mrs Paton followed on from Mrs Huzziff's comments noting not only the money being spent on Te Awahou Nieuwe Stroom but also the money to be spent upgrading Main Street, it would not be a good look if the Pool was closed. She suggested biting the bullet, spending money and putting in a proper building over the Pool, concluding by saying that swimming pools never made a profit: they saved lives.

Mrs Kidd, Council's Community Services Manager, and Mr Richmond, Aquatics Manager, joined the table to speak to this report and respond to Members' questions which covered issues such as patronage, building issues, and the Pool's possible future as tourism expanded in Foxton.

Pool fees were raised and discussed, with Mr Clapperton advising that Council was legislatively required to follow its Revenue and Financing Policy with regard to

swimming pools, with there being a split for public and private good. Foxton Pool was not getting anywhere near the 20% required for swimming pools for private good.

With there being a regional strategy being undertaken, Mr Clapperton said the Pool needed to be looked at in terms of the bigger picture; what were the recreational and tourism requirements not only locally, but regionally, and what were the opportunities going forward. There also needed to be community engagement. .

Mayor Feyen suggested this could be an issue for consideration by the Strategy Committee so the matter could be looked at in terms of what could be done rather than what could not.

Mr Clapperton noted that the process leading into the LTP next year needed to be considered, not just around the Pool and swimming, but the wider issues.

9.6 Draft Local Alcohol Policy Consultation

Purpose

The purpose of this report is to advise the Board that Council is undertaking consultation on a Draft Local Alcohol Policy for the Horowhenua District to facilitate the opportunity to provide a submission on this matter.

MOVED by Mr Allan, seconded Mr Girling:

THAT Report 17/26 Draft Local Alcohol Policy Consultation be received.

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

CARRIED

In saying the point of this report is to make the Community Board aware of the proposed Local Alcohol Policy (LAP) and to ascertain whether the Board wanted to make a submission to the process, Mr Clapperton said if the Board was interested a briefing or workshop could be arranged if Members were wanting more information.

Mr Gimblett further commented that the LAP was not mandatory but it was central government passing the buck back to Council's to have a say in how they wanted their community to look. It did give the community the opportunity to have input into its health and wellbeing. His own view was the LAP had some good points but did not go far enough. He would be supportive of the Board making a submission.

With Board Members indicating they would like to submit, Mr Clapperton suggested they provide feedback to him so he could have something drafted on the Board's behalf. Members could then indicate if they were happy with what was drafted or wanted to have further discussion on it.

MOVED by Mr Girling, seconded Ms Lundie:

THAT the Foxton Community Board records its intention to make a submission to the Draft Local Alcohol Policy.

CARRIED

9.7 Draft Policy - Dangerous and Insanitary Buildings 2017

Purpose

To advise the Foxtton Community Board that Council is undertaking consultation on a revised policy in respect of Dangerous and Insanitary Buildings, to facilitate the opportunity for the Board to provide a submission on this matter.

MOVED by Cr Gimblett, seconded Mr Girling:

THAT Report 17/27 Draft Policy - Dangerous and Insanitary Buildings 2017 be received.

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

CARRIED

Members queried the following:

- Unreinforced masonry, such as in Main Street – where was that covered?
- Did this include permanent living in caravans, house buses and houseboats?

Mr Allan highlighted that this was a passive policy and relied on complaints. He queried the implications of the policy and also any funding that may be available for vulnerable properties.

MOVED by Mr Girling, seconded Mr Allan:

THAT the Horowhenua District Council notes the Foxtton Community Board's observations on this draft Policy.

CARRIED

9.8 Foxtton Beach Reserves Investment Plan

Purpose

The purpose of this report is to gain the Foxtton Community Board's approval on the recommended changes and final adoption of the Foxtton Beach Reserves Investment Plan by Council. \\

MOVED by Mr Allan, seconded Cr Gimblett:

THAT Report 17/39 on the Foxtton Beach Reserves Investment Plan be received.

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

CARRIED

In company with Mr Nelson, Ms O'Shea covered the process that had been undertaken to produce the Foxtton Beach Reserves Investment Plan and she thanked Community Board Members for their contribution. If the Plan was approved this evening it would go to the 15 March 2017 Council meeting for adoption. A briefing would also be held for the Mayor and Councillors on how the Plan was developed.

In speaking to the background to this matter and expressing his thanks to Council staff, Mr Roache said this was a good document and had been well consulted.

Mr Clapperton further commented that this was one of the big reasons for the existence of the Community Board and it was a really neat outcome. This decision was not about Council and what it was going to do; it was the Board seeking approval

to spend \$1m over a ten year period from the Freeholding Fund over which the Board oversaw.

MOVED by Ms Metcalf, seconded Mr Girling:

THAT the Foxton Community Board approves the Foxton Beach Reserves Investment Plan and recommends that officers now take it to Council for adoption AND FURTHER the Board records its thanks:

- *to Urban Designer, Anna Wood, for her running the workshop and subsequent building the actions for the Investment Plan with the priority matrix;*
- *to Caitlin O’Shea and other staff for their efforts.*

CARRIED

Mr Roache asked to be kept informed of progress.

10 Procedural motion to exclude the public

MOVED by Mr Allan, seconded Cr Gimblett:

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 Forbes Road Market Assessment

<i>Reason for passing this resolution in relation to each matter</i>	<i>Particular interest(s) protected (where applicable)</i>	<i>Ground(s) under section 48(1) for the passing of this resolution</i>
<i>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.</i>	<i>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).</i>	<i>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.</i>

CARRIED

MOVED by Ms Metcalf, seconded Ms Lundie:

THAT His Worship the Mayor be invited to stay for the In Committee portion of the meeting because of his knowledge of the matter under discussion.

CARRIED

8.40pm The public were excluded.

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

9.20 pm

There being no further business, the Chairperson declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD
AT A MEETING OF THE FOXTON COMMUNITY
BOARD HELD ON

DATE:.....

CHAIRPERSON:.....

Proceedings of the Community Wellbeing Committee 14 February 2017

File No.: 17/96

1. Purpose

To present to the Council the minutes of the Community Wellbeing Committee meeting held on 14 February 2017.

2. Recommendation

- 2.1 That Report 17/96 Proceedings of the Community Wellbeing Committee 14 February 2017 be received.
- 2.2 That the Council receive the minutes of the Community Wellbeing Committee meeting held on 14 February 2017.

3. Issues for Consideration

There are no items considered by the Community Wellbeing Committee that require further consideration by Council.

Attachments



There are no attachments for this report.

Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

Signatories

Author(s)	Denise Kidd Community Services Manager	
Approved by	Monique Davidson Group Manager - Customer and Community Services	

Community Wellbeing Committee

OPEN MINUTES

Minutes of a meeting of the Community Wellbeing Committee held in the Council Chambers, Horowhenua District Council, 126-148 Oxford Street, Levin, on Tuesday 14 February 2017 at 1.00 pm.

PRESENT

Chairperson
Members

Cr Jo Mason
Ms Barb Bradnock
Mr Craig Fleury
Sergeant Sam Gilpin
Ms Eve Fone
Mr Allen Little
Ms Tracey Merson
Mrs Jacqui Moynihan
Ms Beth Purcell
Ms Jo Smith
Ms Ella Tavernor
Mrs Margaret Williams
Ms Delphi Winters

IN ATTENDANCE

Mrs Denise Kidd	(Community Services Manager)
Mr Josh Wharton	(Community Development Advisor)
Mr Mike Lepper	(Customer & Regulatory Services Manager)
Mrs Karen Corkill	(Meeting Secretary)

ALSO IN ATTENDANCE

His Worship the Mayor, Michael Feyen	(until 1.10 pm)
Mr Dan Geraghty	(Age Concern)
Sergeant Philip Grinstone	(New Zealand Police)
Mr Lew Rohloff	(Horowhenua GreyPower)
Cr Ross Campbell	

1 Apologies

Apologies were recorded for Katie Brosnahan, Tania Harris (with Eve Fone attending in her stead), Bruce McIntyre, Suze Strowger (with Ella Tavernor in attendance), Mike Fletcher, Liam McLeavey, and Di Rump.

NOTED

Ms Rump's apologies for the previous meeting, which had been tendered but not noted, were placed on record.

2 Public Speaking Rights

None requested.

3 Confirmation of Minutes – 15 November 2016

MOVED by Mr Fleury, seconded Mrs Moynihan:

THAT the minutes of the meeting of the Community Wellbeing Committee held on Tuesday, 15 November 2016, be confirmed as a true and correct record.

CARRIED

4 Matters Arising

There were no matters arising.

5 Announcements

Chairperson's Introduction

Setting the context for the Community Wellbeing Committee (CWC) for the year ahead, Chair Cr Mason introduced herself noting she was a second term District Councillor and she also worked in the Disability Sector. She then invited those around the tables to introduce themselves giving their name, the agency for which they worked and the agency or network that they represented on the CWC.

As requested, those around the table introduced themselves and gave a background to their being a member of the Committee or their reason for being at the table.

Cr Mason thanked everyone for their introductions noting that there were some long term members and some who were new. Cr Mason then gave an overview of the Committee's role, acknowledging the Committee's status and importance in terms of assisting Council set its strategic direction for the wellbeing of its communities. There had been a review of the Committee's mandate, and a name change; there were also some changes in representation with some representatives still to be confirmed. From Council's perspective, she and Cr Judd would be Council's representatives on the Committee.

Cr Mason further commented on the updated Community Wellbeing Strategy and Terms of Reference (copies of which were distributed to Members), giving a background to the changes which had been made to ensure there was a direct link between the various action plans and the related networks (Positive Ageing, Youth, Disability) and the overall strategy and the move of the strategy to a results based accountability framework.

Cr Mason stressed that Members needed to be clear that this was a strategic rather than an operational group. It was not the Committee's role to deliver services and programmes nor to make funding decisions; but to understand what was happening across the district and to encourage shared focus on priority issues/ target populations, as well as ensure coordination of and access to the various activities, services, programmes. Where appropriate the Committee would advocate with relevant agencies for resourcing (including funding) to address specific needs / issues/ opportunities as well as inform policy development by partner agencies.

When those around the table gave updates from their networks, Cr Mason requested Members to think about the presentations made today and consider from their agency's perspective what were the key issues, the story behind the figures and a brief update on

what each agency/network was doing to address family violence and contribute to the prevention of family violence.

Age Concern

Age Concern's Elder Abuse and Neglect Prevention Coordinator, Dan Geraghty, addressed the meeting giving the definition of 'elder abuse', (which was quite wide) as "an intentional act, or failure to act, occurring within a relationship where there is an expectation of trust, which causes harm or distress to an older person". Types of abuse could include psychological, financial, physical, sexual, institutional, and self-neglect. One of his reasons for taking up the role two years ago had been to raise the profile of Age Concern and to raise awareness of elder abuse. In some respects, his role was similar to that of HALT.

Mr Geraghty gave some information on elder abuse statistics and how these were interpreted as well as some trends currently being seen.

In saying that one of Age Concern's aims was to make Horowhenua an attractive **safe** place for older people, a recent trend of concern in Levin was people befriending and taking advantage, particularly financial, of older people. Age Concern did have an older persons' visiting service with volunteers being police vetted and trained. More volunteers for this service would be most welcome.

Mr Geraghty highlighted that increasing number of notifications of elder abuse cases was positive in terms of increasing public awareness/interest. Mr Geraghty suggested that substantiated elder abuse cases was the statistic to focus on.

Horowhenua 2016 – 84 cases closed (58% substantiated; 41% not substantiated)

= 49 substantiated

Horowhenua 2015 – 70 cases closed (70% substantiated; 30% not substantiated)

= 49 substantiated

Horowhenua 2014 – 45 cases closed (93% substantiated; 7% not substantiated)

= 42 substantiated

Horowhenua 2013 – 48 cases closed (85% substantiated; 15% not substantiated)

= 41 substantiated

Mr Geraghty recorded Age Concern's endorsement of Margaret Williams as a member for the Community Wellbeing Committee.

New Zealand Police

Commencing with saying he had been born and bred in Levin, Sergeant Phillip Grinstone, Horowhenua Family Violence Coordinator for the NZ Police, introduced himself. Speaking of the incidence of family violence in the Horowhenua he gave a background to the current statistics and current trends with regard to family violence. He noted that there were complex social issues behind family violence, which was the by-product not the cause. For family violence to be dealt successfully, those social issues need to be addressed and that was not something the Police, CYFS, Corrections, could achieve; it was something that needed to be dealt with collectively by the community.

In terms of volume, Sgt Grinstone said there were about 110,000 incidents of family violence a year; one every 4½ minutes. Locally there were about 15,000 incidents per year with Horowhenua having the second highest rate of family violence in New Zealand behind the East Coast. On top of that New Zealand had the highest intimate partner violence in the developed world. Of the 15,000 incidents; 800 incidents involved children. Of the 800 children; 330 children will have been witness to repeat incidents resulting in Police visits.

Key Contributing Factors from a Police perspective:

- 1) Repeat incidents are most likely to involve poorer families (ie unemployment or low income) , less well educated (failure to achieve NCEA Level 2 or higher) and a significant proportion are Maori / Pacific;
- 2) Alcohol and drugs (with an increasing presence of methamphetamine);
- 3) Gambling / poor budgeting skills; chaotic lifestyles make it difficult to manage money;
- 4) Compromised housing (unsatisfactory/overcrowded). Sgt Grinstone spoke about how families are moving further North (up the highway) as rental prices increase.

In providing an overview of programmes that Police consider are successful / necessary , Sgt Grinstone commented about support /programmes for parents as they separate (citing that 50% of intimate partner violence homicides happen around time of separation). Sgt Grinstone spoke about how family violence services were working well together regarding referrals, training and meeting targets. Sgt Grinstone spoke about improving systems for reporting and working closer with Corrections regarding high risk offenders . Sgt Grinstone spoke about a successful “Delivering the Love Programme” over a weekend as well as the value of alcohol, drugs and gambling prevention programmes.

Sgt Grinstone spoke about programme/service gaps from a Police perspective:

- 1) no Safe Houses in Horowhenua (noting this was particularly an issue when children were involved)),
- 2) no Police Safety Order House (a place where commonly men can go when they have to exit the family home for 5 days and where they can get counselling
- 3) no local Men’s Mentoring Group for men who have decided to make changes
- 4) no Pacifica NGO to make referrals to, which was an issue with the growing population
- 5) significant barriers to accessing both alcohol and drug programmes and family violence programmes (citing one programme price of \$1,500 or \$375.00 via referral from W&I.
- 6) no one-stop-shop for social services working with the most vulnerable of clients so they could be dealt with in one environment/setting rather than people being referred to a number of different agencies.

In finishing his presentation Sgt Grinstone discussed how 61% of local Police resources were channelled in to dealing with family violence.

From a health perspective, Ms Bradnock observed that where children were involved there was knowledge of what affect family violence had on children’s lives. She queried if there was the opportunity for a local initiative to try and reduce the effect on children as this was an issue that was not going to go away. To be discussed further in relevant forums.

Ms Merson, from HALT, commented that there was a lot of research now on family violence. Family violence was unfortunately well established and in Levin it was intergenerational and not one solution would fit all. Monitoring on how effective measures were was a big part but it had not been done well to date.

Horowhenua District Council – Draft Local Alcohol Policy

Mr Lepper, Council’s Customer & Regulatory Services Manager, advised that Council was consulting on a draft Local Alcohol Policy with all Councils in New Zealand having the opportunity to institute such a policy along similar lines as the policies Council had for Psychoactive Substances and Gambling. Council had purposely held off trying to introduce a policy since 2013 as a number of other Councils had had challenges through the Courts when trying to adopt LAPS. The draft LAP had been presented to and adopted by Council on 1 February 2017 to go out for public consultation.

The purpose of proposing the draft LAP was to provide guidance to the District Licensing Committee and it gave the community the opportunity to set some guidelines for alcohol sale and supply within the district. Submissions would close on 17 March 2017.

Because of her role on the Hearings Committee, which would hear the submissions to the LAP, Cr Mason declared an interest and would not take part in any discussion on the proposed LAP.

Mr Fleury, as a Member of the District Licensing Committee, also declared an interest. However he did think this group should be making a submission.

Mr Rohloff said it was something that Horowhenua GreyPower did need to look at.

Mrs Kidd said she would take direction from the Committee as to whether or not there was general support for a submission and what that could include. That was aside from any submissions from individuals around the table and/or their organisations.

Cr Mason agreed that Mrs Kidd should get feedback via email as there were some around the table who were interested in submitting.

9 Reports

9.1 Community Services Report to 14 February 2017

Purpose

To present to the Community Wellbeing Committee the Community Services Report to 14 February 2016.

MOVED by Mrs Williams, seconded Mr Little:

THAT Report 17/2 Community Services Report to 14 February 2017 be received.

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

CARRIED

Mrs Kidd spoke to this report and to the Community Wellbeing Strategy and Terms of Reference that had been provided. Invitations had been extended and discussions had commenced with the different agencies in terms of confirming Committee membership.

With the Committee's endorsement sought for the Sun-Smart Policy, Mr Wharton spoke to this item saying this was a continuation of the work done by Mrs Pollock following the 2015 Long Term Plan in which it was identified that the policy instituted in 2001 needed revisiting in terms of relevance, impact and financial implications. There had been some changes made to address areas that were not applicable. The policy was not enforceable and non-punitive. It would be reviewed in three years' time.

As a member of the Albinism Trust, Mr Little endorsed the updated policy saying it was long overdue and would set a benchmark for other organisations in the community.

Ms Smith did caution balance with regard to the policy as issues such as vitamin D deficiency could become an issue when things were carried too far.

General feedback on Policy was positive and Committee endorsed the revised Sun-Smart Policy, with feedback on the Policy to be provided to Mr Wharton by next Friday.

7. Agency Round Table

Going around the table, Members gave an update from their organisation's perspective:

Jacqui Moynihan, Children's Team – supported a child-centric approach. Do it together and keep the children's voice alive. It was about connections between organisation and connections between people.

Ella Tavernor, Ministry of Education – in the Strategy Terms of Reference she understood the Early Childhood / School sectors would be included around the table. Mrs Kidd said there was a conversation happening about including those sectors via Education Horowhenua.

Barb Bradnock, MidCentral District Health – the District Health Board was looking to work with communities on Locality Plans. That would be coming to a town near you in the near future.

Jo Smith, MidCentral District Health – following on from Sgt Grinstone's presentation and linking that to Locality Planning, the health of older people, children, mental health and drug and alcohol issues, with that to be completed by July, it would be timely to think about engagement and what that would look like specifically for the Horowhenua.

Craig Fleury, Horowhenua Health Centre – also following on from Sgt Grinstone's presentation, the whole idea of providing services in the Horowhenua rather than those being provided elsewhere. The DHB's Strategic Plan included providing services closer to home. These were the type of issues that need to be raised.

Jo Smith responded that the CEs were going to meet and reflect back today's discussion in terms of common issues. Mrs Kidd said she would be happy to provide information to Council CE

Delphi Winters, Supergrans Lifeskills Provider – as from the end of June they were not being funded and had been asked to transition clients to another provider. Supergrans did want to continue so they would be looking for other sources of funding. Their role was relevant and their loss would create a gap in this community with their client group being at the lower end in terms of experience and income.

Const Beth Purcell as Chair of the Local Management Group (Children and Families) – said it was very positive to be at the table.

Sgt Sam Gilpin, New Zealand Police – their main issue was the family violence scene; trying to combat that.

Eve Fone, Child, Youth & Family – that agency would cease to exist on 31 March to become the Ministry for Vulnerable Children, Oranga Tamariki. The biggest underlying issue for that organisation was the impact of family violence on children. Resources were scarce and were very expensive. As a collective voice, the one thing that was needed was more accessible and affordable family violence services.

Tracey Merson, HALT – she was at the table as a representative of HALT but was also a member of Local Management Group. A discussion would be undertaken as to who would attend the CWC regularly from Local Management Group. It had been good to have today's presentations which put family violence on the table.

Margaret Williams, Older Persons Network (interim) Representative – spoke about having been personally affected by the presentation on family violence and she queried why family violence was worse in the Horowhenua than in most other places.

With her GreyPower hat on, there had been a very interesting meeting on 6 February seeking information from members and visitors about ongoing continuing improvements for older people's health in this area

Lew Rohloff – spoke about the transport initiative now in place with a bus connecting with the train in Waikanae.

Allen Little – thanked Sgt Grinstone for his presentation. It was a challenge to everyone to go back into their local neighbourhoods and ensure that family violence was wiped out.

In conclusion and thanking everyone for their contribution, Cr Mason commented on the proposed meeting schedule for the balance of the year, noting:

- 11 April - MidCentral DHB had agreed to provide a further presentation on ‘ambulatory sensitive hospital admissions (ASH); possibly hearing from the Children’s Team as well as the ex-Strengthening Families Network about the issues and trends affecting the children and families they were working with and the results they were seeking from the work/intervention; also getting an update from the new Ministry for Vulnerable Children, Oranga Tamariki to be explored;
- 13 June – Youth focus for this meeting, with MoE having agreed to provide a presentation focussing on NCEA achievement levels for young people. Agencies could be prepared to discuss what they considered to be the issues facing young people and what their individual organisation or network was doing in that regard and what results they were seeing; Youth Voice and Education Horowhenua to be invited to present on the progress of their respective Action Plans;
- 8 August – Focus on older people with MidCentral to provide a further ASH presentation; the Older Persons’ Network to be invited to present and share the work being done as part of the Positive Ageing Action Plan;
- 10 October – information on unemployment trends across the district; perhaps a presentation on the Disability Action Plan.
-

Mrs Kidd would confirm final meeting schedule and arrange contributions from the different member agencies and networks, with a view to all contributing and different meetings to share a theme where practical.

3.20 pm

There being no further business, the Chairperson declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD
AT A MEETING OF THE COMMUNITY WELLBEING
COMMITTEE HELD ON

DATE:.....

CHAIRPERSON:.....

Proceedings of the Finance, Audit & Risk Subcommittee 22 February 2017

File No.: 17/99

1. Purpose

To present to the Council the minutes of the Finance, Audit & Risk Subcommittee meeting held on 22 February 2017 and the Financial Report to 31 January 2017.

2. Recommendation

- 2.1 That Report 17/99 Proceedings of the Finance, Audit & Risk Subcommittee 22 February 2017 be received.
- 2.2 That the Council receive the minutes of the Finance, Audit & Risk Subcommittee meeting held on 22 February 2017 and the Financial Report to 31 January 2017.

3. Issues for Consideration

There are no items considered by the Finance, Audit & Risk Subcommittee that require further consideration.

Attachments


No.	Title	Page
A	Financial Reporting - Monthly Report - 31 January 2017	35

Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

Signatories

Author(s)	Doug Law Chief Financial Officer	
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Approved by	David Clapperton Chief Executive	
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Finance, Audit & Risk Subcommittee

OPEN MINUTES

Minutes of a meeting of the Finance, Audit & Risk Subcommittee held in the Council Chambers, Horowhenua District Council, Levin on Wednesday 22 February 2017 at 5.00 pm.

PRESENT

Chairperson Cr W E R Bishop
Members Mayor M Feyen
Cr R J Brannigan
Cr R H Campbell
Cr N G Gimblett
Cr V M Kaye-Simmons
Cr J F G Mason
Cr C B Mitchell
Cr P Tukapua
Cr B P Wanden

IN ATTENDANCE

Mr D Law	(Chief Financial Officer)
Mr D M Clapperton	(Chief Executive)
Mrs M Davidson	(Group Manager - Customer & Regulatory Services)
Mr G Saily	(Group Manager – Infrastructure Services)
Mrs N Brady	(Senior Manager – Business Services)
Mr D McCorkindale	(Senior Manager – Strategic Planning)
Mr J Paulin	(Finance Manager)
Mr M Lepper	(Customer & Regulatory Services Manager)
Mr G O’Neill	(Projects Manager)
Mr A Chamberlain	(Financial Accountant)
Mrs D Weir	(People & Capability Manager)
Mrs K J Corkill	(Meeting Secretary)

ALSO IN ATTENDANCE

Mr M O’Connor (Bancorp Treasury Services)

PUBLIC IN ATTENDANCE

There was one member of the public in attendance at the commencement of the meeting.

1 Apologies

An apology was recorded for Cr Judd.

MOVED by Cr Wanden, seconded Cr Kaye-Simmons:

THAT the apology from Councillor Judd be accepted.

CARRIED

2 Public Participation

6.2 Financial Reports for December 2016 and January 2017

John Olifent

3 Late Items

There were no late items.

4 Declaration of Interest

None declared.

5 Announcements

Treasury Report

Mr Miles O'Connor from Bancorp Treasury Services Limited, gave a PowerPoint presentation on the 'fairly unusual environment' existing at present with what was happening overseas. It was referred to as a period of geopolitical disruption, which Mr O'Connor went into in more detail during his presentation. A copy of Mr O'Connor's presentation is **attached** to the official minutes.

6 Reports

6.1 Treasury Report

Purpose

To present to the Finance, Audit & Risk Subcommittee the Bancorp Treasury Report for the December 2016 quarter.

MOVED by Cr Brannigan, seconded Cr Mitchell:

THAT Report 17/63 Treasury Report be received.

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

CARRIED

9.2 Financial Reports for December 2016 and January 2017

Purpose

To present to the Finance, Audit & Risk Subcommittee the financial reports for December 2016 and January 2017.

MOVED by Cr Campbell, seconded Mrs Kaye-Simmons:

THAT Report 17/34 Financial Reports for December 2016 and January 2017 be received.

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

CARRIED

Mr Olifent joined the table to raise some issues with regard to the legibility of some of the information in the Agenda, whether or not the reports had been prepared using accepted accounting standards, and saying as a ratepayer it was very difficult to make sense of any of the financial costs and benefits. Mr Olifent provided a copy of his notes to assist Officers to respond to his concerns.

Mr Law spoke to the report commenting on Council's financial performance to date, interest rates, and Mr O'Connor's presentation in which an objective view point had been provided on Council's debt portfolio and how that compared with Council's peers and the industry.

Officers responded to Members' questions and comments relating to:

- the level of capital expenditure to date;
- consistency with regard to graph colours in the Operational Summary;
- receipt of some grant funding not being available until the end of a project and how that affected the bottom line,
- assisting new Members by including a key to explain what the red dots, etc, were in the Operational Cost of Service Statement;
- revenue for Solid Waste Management being recorded as above budget due to increased charges with clarification to be sought from the operator as that was not something that Council controlled;
- loss on sale correction (page 33) with the CFO to send a spreadsheet setting out how that occurred with there being residual assets which were part of the sale which had been overstated;
- some projects recorded as having stalled because of insufficient budget and why that had occurred;
- decrease in revenue recorded under General Property with this primarily being related to the Levin Depot and a lessee having set up their own property;
- the higher level of water usage at Foxton Beach with this confirmed as being due to the flushing that was occurring;
- what was actually involved in terms of 'Safe disposal of wastewater – Actual Performance' (page 56), with it noted that Council did have to provide an annual report to HRC and that was based on the monitoring of all those discharges. Council did have a consent with conditions it had to meet, with those consent conditions being a national standard. More information on this would be provided to Council via a briefing;
- water quality standards (page 50) with it requested that the results be broken down to supply areas;
- rates penalties and rates arrears with it confirmed that there were a variety of options for ratepayers to pay their rates, including weekly, monthly and quarterly payments;
- drinking water consumption, with the target in the One Plan being 300 litres a day. Consumption presently was slightly higher in some areas. Council to be briefed on how Horowhenua compared to other councils.

9.3 Projects Update Report February 2017

Purpose

To provide the Finance, Audit & Risk Subcommittee with an update on projects being undertaken by the Projects Team.

MOVED by Mrs Kaye-Simmons, seconded Cr Tukapua:

THAT Report 17/41 Projects Update Report February 2017 be received.

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

CARRIED

Mr O'Neill, Council's Project Manager, in speaking to this report said all projects were currently going well which was a position he was very pleased to be in at this time of the year. With regard to NE Levin Stormwater, because of the increase in the downstream discharge, a resource consent was required and that process had been commenced.

Mr Clapperton noted that this report was included in the Agenda because of the risk element to identify any risks and how they could be mitigated.

Cr Tukapua queried who would be doing the Cultural Impact Statement.

9.4 Elected Member Remuneration

Purpose

The purpose of this report is to seek agreement from Council to submit to the Remuneration Authority, Elected Members' Remuneration for the period 1 July 2016 to 30 June 2017.

MOVED by Cr Wanden, seconded Cr Mason:

THAT Report 17/33 Elected Member Remuneration be received.

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

CARRIED

An updated schedule of salary positions was tabled which reflected the fact that Cr Judd had assumed the Chair of the Hearings Committee replacing Cr Mason who would remain as Chair of the Community Wellbeing Committee but who, upon reflection, would have struggled to fit chairing both the Hearings and Committee Wellbeing committees into her workload.

MOVED by Cr Campbell, seconded Cr Brannigan:

THAT the Horowhenua District Council submits to the Remuneration Authority that the allocation of the reviewed 2016/2017 remuneration pool be as tabulated within this report.

CARRIED

9.5 Risk Management Project Update

Purpose

To provide elected members with a progress update on an ongoing basis.

MOVED by Cr Campbell, seconded Cr Mason:

THAT Report 17/60 on Risk Management Project Update be received.

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

CARRIED

Mrs Brady spoke to this report, giving an update on progress of the Risk Management Project.

11 Procedural motion to exclude the public

MOVED by Cr Mitchell, seconded Cr Wanden:

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 Declaration of Interest

<i>Reason for passing this resolution in relation to each matter</i>	<i>Particular interest(s) protected (where applicable)</i>	<i>Ground(s) under section 48(1) for the passing of this resolution</i>
<i>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.</i>	<i>s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.</i>	<i>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.</i>

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

6.40pm The public were excluded.

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

6.50 pm There being no further business, the Chairperson declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD
AT A MEETING OF THE FINANCE, AUDIT & RISK
SUBCOMMITTEE HELD ON

DATE:.....

CHAIRPERSON:.....

Horowhenua
DISTRICT COUNCIL

Seven Month Report

1 July 2016 - 31 January 2017



Executive Summary

A. Trends and Activity of Interest

1. Resource Consents –115 consents have been lodged as at 31 January 2017 against 82 for the same period last year.
2. Building Consents –
 - a) Value of consents issued as at 31 January 2017 is \$50,781,255 against \$38,118,175 for the same period last year
 - b) 121 new house builds as at 31 January 2017 against 98 for the same period last year.

In respect of building consents the consent numbers overall are tracking very similar to last year, but we are seeing an increase in the value of the work being done in residential additions & alterations as well as new builds.

Neither activity is showing any sign of letting up.

B. Financial Performance

Council has achieved a surplus of \$300K as at 31 January 2017 against a budgeted deficit of (\$145K).

Doug Law
Chief Financial Officer
22 February 2017

SUSTAINABILITY

Rates to operating revenue **73%**

Rates revenue	\$19.86 m
---------------	-----------

Operating revenue	\$27.15 m
-------------------	-----------

73% of operating revenue is derived from rates revenue

Balance budget ratio **100%**

Operational revenue	\$27.15 m
---------------------	-----------

Operational expenditure	\$27.16 m
-------------------------	-----------

Operational revenue should be equal or more than operational expenditure. Year to date revenue is almost equal.

Essential services ratio **115%**

Capital expenditure	\$6.31 m
---------------------	----------

Depreciation	\$5.48 m
--------------	----------

Capital expenditure should be equal or more than depreciation for essential services, for year to date capex is 115% more than depreciation.

Debt to total projected revenue **113%**

Total borrowing	\$71.00 m
-----------------	-----------

Total projected revenue	\$62.94 m
-------------------------	-----------

With the total borrowing of \$71m we are still under the set limit of 175% of projected revenue

Interest to rates revenue (LGFA Cov.) **8%**

Interest paid	\$1.59 m
---------------	----------

Rates revenue	\$19.86 m
---------------	-----------

8% of rates revenue is paid in interest. Our set limit is 25% of total rates revenue.

Interest cover ratio (LGFA Cov.) **6%**

Interest paid	\$1.59 m
---------------	----------

Operating revenue	\$27.15 m
-------------------	-----------

6% of operating revenue is paid in interest. Our set limit is 20% of operating revenue.

Available financial accommodation to external indebtedness (LGFA Cov.) **115%**

Net debt	\$67.00 m
----------	-----------

Undrawn committed facilities	\$10.00 m
------------------------------	-----------

Committed bank facility to enable us to borrow at least 10% of our current external debt immediately, currently we can borrow 15% more than our current debt

PERFORMANCE

This month we didn't do any changes to the layout of the report.

We are more than half way through the financial year so lets look into detail how we are performing financially.

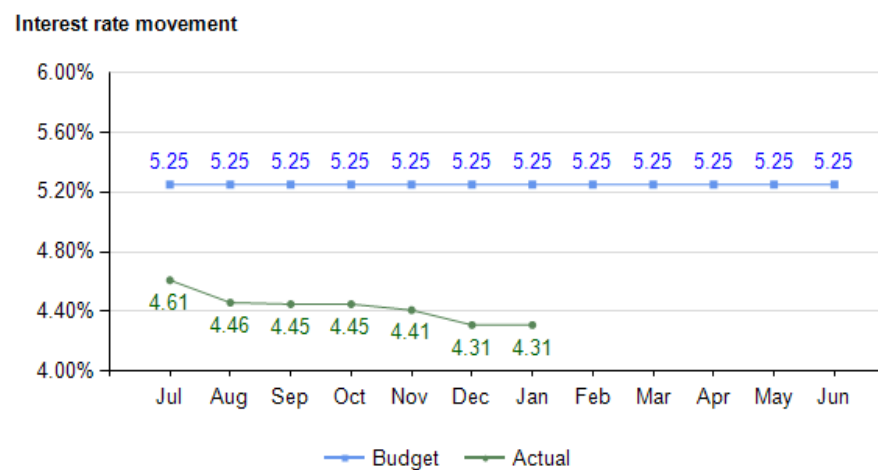
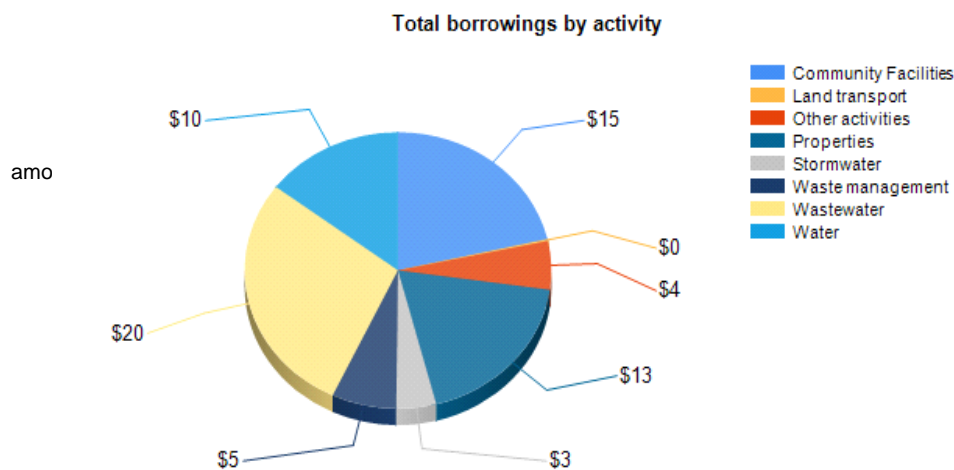
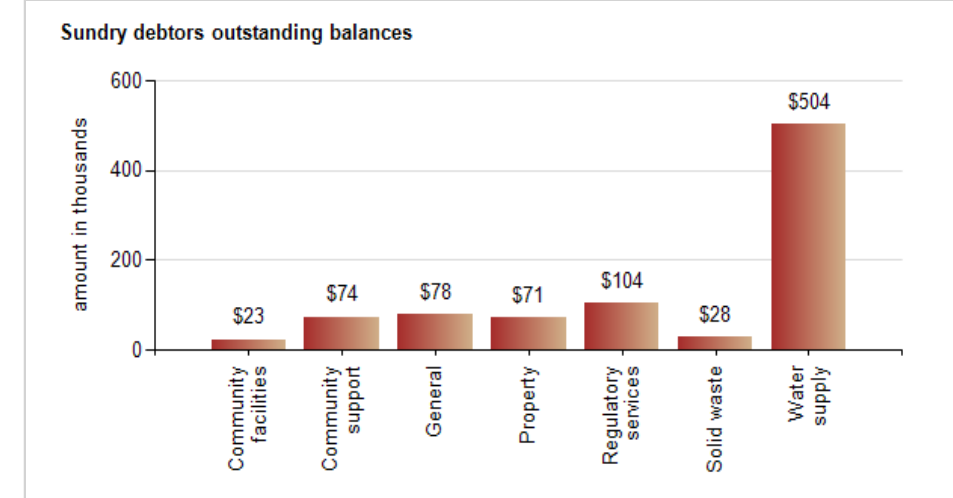
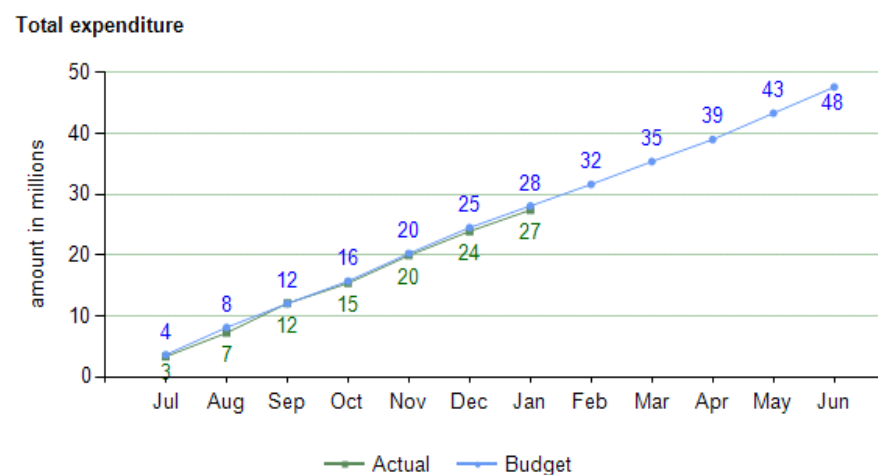
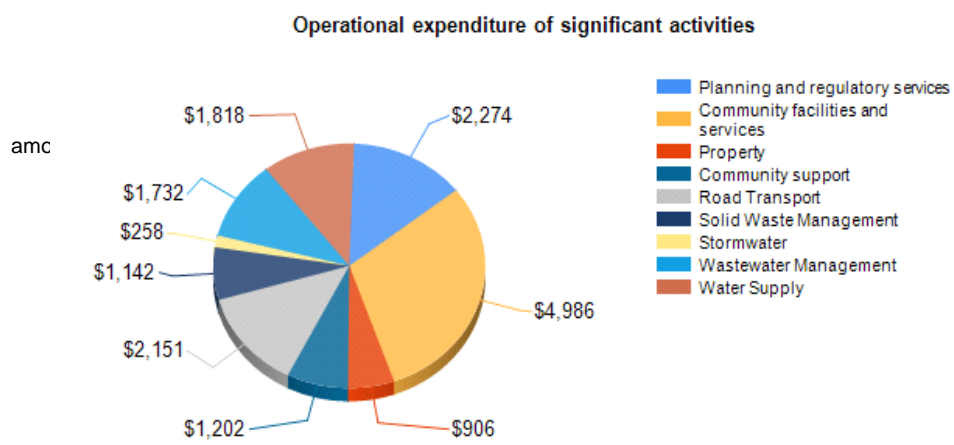
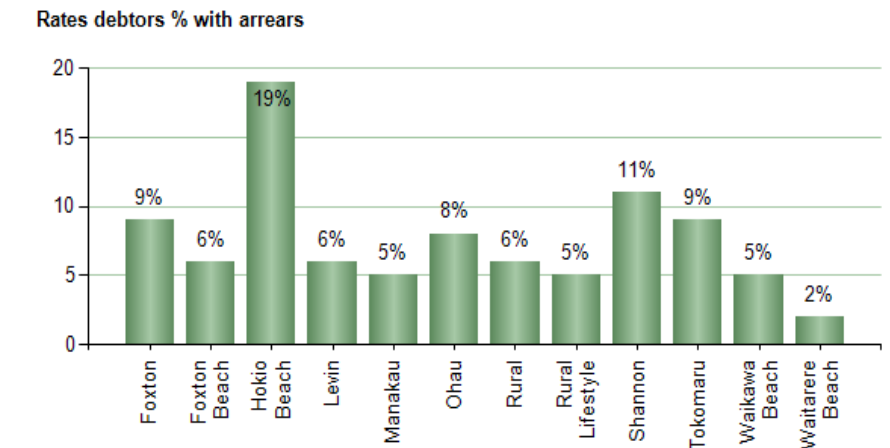
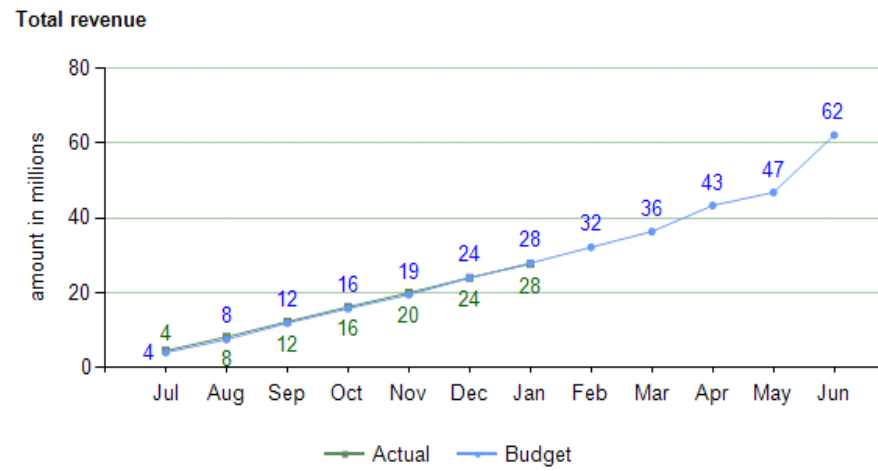
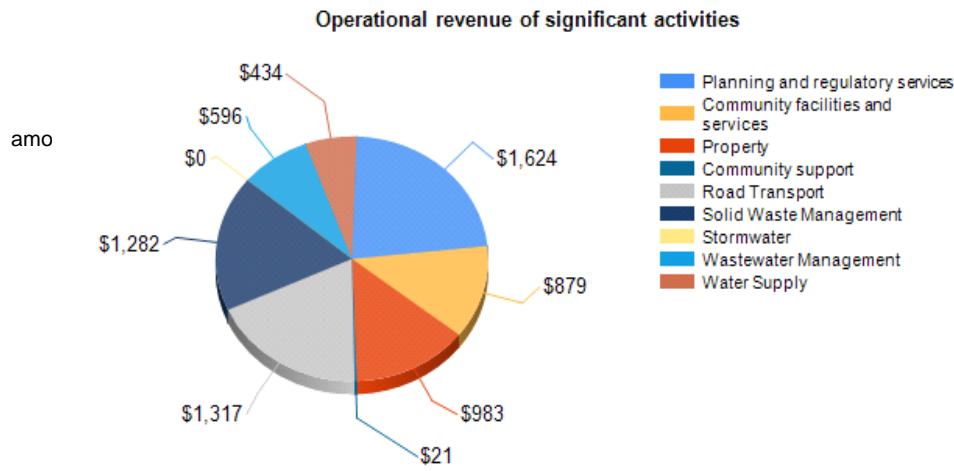
By the end of January our total revenue was \$27.73 million which was \$217 thousand or just 1% less than what we budgeted. For the same period of seven months our actual expenditure is 2% less than the budget of \$28 million that generated a surplus of around \$300 thousand against the budgeted deficit of \$145 thousands, almost 306% in favour. Interest rate 4.31% remained same as last month and because of that we paid 17% less than the budgeted amount \$1.9 million. At the same time interest received has dropped 82% than the budgeted amount of \$90 thousand.

When we analyse the trend of capital expenditure at the end of seven months it is quite noticeable that we are on the track of spending less than what we budgeted. By the end of January we have spend two million or 14% less than the budgeted amount of \$14 million, last month we spend 17% below budget and in november we spend 11% less than budget.

Operational Summary

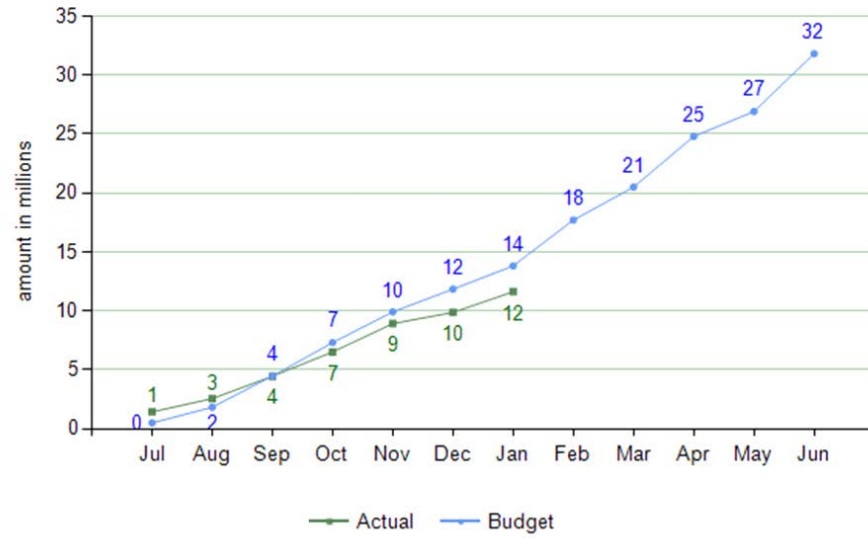
Operational revenue	Operational expenditure	Operational surplus/(deficit)
\$27.15m	\$18.84m	\$8.31m
is 3% less than the total budget of \$27.85m	is 3% more than the total budget of \$19.38m	is 2% less than the total budgeted surplus of \$8.47m

Total revenue	Total expenditure	Total surplus/(deficit)
\$27.73m	\$27.43m	\$0.30m
is 1% less than the total budget of \$27.94m	is 2% less than the total budget of \$28.09m	is 306% less than the total budgeted deficit of (\$0.15m)

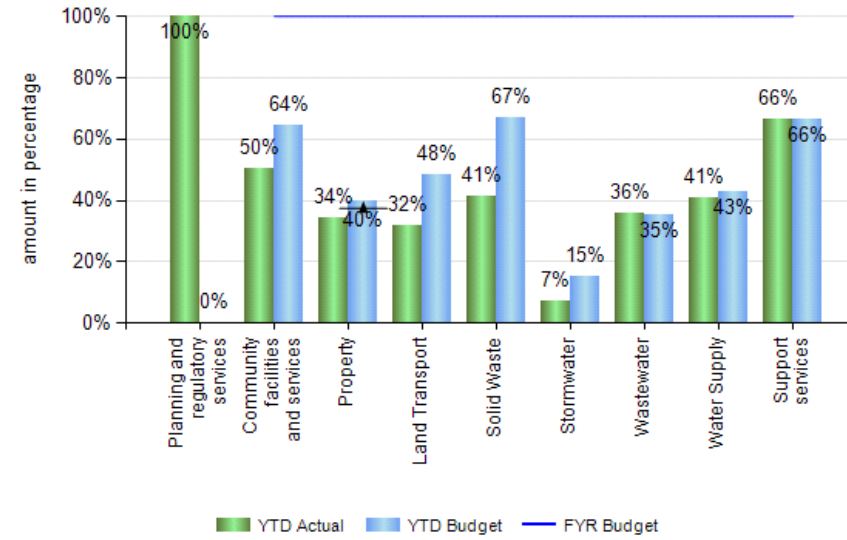


Capital Summary

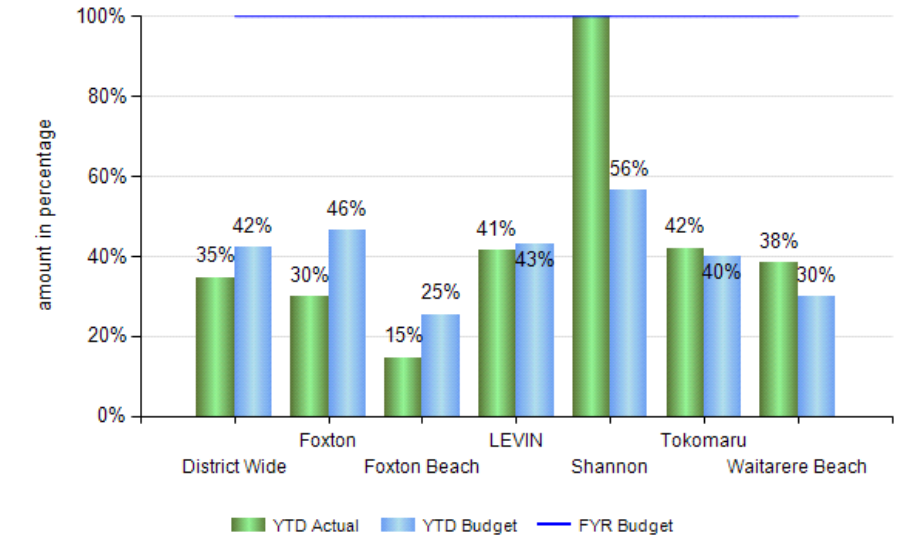
Total capital expenditure



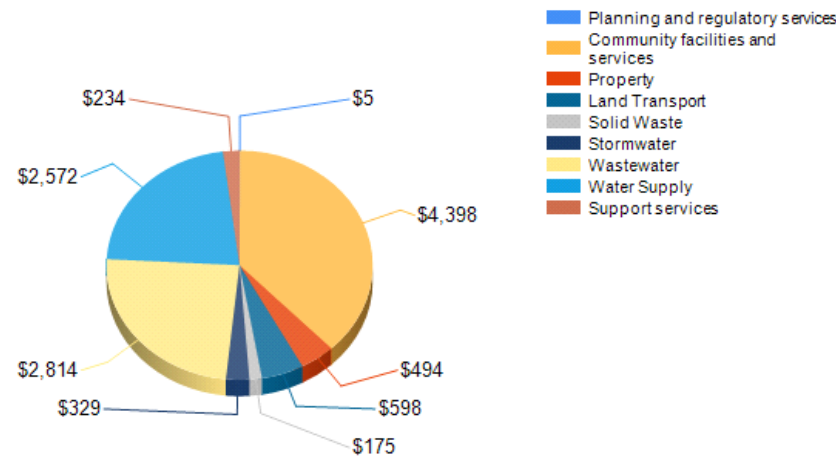
Capital expenditure by group of activities



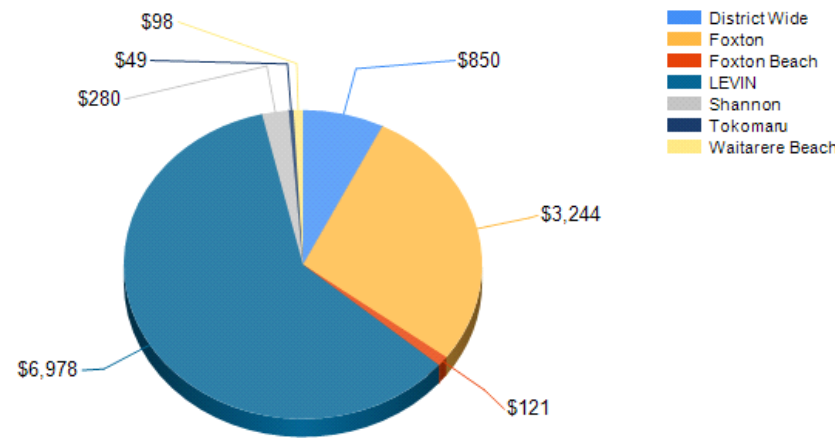
Capital expenditure by suburb



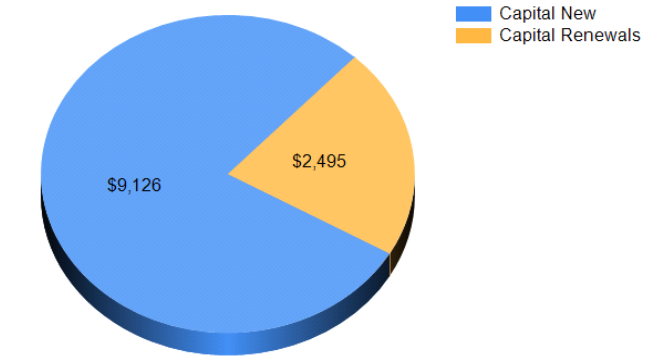
Capital expenditure by group of activity



Capital expenditure by suburb



Capital expenditure by type



Proceedings of the Community Funding and Recognition Committee

File No.: 17/101

1. Purpose

To present to the Council the minutes of the Community Funding and Recognition Committee meeting held on 24 February 2017.

2. Recommendation

- 2.1 That Report 17/101 Proceedings of the Community Funding and Recognition Committee be received.
- 2.2 That these matters or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.
- 2.3 That the Council receive the minutes of the Community Funding and Recognition Committee meeting held on 24 February 2017.
- 2.4 That the Horowhenua District Council ratifies the following applications for the Vibrant Communities Grant - Placemaking for \$10,000.00:

Applicant	Project	Amount
Mitchell Manuel	Digital Swatches for Fashion Wear	\$0.00
Mitchell Manuel	Adult Colouring Wallpapers	\$0.00
Peter Doake	Mike Pero 'Careers Coach' Roadshow	\$0.00
Kate Malone	Memory Walk (Alzheimers Society)	\$0.00
Wendy Hodder	Mural – on a fence by the community garden at Te Waioira in Foxton	\$3,300.00
Andrew Collis	Planting trees/Fencing/Grass Mounds – Solway Park	\$6,700.00
Andrew Collis	Shelter at Solway Park	\$0.00
Andrew Collis	Play Equipment at Solway Park	\$0.00

- 2.5 That the Horowhenua District Council notes the following applications for the International Representation Grant for \$2,700.00:

Applicant	Description	Amount
Cameron Jarvis	Selected to complete in in alpine skiing at the Special Olympics World Winter Games in Austria in March 2017...	\$600.00
Samantha Hayward	Member of the 14 and under Junior Women's In-line Hockey team – 17-20 April 2016 – competing in Auckland against Australian teams of the Oceanic Trophy	\$200.00
Brett Angell	12 year old selected to represent NZ A league academy team against various Australian	\$200.00

	equivalents in soccer.	
Oliver James	13 year old footballer (soccer) selected to play in the Msport cup” in Sydney in July 2017.	\$200.00
Te Ahuru Wilton	Selected to travel to Las Vegas as a member of the NZ Basketball Academy Under 15 Boys Basketball team. The trip will involve multiple tournaments between 19-30 July.	\$1,500.00

3. Issues for Consideration

That the Council ratifies the Vibrant Communities Grants and noes the International Representation Grants as recommended.

Attachments


There are no attachments for this report.


Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

Signatories

Author(s)	Denise Kidd Community Services Manager	
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Approved by	Monique Davidson Group Manager - Customer and Community Services	
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Community Funding and Recognition Committee

OPEN MINUTES

Minutes of a meeting of Community Funding and Recognition Committee held in the Horowhenua Room, 126-148 Oxford St, Levin, on Friday 24 February 2017 at 12.05 am.

PRESENT

Chair	Cr Neville Gimblett	
Deputy Chair	Cr Ross Campbell	
Councillors	Cr Jo Mason	(until 12 noon)
	Cr Bernie Wanden	

IN ATTENDANCE

Mrs Denise Kidd	(Community Services Manager)
Mrs Helen Hayes	(Community Development Advisor)
Mr Joshua Wharton	(Community Development Advisor)(from 12 noon)
Mrs Karen Corkill	(Meeting Secretary)

1 Apologies

An apology was recorded for Cr Tukapua.

NOTED

The meeting was preceded by a Briefing commencing at 10.30 am, which included:

1. An update on the various Community Grants Criteria for:

- Community Development Grant;
- Community Consultation Grant;
- Rural Halls Grant;
- International Representation Grant; and
- Vibrant Communities Grant

with Members provided with a copy of the criteria and application forms.

2. Discussion on proposed meeting dates for the year and focus:

29 March – Community Development & Consultation 2016/17 Round 2

31 May – Review all Grants and their Criteria

16 August – Community Development, Consultation, and Rural Halls 27017/18 Round 1

27 September – Civic Honours.

3. Overview of the “Community Wellbeing Strategy” and the contributions to the Strategy of the various Action Plans;
4. Introduction to proposed future meeting format.

Discussion regarding analysis included 1) understanding history of applicant in terms of Council funding 2) understanding of whether all necessary documentation submitted 3) understanding of whether applicant met criteria 4) target audience/ population 5) whether audience had to pay or if activity was free 6) geographic location 7) linkages to CW Strategy and associated action plans.

2 Declarations of Interest

Cr Gimblett declared an interest in the application from Wendy Hodder relating to a proposed mural at Te Waiora in Foxton – he was a Trustee on the Medical Trust.

3 Consideration of Applications received under the Vibrant Communities Grant – Placemaking and International Representation Grant

To present to the Community Funding and Recognition Committee the applications received for the Vibrant Communities Placemaking Grant and International Representation Grant.

MOVED by Cr Wanden, seconded Cr Campbell:

THAT the Community Funding & Recognition Report be received.

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

CARRIED

Vibrant Communities Grant - Placemaking

Eight applications had been received for the November 2016 – February 2017 period, each requesting either the entirety or a portion of the available \$10,000.00 Vibrant Communities Placemaking Grant.

The applications were discussed taking into account the updated terms of reference and the Officer’s Notes. The Pride & Vibrancy Group had acted as an advisory group for the process. The applications that received funding the Members felt more reflected the criteria for this Placemaking grant.

Having declared an interest, Cr Gimblett withdrew from discussion on the Wendy Hodder application.

MOVED by Cr Wanden, seconded Cr Campbell:

THAT it is recommended to the Horowhenua District Council that the following applications for the Vibrant Communities Placemaking Grant for \$10,000.00 be ratified as follows:

Applicant	Project	Amount
Mitchell Manuel	Digital Swatches for Fashion Wear	\$0.00
Mitchell Manuel	Adult Colouring Wallpapers	\$0.00
Peter Doake	Mike Pero ‘Careers Coach’ Roadshow	\$0.00
Kate Malone	Memory Walk (Alzheimers Society)	\$0.00
Wendy Hodder	Mural – on a fence by the community garden at Te Waiora in Foxton	\$3,300.00
Andrew Collis	Planting trees/Fencing/Grass Mounds – Solway Park	\$6,700.00

<i>Andrew Collis</i>	<i>Shelter at Solway Park</i>	<i>\$0.00</i>
<i>Andrew Collis</i>	<i>Play Equipment at Solway Park</i>	<i>\$0.00</i>

CARRIED

When it came to considering future applications, Members suggested that it would be helpful to know a little more about an applicant, if they had previously received a grant, how they were involved in the community, if a site visit had been undertaken, and to have a more in-depth breakdown of the financials.

International Representation Grant

Five applications had been received for this grant, with \$1,117.00 of the \$5,000.00 having been allocated to date.

After discussion it was agreed that all five applications should be supported, with the Committee considering that the application from Te Ahuru Wilton, because 1) the trip would involve multiple tournaments 2) the applicant was a bit older than others and this opportunity might significantly influence the individual's career options 3) the likelihood of being seen by American college scouts which could provide a career opportunity, should be treated as a special case and be allocated a higher amount than provided for under the criteria.

General discussion around criteria for International Representation. Consideration for this Grant and how it fits with other Grants specifically targeting youth to be provided in Review meeting. Some criteria to be included of what might make a special case for applicants. Some consideration of broadening criteria to national representation and some examples of arts / cultural "international representation".

MOVED by Cr Wanden, seconded Cr Campbell:

THAT it is recommended to the Horowhenua District Council that the following applications for the International Representation Grant for \$2,700.00 be ratified as follows:

<i>Applicant</i>	<i>Description</i>	<i>Amount</i>
<i>Cameron Jarvis</i>	<i>Selected to complete in in alpine skiing at the Special Olympics World Winter Games in Austria in March 2017...</i>	<i>\$600.00</i>
<i>Samantha Hayward</i>	<i>Member of the 14 and under Junior Women's In-line Hockey team – 17-20 April 2016 – competing in Auckland against Australian teams of the Oceanic Trophy</i>	<i>\$200.00</i>
<i>Brett Angell</i>	<i>12 year old selected to represent NZ A league academy team against various Australian equivalents in soccer.</i>	<i>\$200.00</i>
<i>Oliver James</i>	<i>13 year old footballer (soccer) selected to play in the Msport cup" in Sydney in July 2017.</i>	<i>\$200.00</i>
<i>Te Ahuru Wilton</i>	<i>Selected to travel to Las Vegas as a member of the NZ Basketball Academy Under 15 Boys Basketball team. The trip will involve multiple tournaments between 19-30 July.</i>	<i>\$1,500.00</i>

CARRIED

It was agreed that all successful individual applications receiving funding from this Grants Scheme be requested to present briefly at a Council meeting following their event. This to be communicated via letter awarding Grant.

Recognition of Volunteers

It was proposed that at each meeting of the Committee, names be brought to the Committee of individuals who would have been noted as contributing in a voluntary manner to the community and who actions significantly progress the goals of the Community Wellbeing Strategy of Council. Names to be provided by Council Officers and/or Committee members.

These names would serve as a basis for discussion later in the year when Civic Honour awards, Certificates of Recognition, and Service Awards were considered. Additionally Officers to provide advice, as part of the Civic Honours Meeting discussion, about a Certificate of Acknowledgement, or similar to acknowledge voluntary efforts that were below the standard of a Civic Honour. Also these certificates could be read out at Civic Honours but awarded during the year at Council meetings.

1.12 pm

There being no further business, the Chairperson declared the meeting closed.

CONFIRMED AS A TRUE AND CORRECT RECORD
AT A MEETING OF THE COMMUNITY FUNDING
AND RECOGNITION COMMITTEE HELD ON

DATE:.....

CHAIRPERSON:.....

File No.: 17/97

Draft Land Transport Bylaw 2017

1. Purpose

To seek Council's approval to publicly consult on the draft Horowhenua District Council Land Transport Bylaw 2017, through the Special Consultative Procedure. Included for Council's approval is also the Summary of Information required as part of the Special Consultative Procedure.

2. Executive Summary

- 2.1 Council has the right to make Bylaws for a number of reasons, including imposing restrictions, prohibitions and control measures in respect to traffic movements, parking and all other activities on all roads owned by the Council.
- 2.2 Council currently has the Traffic & Parking Bylaw 2007 and the Stock Control and Keeping of Poultry, Bees and Pigs Bylaw 2005 (in part previously repealed). The requirements of the two separate bylaws have now been incorporated into one bylaw, namely the Land Transport Bylaw 2017. The proposal is to take a draft copy of the Land Transport Bylaw 2017 to the community for consultation.
- 2.3 Territorial Authorities are given the right to make Bylaws through the Local Government Act 2002 (amended 1 December 2014), specifically under sections 143 – 161.

3. Recommendation

- 3.1. That Report 17/97 Draft Land Transport Bylaw 2017 be received.
- 3.2. That this decision is recognised as significant in terms of S76 of the Local Government Act.
- 3.3. That Council resolves that:
 - (i) A bylaw is the most appropriate way of addressing "Land Transport Matters" s155(1) of the Local government Act 2002; and
 - (ii) the draft bylaw attached as Attachment A is the most appropriate form of bylaw, s155(2)(a) of the Local Government Act 2002; and
 - (iii) the draft bylaw **attached** as Attachment A does not give rise to any implications under the New Zealand Bill of Rights Act 1990, s155(2)(b) of the Local Government Act 2002.
- 3.4. Council resolves that the Special Consultative Procedure as required by s156(1) of the Local Government Act 2002 be used for consultation purposes, and
 - (i) the Draft Land Transport Bylaw 2017 **attached** as Attachment A be used as the Statement of Proposal, as required by s 83(1)(a)(i) and 86(2)(a)(i), Local Government Act 2002, and
 - (ii) the Summary of Information **attached** as Attachment B reflects sufficient information contained in the Statement of Proposal as required by s89 of the Local government Act 2002, namely:
 - is a fair representation of the major matters in the Statement of Proposal; and

-is in a form determined by Council; and

- (iii) that the Summary of information (Attachment B) will be distributed as reasonably practicable as the basis for general consultation; indicates where the Statement of Proposal may be inspected and how a copy may be obtained; and states the period within which submissions on the proposal may be made to the Council s83(1)(a)(ii) Local Government Act 2002.

3.5. That the hearing of submissions be undertaken by the Hearings Committee acting under delegated authority for a subsequent recommendation to Council.

4. Background / Previous Council Decisions

4.1 The Horowhenua District Council is responsible for the management and control of all traffic and stock movement on all roads owned and or controlled by the Council.

4.2 Council currently has two bylaws for this purpose, namely the Traffic & Parking Bylaw 2007 and the Stock Control and Keeping of Poultry, Bees and Pigs Bylaw 2005, which are both due to expire in July 2017. This has provided the opportunity to review the bylaws and to incorporate the requirements of both bylaws, and to include other road use activities requiring regulation, into one bylaw namely the Land Transport Bylaw 2017.

5. Discussion

5.1 Sections 145 and 146 of the Local Government Act 2002 define the powers of Council to make bylaws.

It is proposed that Horowhenua District Council incorporate all transportation and road use activities on Council controlled roads into one bylaw. The proposed Land Transport Bylaw 2017 would replace the Traffic & Parking Bylaw 2007 and the Stock Control and Keeping of Poultry, Bees and Pigs Bylaw 2005, which are both due to expire in July 2017.

6. Options

1. **Retain and renew current Traffic & Parking Bylaw 2007 and the Stock Control and Keeping of Poultry, Bees and Pigs Bylaw 2005.**
2. **Take Draft Land Transport Bylaw 2017 to community for consultation (Recommended)**

Benefits are:

- a. One single bylaw incorporating the management and control of all traffic and stock movements rather than individual bylaws
- b. The opportunity to include all other road use activities requiring regulation
- c. Updating and including legislation references

7. Cost

This Bylaw can be implemented using existing budgets.

8. Rate Impact

Adoption of this Bylaw will not have any impact on rates.

9. Community Well Being

9.1 The draft Land Transport Bylaw 2017 provides one single bylaw for the public to view. It enables a more efficient and easier way to obtain information on the prohibitions,

restrictions, controls and requirements for traffic management and other road use activities imposed by bylaw.

- 9.2 It will also provide Council staff a single document for referencing, advising and regulating the requirements of this bylaw and thereby enable staff to provide a more efficient means of servicing the community.

10. Consenting Issues

There are no consenting issues.

11. LTP Integration

As there are no significant financial or service level considerations for the Council to consider in adopting the Draft Land Transport Bylaw, a provision for its review is not included in the LTP.

12. Consultation

- 12.1 Section 156(1)(a) of the Local Government Act 2002 requires that the Special Consultative Procedure be used for reviewing or amending a bylaw where:
- (i) The bylaw concerns a matter identified in the local authority's significance and engagement policy as being of significant interest to the public; or
 - (ii) The local authority considers that there is, or is likely to be, a significant impact on the public due to the proposed bylaw or changes to, or revocation of, the bylaw.
- 12.2 It is considered that s 156(1)(a)(i) applies in this instance as the proposed bylaw may be seen to affect a large portion of the community in a way that is not inconsequential.
- 12.3 The following target groups will be specifically invited to make submission on this Draft Land Transport Bylaw:

Proposed Consultation Plan

Task	Date
Council approval of the Statement of Proposal for public consultation on the Land Transport Bylaw 2017	15 March 2017
Submissions open	16 March 2017
Submissions Close	5.00pm 24 April 2017
Officer consideration of submissions	28 April 2017
Hearing submissions	To be confirmed – approx. mid May 2017
Report to Council and Council Decision	07 June 2017

13. Legal Considerations

- 13.1 Part 8, subpart 1 of the Local Government Act 2002 provides the powers necessary for local authorities to make bylaws to regulate traffic movement, parking and other road use activities on all roads under the control of the Horowhenua District Council.
- 13.2 Section 146 of the Local Government Act 2002 (amended 1 December 2014) states that a territorial authority may make a Bylaw for its District for the purposes of
- managing, regulating against, or protecting from, damage, misuse, or loss, or for preventing the use of, the land, structures, or infrastructure associated with, reserves, recreation grounds, or other land under the control of the territorial authority.

13.3 Section 145 of the Local Government Act 2002 states that a territorial authority may make bylaws for the purpose of protecting the public from nuisance; protecting, promoting, and maintaining public health and safety; and/or minimising the potential for offensive behaviour in public places.

14. Financial Considerations

There are financial issues for consideration.

15. Other Considerations

There are no other considerations.


16. Next Steps

If adopted, that Council approves the release of the Draft Land Transport Bylaw 2017 for public consultation.

17. Appendices

No.	Title	Page
A	Draft Land Transport Bylaw 2017 <i>(Under Separate Cover)</i>	
B	Draft Land Transport Bylaw 2017 - Statement of Proposal	51
C	Draft Land Transport Bylaw 2017 - Summary of Information	53
D	Draft Land Transport Bylaw 2017 - Submission Form	54

Author(s)	Kevin Peel Roading Services Manager	
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Approved by	Gallo Saidy Group Manager - Infrastructure Services	
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Statement of Proposal



DRAFT LAND TRANSPORT BYLAW 2017

HOROWHENUA DISTRICT COUNCIL

Draft Land Transport Bylaw 2017

1. INTRODUCTION

This Statement of Proposal has been prepared to fulfil the requirements of section 83 of the Local Government Act 2002 (LGA).

Under the Act, the Council is required to consult on the making, amending, or revoking of a Bylaw using the special consultative procedure of the LGA 2002.

2. DRAFT LAND TRANSPORT BYLAW 2017 IS PRESENTED FOR CONSULTATION

The following Bylaws are to be revoked:

The Traffic and Parking Restrictions Bylaw 2007 and
Stock Control and Keeping of Poultry, Bees and Pigs Bylaw 2005

3. REASON FOR PROPOSAL

Council currently have two Bylaws, namely the Traffic & Parking Bylaw 2007 and the Stock Control and Keeping of Poultry, Bees and Pigs Bylaw 2005, which are due for review.

The proposal is to introduce the Draft Land Transport Bylaw 2017, which amalgamates the two bylaws due for review.

There are no real substantive changes to what is being proposed in the Draft Land Transport Bylaw 2017, except with the addition of matters pertaining to one way roads, vehicle accessways, damage to Council assets during property development, working in the road and fence encroachments.

The benefits of the Draft Land Transport Bylaw 2017 are:

- a. One single bylaw incorporating the management and control of all traffic and stock movements rather than individual bylaws
- b. The opportunity to include other road use activities requiring regulation
- c. Updating and including legislation references

5. HAVE YOUR SAY

- Post to : Draft Land Transport Bylaw 2017 Submission, Horowhenua District Council, Private Bag 4002, Levin 5540;
- Deliver To : Horowhenua District Council, 126 Oxford Street, Levin;
- Email to : recordsprocessing@horowhenua.govt.nz;
- Fax to : (06) 366 0983.

Please note that submissions must be received by 5.00 pm on Monday 24 April 2017.

SUMMARY OF INFORMATION

HOROWHENUA DISTRICT COUNCIL

DRAFT LAND TRANSPORT BYLAW 2017

Proposal

To introduce a Land Transport Bylaw that incorporates traffic and parking restrictions, stock movement, and other transport requirements, which is to replace two current bylaws – Stock Control and Keeping of Poultry, Bees and Pigs Bylaw 2005 and Traffic & Parking Bylaw 2007.

Summary of Information

In adopting a bylaw Council is required to consult using the special consultative procedure laid down in section 83 of the LGA 2002.

The prime purpose is to amalgamate the two bylaws that were due for review. There are no real substantive changes to what is being proposed in this bylaw, except with the addition of matters pertaining to one way roads, vehicle accessways, damage to Council assets during property development, working in the road and fence encroachments.

Copies of the Draft Land Transport Bylaw 2017 can be viewed at Council's Services Centres: Clyde Street, Foxton; Plimmer Terrace, Shannon; 126 Oxford Street, Levin; or Te Takere, Bath Street, Levin; or on Council's website: www.horowhenua.govt.nz.

Telephone enquiries can be made to Council's Customer Service Centre on (06) 366 0999. Submissions close at 5.00 pm on Friday 24 April 2017.

Submission Form Proposed DRAFT Land Transport Bylaw 2017

OFFICE USE ONLY

TRIM # _____

Submission No: _____

Please print using a black or dark blue pen

Your details

Name: Mr / Mrs / Miss / Ms / Dr (circle): _____

Name of organisation (if applicable): _____

Postal
address: _____

Post Code: _____

Telephone: day: _____ evening: _____ mobile: _____

Email: _____

Communication

Preferred method of communication: Email Telephone Post

Presentation

Submissions will be heard by the Hearings Committee, with hearing dates to be confirmed once submissions close.

Do you wish to present your comments to Council in person at a hearing? Yes No

My Submission(s):

Please note your submission will be included in a public agenda.

(continued overleaf)

Return your submission by:

Post to: Draft Land Transport Bylaw 2017 Submission, Horowhenua District Council, Private Bag 4002, Levin 5540.

Deliver to: Horowhenua District Council, 126 Oxford Street, Levin; or Te Takere; Foxton Library or Shannon Library

Email to: recordsprocessing@horowhenua.govt.nz

Fax to: (06) 366 0983

We need to receive your submission by 5.00 pm on Monday 24 April 2017

Copies of the Draft Land Transport Bylaw 2017 and the Summary of Information are available at Council's Levin office, Te Takere, Foxton Library, and Shannon Library. It can also be found on-line at www.horowhenua.govt.nz

If you would like copies posted to you, please contact the Horowhenua District Council, Phone (06) 366 0999 or email: enquiries@horowhenua.govt.nz

Monitoring Report to 15 March 2017

File No.: 17/17

1. Purpose

To present to Council the updated monitoring report covering requested actions from previous meetings of Council.

2. Recommendation

- 2.1 That Report 17/17 Monitoring Report to 15 March 2017 be received.
- 2.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

Attachments


No.	Title	Page
A	Horowhenua District Council Monitoring Report	58

Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

Signatories

Author(s)	David Clapperton Chief Executive	
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Approved by	David Clapperton Chief Executive	
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MONITORING REPORT
HOROWHENUA DISTRICT COUNCIL

Meeting Date	Item No.	Item Description	Resolved / Action	Responsible Officer	Date to Action by	Date Completed	Officer Comment
4 July 2012	Report 12/347	North Eastern Quadrant Stormwater	<i>THAT the stormwater review is progressed in 2012 – 2014.</i>	G O'Neill	April 2015	Progressing and on track	<p>This is a multi-year project through to the next LTP.</p> <p>The project expected completion date is June 2017</p> <p>HDC intend to lodge a consent application with HRC to increase the discharge to the stream before the end of January 2017.</p> <p>Two Tenders and an alternative Tender have been received for the works in Kennedy Drive and Fairfield Road. These tenders are currently being evaluated.</p>
4 May 2016	16/221	North East Levin Stormwater Improvement Project	<i>THAT officers proceed with the implementation of the development project to mitigate flooding in the North East Levin area whilst taking into account the need for enabling residential growth as defined in the district plan.</i>				
3 August 2015							
7 Dec 2016							

MONITORING REPORT
HOROWHENUA DISTRICT COUNCIL

Meeting Date	Item No.	Item Description	Resolved / Action	Responsible Officer	Date to Action by	Date Completed	Officer Comment
2 July 2014	14/585	District Plan: Plan Change Timing	<p><i>THAT the preparation and processing by officers of the following plan changes to the District Plan be postponed from the 2014/15 financial year and be undertaken within 2015/16 financial year:</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> Sites of Cultural Significance <input type="checkbox"/> Historic Heritage <input type="checkbox"/> Dunefields Assessment <input type="checkbox"/> Coastal Hazards. 	D McCorkindale	July 2015		<p>Officers are working with Heritage experts to assess the nominated non-residential buildings, structures and sites and identify those that will form part of a formal plan change to the District plan. Plan Change is to be presented to Council's October 2016 meeting, which will propose to include additional buildings, structures and sites to the District Plan Heritage Schedule.</p> <p>Research is continuing on the Sites of Cultural Significance.</p> <p>A Dunefields Assessment has been undertaken.</p> <p>Consideration is being given to the most appropriate District Plan response to the assessment findings.</p>
6 July 2016			Inclusion of the Shannon Conscientious Objectors' Camps				

MONITORING REPORT
HOROWHENUA DISTRICT COUNCIL

Meeting Date	Item No.	Item Description	Resolved / Action	Responsible Officer	Date to Action by	Date Completed	Officer Comment
5 Oct 2016							<p>The Whitaunui Military Defaulter's Camp was nominated and a formal heritage assessment is currently being undertaken.</p> <p>Historic Heritage Plan Change report withdrawn. Briefing held with Councillors in February 2017. Report is anticipated to be presented to Council in April 2017.</p>
1 Feb 2017			Discussions to be undertaken re the Inclusion of Paiaka Camp				<p>Paiaka Camp will be considered in the next phase of heritage assessments subject to the agreement of the land owner.</p>
3 Dec 2014	14/890	Extension of N5 Part B Water and Wastewater Services Contract	<i>THAT the Horowhenua District Council accepts the proposal from Downer to extend the current contract for another 24</i>	P Gaydon	1 July 2015	Ongoing	<p>Evaluation of the Proposals received is in progress at present.</p>

MONITORING REPORT
HOROWHENUA DISTRICT COUNCIL

Meeting Date	Item No.	Item Description	Resolved / Action	Responsible Officer	Date to Action by	Date Completed	Officer Comment
			<p><i>months;</i></p> <ul style="list-style-type: none"> - <i>During this period (24 months) review the existing work schedule and</i> - <i>Develop a new contract arrangement with a duration of 8 years with a 4 year plus a 2 x 2 year extension</i> <p><i>THAT the Horowhenua District Council works jointly with Downer to develop a new contract arrangement, to go to Council for approval by 1 January 2017, and if acceptable to Council the new contract will commence 1 July 2017.</i></p>				
4 Nov 2015	15/.648	Finance, Audit & Risk Subcommittee	<p><i>THAT the Finance, Audit and Risk Subcommittee charter be reviewed after the 2016 triennial election.</i></p>	D Clapperton	November 2016	1 Feb 2017	This is now completed. Terms of Reference were adopted at Councils February Council meeting.

MONITORING REPORT
HOROWHENUA DISTRICT COUNCIL

Meeting Date	Item No.	Item Description	Resolved / Action	Responsible Officer	Date to Action by	Date Completed	Officer Comment
6 July 2016	16/342	Adoption of Growth Targets	<p><i>THAT the Horowhenua District Council utilises the following growth assumptions from 1 July 2016 in informing and setting a platform for future work programmes, planning, evaluation and analysis leading towards the updating of the 2018-2028 Long Term Plan:</i></p> <p style="padding-left: 40px;"><i>2016-2036 Growth Forecasts: Population + 8,600 Households + 4,900 Jobs + 3,000</i></p> <p><i>THAT the Horowhenua District Council endorses the full pursuit of the following actions to realise and maximise the projected growth assumptions:</i></p> <p>A. <i>Strengthening and leveraging the District's competitive advantage platform,</i></p>	S Grainger		Completed	Officers are utilising the targets to inform Council's Growth Response programme.

MONITORING REPORT
HOROWHENUA DISTRICT COUNCIL

Meeting Date	Item No.	Item Description	Resolved / Action	Responsible Officer	Date to Action by	Date Completed	Officer Comment
			<p><i>including:</i></p> <p>(i) <i>Comparatively low cost land (residential and industrial)</i></p> <p>(ii) <i>Comparatively low cost operating/low cost living environment</i></p> <p>(iii) <i>Greater business productivity through proximity to Wellington (including customers, infrastructure, and labour market reach).</i></p> <p>B. <i>Ensuring infrastructure, policy provision and planning is in place to enable the District to fully leverage its</i></p>				

MONITORING REPORT

HOROWHENUA DISTRICT COUNCIL

Meeting Date	Item No.	Item Description	Resolved / Action	Responsible Officer	Date to Action by	Date Completed	Officer Comment
			<p><i>competitive and comparative advantages.</i></p> <p>C. <i>Attracting business investment and new industry to drive job growth and to broaden the economic base of the District.</i></p> <p>D. <i>Fostering more intensive co-operation with neighbouring districts.</i></p> <p>E. <i>Lifting firms' and households' openness to change and development.</i></p>				
1 Feb 2017	17/21	Committee Structure and Elected Member Appointments	<p><i>THAT further work related to form, function and structure of Community Forums take place and a report return to the March 2017 Council meeting.</i></p>	M Davidson	15 March 2017	15 March 2017	A report is in agenda on the establishment and Terms of Reference for the Community Forums.

MONITORING REPORT
HOROWHENUA DISTRICT COUNCIL

Meeting Date	Item No.	Item Description	Resolved / Action	Responsible Officer	Date to Action by	Date Completed	Officer Comment
	17/6	Health (Fluoridation of Drinking Water) Amendment Bill	<p><i>THAT the Horowhenua District Council supports Local New Zealand's submission on the Health (Fluoridation of Drinking Water) Amendment Bill;</i></p> <p><i>THAT the Horowhenua District Council makes its own submission supporting Local Government New Zealand's submission on the Health (Fluoridation of Drinking Water) Amendment Bill with an emphasised role of consultation with local communities and the funding of that by central government.</i></p>	M Davidson		2 Feb 2017	Submission was sent and received.
	16/38	Amendment to Dog Control Policy and Bylaw 2015	<p><i>THAT Report 16/38 Amendment to Dog Control Policy & Bylaw 2015 lay on the table to allow for consultation with the Foxton Community</i></p>	M Lepper	15 March 2017		<p>Officers are working with key stakeholders to gain support for suggested changes.</p> <p>Communications team</p>

MONITORING REPORT
HOROWHENUA DISTRICT COUNCIL

Meeting Date	Item No.	Item Description	Resolved / Action	Responsible Officer	Date to Action by	Date Completed	Officer Comment
			<i>Board and other interested stakeholders, with Officers to bring a further report to the March 2017 Council meeting.</i>				are working to establish a better way to illustrate how the Dog Control Policy and Bylaw applies. A report on proposed changes will be presented to the next Foxton Community Board Meeting.
	17/9	Review of Dog Control Regime – National Action Plan	<i>THAT Council appoint Councillors Campbell and Mitchell to a subcommittee to work with Officers in the development of a submission on behalf of this Council in respect of proposed amendments to the Dog Control Act 1996 as it pertains to reducing the risk and harm of dog attacks. THAT authority be given for the subcommittee to make the submission on behalf of Council, and a</i>	M Lepper			Currently awaiting confirmation of consultation process and timing.

MONITORING REPORT
HOROWHENUA DISTRICT COUNCIL

Meeting Date	Item No.	Item Description	Resolved / Action	Responsible Officer	Date to Action by	Date Completed	Officer Comment
			<i>copy of that submission be brought to an appropriate meeting of Council for receipt and information purposes.</i>				

Chief Executive's Report to 15 March 2017

File No.: 17/92

1. Purpose

For the Chief Executive to update Councillors, or seek endorsement on, a number of matters being dealt with.

2. Recommendation

- 2.1 That Report 17/92 Chief Executive's Report to 15 March 2017 be received.
- 2.2 That these matters or decisions be recognised as not significant in terms of s76 of the Local Government Act 2002.
- 2.3 That Council authorises Mayor Feyen, Councillors Campbell and Tukapua to attend the Local Government New Zealand Conference to be held in Auckland in July 2017.
- 2.4 That Council nominates Councillors Campbell and Tukapua as the alternatives to exercise Council's voting rights, should the Mayor not be in attendance at the Annual General Meeting of Local Government New Zealand in July 2017.
- 2.5 That the Horowhenua District Council adopts the updated Local Governance Statement.
- 2.6 That the Horowhenua District Council's Delegations Register be updated to include the following to the list of those who can issue Trespass Notices:
 - Library Services Manager
 - Community Hub Manager(s)
 - Customer Service Lead (Community Hubs).

3. Chief Executive Updates

3.1 Local Government New Zealand AGM – Delegates

The 2017 Local Government New Zealand (LGNZ) Conference is being held in July 2017, in Auckland.

As Horowhenua District Council is a member of Local Government New Zealand, it is entitled to representation at the 2017 Local Government New Zealand Annual General meeting (AGM) which is held in conjunction with the conference.

The representation of each member authority is determined by the Mayor or Chair of each local authority. Representation is made up of members which include elected members and staff of member authorities.

Horowhenua District Council is entitled to three votes at the AGM. The voting entitlement of each member authority is determined by that authority's subscription level.

Mayor Feyen is the presiding delegate responsible for voting on behalf of Horowhenua District Council at the AGM.

Horowhenua District Council delegates are selected on a rotational basis to ensure most or all Councillors are able to attend a LGNZ Conference during their time as an elected member.

In consultation with the Mayor, I recommend that Councillors Campbell and Tukapua attend the LGNZ Conference, along with the Mayor.

In addition, I recommend Councillors Campbell and Tukapua be listed as alternate delegates who can vote on behalf of Horowhenua District Council in case of the presiding delegate not being able to attend.

3.2 **Local Governance Statement**

A Local Governance Statement is a collection of information about the processes through which Council engages with its community, how the local authority makes decisions, and how citizens can influence those processes.

Council is required to produce such a statement under Section 40 of the Local Government Act 2002 within six months following each triennial election.

The Local Governance Statement supports the purpose of local government by promoting democracy at a local level. The statement does this by providing the public with information on the ways to influence democratic processes that Council uses to engage with the district's residents. It also outlines how Council makes decisions and shows how residents can influence those processes.

A comprehensive review of the Local Governance Statement has taken place. Attached is a copy of the Statement for Council consideration and adoption.

3.3 **Local Government Excellence Programme**

Toward the end of the last Triennium the Horowhenua District Council took part in the Local Government Excellence Programme (LGEP) as a one of four pilot Council's. By way of reminder the LGEP is designed to support councils to demonstrate and lift the service and value they provide to all New Zealanders.

The Programme incorporates an independent assessment system that assesses how councils are performing and the value they are delivering. Participating Councils receive an overall performance rating from a team of independent assessors, with commentary on their performance.

The four priorities areas for the Programme are:

- excellence in governance, leadership and strategy;
- excellence and transparency in financial decision-making;
- high standards of service delivery and asset management; and
- stronger engagement with the public and businesses.

The Programme is designed to reward robust decision-making, promotes a more responsive council culture, improved services and better communication.

Twenty one councils from across New Zealand – 27 per cent of the sector – signed up to be involved in the first year of this programme. HDC agreed to be one of four Councils to go through the assessment process as a 'pilot'.

HDC's assessment occurred at the end of September last year. The assessment process involved providing a range of pre-reading material in advance of the on-site assessment, voluntarily undertaking a 'self assessment' against the performance framework, a range of on-site interviews with staff, elected members and various stakeholder groups over two days and some follow up telephone interviews in late December.

The first pilot councils' assessments (Horowhenua District Council, Porirua City Council, Queenstown Lakes District Council and Upper Hutt City Council) are complete and the Independent Assessment Board (IAB) has apparently reviewed the initial assessments, reports and ratings for the councils. The IAB will review final assessments and reports at the next IAB meeting in late March.

A further five Council assessments have recently been undertaken or in the process of such, these will also be considered by the IAB at its March meeting.

The IAB decided that it will release reports for the first four pilot councils, and the subsequent five councils recently assessed, together. This is planned for May 2017 with the remaining council assessment reports to follow in June 2017. Specific release dates and the process and timing for each council will be provided to all participating Councils in April, after the March IAB meeting.

The IAB have confirmed the release process, which includes time for councils to fact check their report prior to public release. All reports will be designed consistent with the CouncilMARK™ branding and in a way to aid public readership. The HDC communications team will be working closely with LGNZ throughout the release process to ensure clear and consistent messaging.

I will ensure I keep Council abreast of the assessment process and of course any public announcement/release of HDC's assessment.

3.4 **Economic Development Update**

The 2016 Annual Economic Profile for the Horowhenua District was released late February. The report demonstrated Horowhenua's continued economic growth, with some areas exceeding national averages. Horowhenua's GDP grew by 3.2% to \$821 million for 2016, compared to a national growth of 2.5%.

There have also been improvements to Horowhenua's job market, with total employment expanding by 2.6% to the year March 2016. This compares to an average growth of -0.4%pa over the last 10 years for the district. Construction has made the largest contribution to employment growth in the district accounting for an extra 111 jobs, this was followed by job growth in manufacturing and agriculture. Job growth was coupled with a falling unemployment rate, which currently sits at 7.5% for the year to September 2016 compared to 9.3% a year earlier.

Increases in key sectors and the availability of more jobs saw an estimated population increase of 1.6% for 2016, a significant turnaround from the 0.2%pa growth since 2000. This population increase was also demonstrated in School Roll data released by the Ministry of Education, which saw student numbers increase by 1.4%. This increase was mainly influenced by a growth in primary school student numbers.

3.5 **Delegations Register**

Following the dissolution of Te Horowhenua Trust and library services being brought 'in-house', there is a need for Council's Delegations Register to be updated to add to the list of those who are able to issue Trespass Notices. The current delegation is impractical for library services as Council Officers working in other premises and/or townships are not readily available to issue Trespass Notices. It is proposed the following be added to the list of those who can issue Trespass Notices:

- Library Services Manager

- Community Hub Manager(s)
- Customer Service Lead (Community Hubs).

Attachments

No.	Title	Page
A	Local Governance Statement 2017	73

Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

Signatories

Author(s)	David Clapperton Chief Executive	
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Approved by	David Clapperton Chief Executive	
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Local Governance Statement March 2017

Involving the Community in Council

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1. What is a Local Governance Statement?

A Local Governance Statement is a collection of information about the processes through which Horowhenua District Council engages with the residents of the Horowhenua District, how Council makes decisions, and how residents and ratepayers can influence those processes.

The Local Governance Statement supports the purpose of local government by promoting local democracy. The statement provides the public with information on the ways to influence local democratic processes.

The Local Governance Statement is a requirement of the Local Government Act 2002 and includes the following broad categories of information:

- functions, responsibilities, and activities of the council
- electoral arrangements
- governance structures and processes
- the way elected members make decisions and relate to each other
- the management structure and key policies of the council

The purpose of local government is —

(a) to enable democratic local decision-making and action by, and on behalf of, communities; and
(b) to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.

In this Act, good-quality, in relation to local infrastructure, local public services, and performance of regulatory functions, means infrastructure, services, and performance that are —

- (a) efficient; and
- (b) effective; and
- (c) appropriate to present and anticipated future circumstances.

The governance statement will be updated from time to time to ensure that its content is accurate and up to date. For the most recent copy please contact Council on (06) 366 0999 or visit our website www.horowhenua.govt.nz.

2. Functions, Responsibilities and Activities

The Local Government Act 2002 sets out the purpose of local government as:

- (1) The purpose of local government is—
 - (a) to enable democratic local decision-making and action by, and on behalf of, communities; and
 - (b) to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.
- (2) In this Act, good-quality, in relation to local infrastructure, local public services, and performance of regulatory functions, means infrastructure, services, and performance that are—
 - (a) efficient; and
 - (b) effective; and
 - (c) appropriate to present and anticipated circumstances.

The Local Government Act 2002 introduced changes to the way councils plan ahead, and as part of this, placed a responsibility on councils to work with their communities to identify the community's expectations and priorities – known as community outcomes.

Council has an obligation to ensure that its work programmes and services contribute to community outcomes.

Our Long-Term Plan (LTP) sets out the Community Outcomes and the Council's priorities for the next 10 years. It also provides information on budgets, rating levels, major projects and general Council services. A LTP highlights the Council's plans for the next 10 years, including the means of funding the Council's ongoing programmes and capital works projects. Horowhenua District Council is currently delivering on the Long Term Plan 2015–2025.

Council has overall responsibility and accountability for the proper direction and control of the district's activities. This responsibility includes areas of stewardship such as:

- Core infrastructure and Services (i.e. roadways, footpaths, water, sewerage and stormwater)
- Community Services and Facilities (i.e. libraries, recreational facilities and community facilities)
- Regulatory Functions and Services (i.e. building and resource consents, health, animal control, parking and general bylaws)
- Environment (i.e. parks, reserves and built environment)
- Local Economy (promoting a resilient and diverse economy)
- Local Democracy (i.e. access to Council information and public engagement opportunities)
- Financial Management of the Council (ensuring Council expenditure is affordable and sustainable)

3. Legislation

In conducting its activities, Horowhenua District Council exercises powers and fulfils responsibilities conferred on it by New Zealand and Local Legislation. The following outlines applicable statutory requirements. Please note this list is not exhaustive, but outlines those statutes which are most commonly used:

Section 46(1) Local Government Act 2002 - Councillors can be held liable for losses resulting from negligence or unlawful action by the elected Council.

Schedule 7 clause 1 of The Local Government Act 2002 - Any elected member (the Mayor or a councillor) will be disqualified if they cease to be an elector or become disqualified for registration as an elector under the Electoral Act 1993, or are convicted of an offence punishable by a term of imprisonment of two years or more.

Local Authority (Members' Interests) Act 1968 - This regulates the circumstances under which a member has a pecuniary interest in a matter before the Council. Nobody may be elected to a Council, or once elected, remain a member, if the value of contracts between the Council and that member exceed \$25,000 in any financial year. Nor may a member participate in the discussion or voting on a matter in which the member has a direct or indirect pecuniary interest, except an interest in common with the public. If members are convicted of a breach of this requirement they will be automatically be disqualified from office. They may also be fined up to \$100. A disqualified member may, however, stand for election at a by-election.

The Local Government Official Information and Meetings Act 1987 ("LGOIMA") - The obligations of LGOIMA are binding on members. They apply to the disclosure of information by a member in respect of any information held by that member (in his or her capacity as member) to a member of the public. The underlying principle is that unless there is good reason to withhold it, information should be made available. Section 7 of the Act gives a number of grounds for withholding disclosure. The LGOIMA also sets out the procedural requirements for meetings of local authorities, the publication of agenda, procedures for discussion with the public excluded and access by the public to the minutes of meetings.

Statutes Pertaining to Local Government - In fulfilling its purpose, the Horowhenua District Council exercises powers and fulfils responsibilities conferred on it by various Statutes. These are:

- Local Government Acts of 1974 and 2002
- Local Electoral Act 2001
- Local Government (Rating) Act 2002
- Local Government Official Information and Meetings Act 1987
- Resource Management Act 1991

In addition, there are numerous other general Acts of Parliament that confer powers on the council and regulate its functions.

4. Local Legislation

In addition to the legislation that applies to all local authorities (in particular the Local Government Act, the Rating Act, the Resource Management Act, the Building Act, and the Reserves Act), Council is also bound by various local legislation (acts that apply specifically to it). These are:

- Levin Borough Empowering Act 1966 [1966, No. 22 (L)]
- Levin Borough Empowering Amendment Act 1968 [1968, No. 5 (L)]
- Levin Borough Empowering (Playford Park) Act 1948 [1948, No. 10 (L)]
- Levin Borough Empowering Amendment Act 1952 [1952, No. 54 564 (2)]
- Levin Borough Reserves Vesting and Empowering Act 1907 [1907, No. 12 (12)]
- Horowhenua County Loan Act 1910 [1910, No. 12 (L)]
- Manawatu County Loan and Empowering Act 1917 [1917, No. 2 (L)]
- Reserves and Other Land Disposal Act 1956 – Section 21 [Foxton Beach]
- Reserves and Other Land Disposal Act 1965 – Section 9 [Endowment]
- Reserves and Other Land Disposal Act 1968 – Section 13 [Land]

5. Bylaw

Where an issue is not already covered under existing legislation, Council may create a new bylaw provided that the proposed bylaw is the most appropriate form of bylaw; and does not give rise to any implications under the New Zealand Bill of Rights 1990. If a draft bylaw is approved, it will go out for public consultation. Horowhenua District Council must follow a special consultative procedure (with exceptions) on any proposed changes to an existing bylaw or in the creation of a new bylaw.

For a list of current and operative Bylaw enforced by Horowhenua District Council visit:

<http://www.horowhenua.govt.nz/Council/Local-Bylaws-Policies>

6. Requests for Official Information

Two pieces of legislation prescribe how and what information is disclosed and protected for Local Government.

They are:

- Local Government Official Information and Meetings Act 1987 (LGOIMA)
- Privacy Act 1993

Local Government Official Information and Meetings Act 1987 (LGOIMA)

The purposes of this Act are –

- To provide for the availability to the public of official information held by local authorities
- To promote the open and public transaction of business at meetings of local authorities, in order
- To enable more effective participation by the public in the actions and decisions of local authorities; and
- To promote the accountability of local authority members and officials, and thereby enhance respect for the law and to promote good local government in New Zealand
- To provide for proper access by each person to official information relating to that person
- To protect official information and the deliberations of local authorities to allow for public interest and the preservation of personal privacy.

The underlying principle of the Act is the 'principle of availability. That is, information should be made available unless there is good reason to withhold it.

Given the size of our organisation, a policy dealing with information requests needs to be simple and easy to use. Information to guide staff on when and how to apply either piece of legislation is required so Council can make appropriate and consistent decisions.

The Act also promotes the open and public transaction of business at meetings of local authorities.

Generally, members of the public are entitled to attend any meeting of Council or a committee of Council. There are times however when, for specific reasons, public may need to be excluded for the whole or part of a meeting. Any exclusion must be justified under the Act.

Official information includes any information held by a local authority. Most information held by a local authority is classified as official information. This can be held in any form including tape, electronic, maps, plans, etc. It does not include information contained in library or museum material used for reference or exhibition purposes.

Personal information includes information about a "natural" person (living identifiable person).

Once a request is made, the Council must supply the information within 20 working days unless there is a reason for withholding it. The Council may charge for official information under guidelines set down by the Ministry of Justice. This will apply particularly where considerable staff time is required to research information.

The LGOIMA says that information may be withheld if release of the information would:

- prejudice maintenance of the law;
- endanger the safety of any person;
- compromise the privacy of any person;
- reveal confidential or commercially sensitive information;
- cause offence to tikanga Māori or would disclose the location of waahi tapu;
- prejudice public health or safety;
- compromise legal professional privilege;
- disadvantage the local authority while carrying out negotiations or commercial activities;
- allow information to be used for improper gain or advantage.

Privacy Act 1993

The Privacy Act 1993 amended the LGOIMA by removing the right of access to personal information about the person making the request, and requiring consultation with the Privacy Commissioner by the Ombudsman when considering a decision to withhold information on privacy grounds.

The Privacy Act deals with requests for personal information about a 'natural' person (living identifiable person). The objective of the Privacy Act is to provide protection for individual privacy. The Act's focus is on how information about a person is collected, used, disclosed, stored and accessed. There are 12 'principles' that should be adhered to.

Privacy Officer

At least one person in the organisation is assigned the duties of a 'Privacy Officer'. That person's responsibilities include encouraging compliance with the Act and assisting the Privacy Commissioner to investigate any complaints made.

Key points for implementing the Act:

- Only an individual who is in New Zealand or who is a citizen or permanent resident of New Zealand can make an information privacy request.
- Requests need not be in writing, can be verbal in person or over the phone
- To take all reasonable steps to grant the request within 20 working days after the request has been received
- Council may impose a charge in some circumstances. The individual making the request will be informed of the cost, should there be one, prior to officers proceeding with the request
- Council needs to communicate the reasons for refusing to provide information. It must also provide information on the right to seek a review from the privacy commissioner
- Legislation outlines the complaints process and powers of the Privacy Commissioner.

Horowhenua District Council processes requests for information in accordance with the Local Government Official Information and Meetings Act 1987 and the Privacy Act 1993. These aim to balance issues of transparency and public interest with limits on the disclosure of personal information. Releases of information are sent via email, where an email address has been supplied.

Information can be requested by:

- Downloading and completing our Official Information Request form available online at www.horowhenua.govt.nz and emailing it, along with any attachments to LGOIMAOfficer@horowhenua.govt.nz;
- Phoning our Customer Service Centre on (06) 366 0999;
- Asking in person at one of our Customer Service Centres; or
- Downloading and completing our Official Information Request form available online at www.horowhenua.govt.nz and posting it, along with any supporting documents, to: LGOIMA Officer, Horowhenua District Council, Private Bag 4002, Levin 5540.
- Please be as specific as you can be in making your request; it helps us to find the information quickly for you. Make sure you include your contact phone number and either a postal or email address so we can provide you with a response. Further information about LGOIMA requests can be found at www.horowhenua.govt.nz.

7. The Electoral System and the opportunity to change it

The Horowhenua District Council currently operates its elections under the First Past the Post (FPP) electoral system.

The other option permitted under the Local Electoral Act 2001 is the Single Transferable Vote system (STV).

Currently, voters rank candidates in order of preference. The number of votes required for a candidate to be elected (called the quota) depends on the number of positions to be filled and the number of valid votes.

Council can resolve to change the electoral system it uses at the next two elections or conduct a binding poll on the question, or electors can demand a binding poll under the Local Electoral Act 2001.

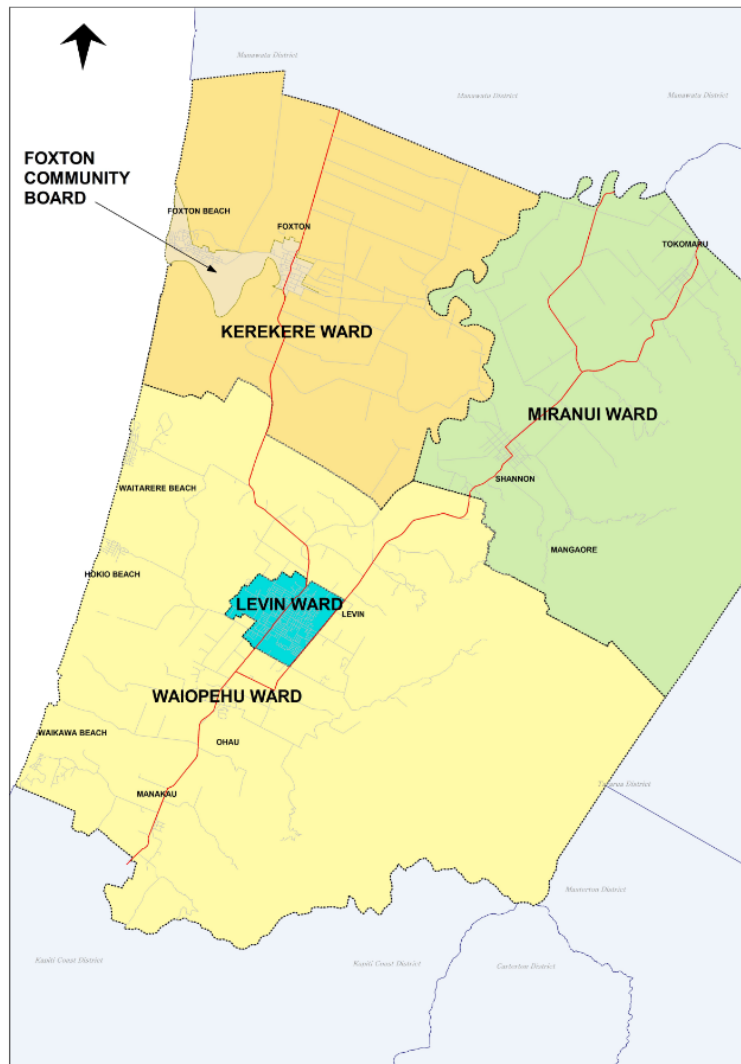
At least 5% of electors can initiate a poll by signing a petition demanding that a poll be held. Once changed, an electoral system must be used for at least the next two triennial general elections, ie the electoral system cannot change for one election and then change back for the next election.

8. Representation Arrangements

8.1 Wards

Horowhenua District is divided into four wards as shown on the map below. The Mayor is elected at large over the whole district.

Kere Kere Ward	5,580 (2 members)
Miranui Ward	2,940 (1 member)
Levin Ward	16,550 (5 members)
Waiopehu Ward	6,380 (2 members)
Total	31,450



8.2 Community Board

Council has one Community Board - the Foxton Community Board. This Board is constituted under Section 49 of the Local Government Act 2002 to:

- represent and act as an advocate for the interests of its community
- consider and report on any matter referred to it by the Council and any issues of interest or concern to the Community Board
- make an annual submission to Council on expenditure in the community
- maintain an overall of services provided by the Council within the community
- communicate with community organisations and special interest groups in the community
- undertake any other responsibilities delegated by the Council (currently the Council has not delegated any such responsibilities)

The Foxton Community Board has a Chairperson and four other members. The five members are elected triennially by electors in the Board's community, and the Council appoints one member from the two Kere Kere Ward Councillors. The Board elects its own Chairperson and Deputy Chairperson at its first meeting after the triennial election.

Electors can demand the formation of a new community board. This is done by a process similar to the reorganisation process described in the Local Government Act.

8.3 Māori Wards

The Local Electoral Act 2001 also gives the Council the ability to establish separate wards for Māori electors. The Council may resolve to create separate Māori wards or conduct a poll on the matter, or the community may demand a poll. A petition of five percent (or more) of electors can require the Council to conduct a poll.

No action has been initiated to establish a Māori ward to date.

8.4 Review of Representation Arrangements

Local authorities are required to review representation arrangements at least once in every period of six years. Horowhenua District Council's last reviewed its arrangements in 2012 and retained the FPP system at a meeting on 3 August 2012. This decision was publically notified.

A review must include the following:

- The number of elected members
- Whether the elected members (other than the Mayor) shall be elected by the entire district, or continue to be elected by their ward (or a mix of both systems)
- The boundaries and names of those wards and the number of members that will represent each ward (if election by wards is preferred)
- Whether or not to have separate Māori wards
- Whether to have Community Boards and if so how many, their boundaries and membership and whether to subdivide a community for electoral purposes

The Council must follow the procedure set out in the Local Electoral Act 2001 when conducting this review. It should also follow guidelines published by the Local Government Commission. The Act gives electors the right to make a written submission to the Council, and the right to speak to the submission at a hearing.

Electors have the right to appeal any decisions on the above to the Local Government Commission, which will make a binding decision on the appeal. Further details on the matters that the Council must consider in reviewing its membership and basis of election are found in the Local Electoral Act 2001.

9. Structure and Reorganisation Proposals

The Local Government Act 2002 sets out procedures, which must be followed during proposals to:

- Make changes to the boundaries of the District
- Create one or more new territorial local authorities (city or district councils)
- Create a unitary authority, ie transfer the functions of Horizons Regional Council to district councils in the Manawatu-Wanganui region
- Transfer a particular function or functions to another council.

The process begins when an application is lodged with the Local Government Commission. This can be done by any person, body or group, including a local authority or the Minister of Local Government.

Further information on these requirements is in the Local Government Act 2002, Schedule 3. The Local Government Commission has also prepared guidelines on procedures for local government reorganisation, which are available on its website www.lgc.govt.nz

10. Members' Roles and Conduct

A key to the efficient running of any council is that there is a clear division between the role of Elected Members and that of management.

10.1 Division of Responsibility between the Council and Management

The Local Government Act 2002 sets out a series of governance policies that support the principles of local government.

The Council is required to publish a Local Governance Statement. This clarifies the governance and management responsibilities together with the governance role and expected conduct of elected members. The Statement describes the effective, open and transparent processes used by Council. This ensures separation of regulatory and non-regulatory responsibilities and explains the good employer requirements.

Council's Local Governance Statement ensures the community has information on the processes the Council follows when making decisions and taking action and how the community can influence these processes.

While Council has delegated many of its functions, it maintains overall responsibility for effective systems of internal control. Internal control includes the policies, systems and procedures established to provide measurable assurance that specific objectives will be achieved.

10.2 Role of the Council

The Council has overall responsibility and accountability for the proper direction and control of the Council's activities in pursuit of community outcomes. This responsibility includes:

- Formulating the District's strategic direction in conjunction with the community - Long Term Plan (LTP)
- Determining the services and activities to be undertaken
- Managing principal risks
- Administering various regulations and up-holding the law
- Monitoring the delivery of the LTP and Annual Plan
- Ensuring the integrity of management control systems
- Safeguarding the public interest
- Ensuring effective succession of elected members
- Reporting to ratepayers.

The Mayor and Councillors of the Horowhenua District Council have the following roles:

- setting the policy direction of Council
- monitoring the performance of the Council
- representing the interests of the District (on election all members must make a declaration that they will perform their duties faithfully and impartially, and according to their best skill and judgment in the best interests of the District)
- employing the Chief Executive Officer (under the Local Government Act 2002, the local authority employs the Chief Executive Officer who in turn employs all other staff on its behalf)

10.3 Mayor

The Mayor is elected by the District 'as a whole', and as one of the elected members, shares the same responsibilities as other members of Council. In addition, the Mayor has the following roles:

- Presiding member at Council meetings. The Mayor is responsible for ensuring the orderly conduct of business during meetings (as determined in Council's Standing Orders)
- Advocate on behalf of the community. This role may involve promoting the community and representing its interests. Such advocacy will be most effective where it is carried out with the knowledge and support of the Council
- Ceremonial head of Council
- Provides leadership and feedback to other elected members on teamwork and chairing committees.

10.4 Deputy Mayor

The Deputy Mayor is appointed by the Mayor at the first meeting of the Council following each triennial election. The Deputy Mayor exercises the same roles as other elected members. In addition, if the Mayor is absent or incapacitated, or if the office of Mayor is vacant, then the Deputy Mayor must perform all of the responsibilities and duties and may exercise the powers of the Mayor (as summarised above). The Deputy Mayor may be removed from office by resolution of Council.

10.5 Code of Conduct

Schedule 7 clause 15 of the Local Government Act 2002 requires every Council to adopt a Code of Conduct for the Elected Members of the Council. Horowhenua District Council adopted its Code on 1 February 2017. This code also applies to all persons appointed to Committees or Subcommittees of Council. A copy of the Code of Conduct can be made available upon request to Horowhenua District Council on (06) 366 0999 or 0508 800 800.

Horowhenua District Council's Code of Conduct provides guidance on the standards of behaviour expected from Elected Members in their dealings with each other, the Chief Executive, staff, the media and general public.

The objectives of the Code of Conduct are to enhance:

- the effectiveness of the Council as a good local government for the District
- the credibility of the Council
- Mutual trust, respect and tolerance among members as a group and between members and those people they deal with in the course of their duties.

The Code of Conduct is based on the following general principles of good governance:

- Public interest - members must serve the interests of the District as a whole, their primary duty is to the interests of the entire District, not just the ward that elected them
- Honesty and integrity - members must not place themselves in situations where their honesty and integrity may be questioned
- Objectivity - members must make decisions on merit, including decisions making appointments, awarding contracts, or recommending individuals for rewards or benefits
- Accountability - members must be accountable to the public for their actions and the manner in which they carry out their responsibilities
- Openness - members must be open about their actions and those of the Council
- Personal judgment - members can and will take account of the views of others, but must reach their own conclusions on the issues before them
- Respect for others - members must promote equality by treating people with respect
- Duty to uphold the law - members must uphold the law, and on all occasions act in accordance with the trust the public places in them.
- Stewardship - members must ensure that the Council uses its resources prudently and for lawful purposes, and that the Council maintains sufficient resources to meet its statutory obligations to both present and future generations.

11. Public Access to Council and Elected Members

Contact details for Horowhenua District Council are as follows:

Horowhenua District Council
126-148 Oxford Street, Levin 5510
Private Bag 4002, Levin 5540
Phone 06 366 0999 (operates 24 hrs/7 days a week)
Fax 06 366 0983
E-mail: enquiries@horowhenua.govt.nz
www.horowhenua.govt.nz
www.facebook.com/HorowhenuaDC

11.1 Contacting the Council

Council can be contacted in a number of ways. Requests for Council service can be lodged in various ways including visiting, phoning or writing (including emails to enquiries@horowhenua.govt.nz and faxes) to the relevant Council department, the Chief Executive; or through Council's website www.horowhenua.govt.nz.

To contact the Mayor or a Councillor refer to pages 16-19.

Contact details for Council's management are shown on page 20 of this Local Governance Statement.

11.2 Community Connection

The Community Connection is published in the Horowhenua Chronicle on the first Wednesday of every month, excluding January. In addition to this it is available online at www.horowhenua.govt.nz.

11.3 Opportunities for Participation in Council Activities

Council offers numerous opportunities for community input into decision-making processes and strategy development. Council will inform Horowhenua residents (through the likes of newsletters, website and other key media publications) when key plans and policies are being developed/reviewed that require community input or feedback.

11.4 Elected Representatives

The elected representatives to Council are the Mayor and ten Councillors. The Councillors are elected on a ward basis as follows:

Kere Kere Ward	2 members
Miranui Ward	1 member
Levin Ward	5 members
Waiopahu Ward	2 members

The only Community Board in the district is the Foxton Community Board, which has five elected members. The Local Government Commission has determined that there will be one liaison Councillor elected from the Kere Kere Ward Councillors.

The Mayor, Councillors and Board Members are:

	<p>Mayor Michael Feyen</p> <p>Mobile: 027 4419 923</p> <p>Email: mayor@horowhenua.govt.nz</p>
	<p>Deputy Mayor Wayne Bishop</p> <p>Ward: Waiopahu</p> <p>Mobile: 0274 474 611</p> <p>Email: cr.wayne.bishop@horowhenua.govt.nz</p>



Cr Ross Brannigan

Ward: Kere Kere

Mobile: 021 247 7338

Email: cr.ross.brannigan@horowhenua.govt.nz



Cr Ross Campbell

Ward: Miranui

Mobile: 027 253 3956

Email: cr.ross.campbell@horowhenua.govt.nz



Cr Neville Gimblett

Ward: Kere Kere

Mobile: 021 121 2214

Email: cr.neville.gimblett@horowhenua.govt.nz



Cr Barry Judd

Ward: Levin

Mobile: 027 367 2030

Email: cr.barry.judd@horowhenua.govt.nz



Cr Victoria Kaye-Simmons

Ward: Levin

Mobile: 027 601 1014

Email: cr.victoria.kaye@horowhenua.govt.nz



Cr Jo Mason

Ward: Levin

Mobile: 027 248 6643

Email: cr.jo.mason@horowhenua.govt.nz



Cr Christine Mitchell

Ward: Waiopahu

Mobile: 027 318 7703

Email: cr.christine.mitchell@horowhenua.govt.nz



Cr Piri-Hira Tukapua

Ward: Levin

Mobile: 027 529 4883

Email: cr.pirihira.tukapua@horowhenua.govt.nz








Cr Bernie Wanden

Ward: Levin

Mobile: 027 291 5546

Email: cr.bernie.wandan@horowhenua.govt.nz

Foxton Community Board

	<p>David Roache <i>Chairperson</i> Mobile: 027 442 5961 Email: davidroache@horowhenua.govt.nz</p>
	<p>Tricia Metcalf <i>Deputy Chairperson</i> Mobile: 021 447 711 Email: triciametcalf@horowhenua.govt.nz</p>
	<p>David Allan Mobile: 021 031 1812 Email: davidallan@horowhenua.govt.nz</p>
	<p>John Girling Mobile: 021 025 75080 Email: johngirling@horowhenua.govt.nz</p>
	<p>Jenny Lundie Mobile: 027 600 0475 Email: jennylundie@horowhenua.govt.nz</p>

12. Management Structure

The Chief Executive and staff are responsible for managing day-to-day operations and implementing Council's decisions and policies. The organisation is structured under six groups, each of which is headed by a Senior or Group Manager.

- Customer & Community Services
- Business Services
- Strategic Planning
- Infrastructure Services
- Finance
- Economic Development

Further information on Council's Leadership Team can be found by going to:

<http://www.horowhenua.govt.nz/Council/Your-Council/Leadership-Team>

The Local Government Act requires the Council to employ a Chief Executive whose responsibilities are to employ other staff on behalf of Council, implement Council decisions and provide advice to the Council. Under the LG Act the Chief Executive is the only person who may lawfully give instructions to a staff member. Any complaint about individual staff members should be directed to the Chief Executive, rather than the Mayor or Councillors.

Council is supported by a professional corporate organisation, led by the Chief Executive. Senior Officers provide Council with policy advice and are responsible for implementing Council's policies to achieve the results Council seeks to accomplish during the triennium.

David Clapperton is Council's Chief Executive. His contact details are:



David Clapperton
Chief Executive

Email: davidc@horowhenua.govt.nz
Phone: 06 366 0999

13. Council Organisations

Part 1 of the Local Government Act 2002 identifies two types of organisations for which a local authority has governance responsibilities. Briefly, these organisations are described as:

1. Council Organisations (COs) – where one or more local authorities control one or more voting rights, or have the right to appoint one or more directors.
2. Council-Controlled Organisations (CCOs) – where one or more local authorities control 50% or more of the voting rights, or have the right to appoint 50% or more of the directors.

Each of these organisations delivers services, provides advice, or in some way supports the achievement of the objectives in the Council's Long Term Council Community Plan.

The Local Government Act 2002 requires that Council may appoint a person as a director of a CO or CCO only if the Council considers the person has the skills, knowledge and experience to:

- guide the organisation, given the nature and scope of its activities
- contribute to the achievement of the objectives of the organisation.

The Council is required to adopt a policy setting out an objective and transparent process for identifying and considering the skills, knowledge, and experience required of directors of a CO or CCO, and their appointment and remuneration.

The Council has direct and indirect shareholdings in a variety of CCOs and control, either through ownership greater than 50%, or the ability to appoint more than half of the board. These organisations all operate on a commercial basis at arm's length from the Council.

There are a number of regionally owned or controlled organisations in which the Council has an interest through ownership or representation, but does not have the ability to appoint more than half of the directors, or does not own 50% or more of the shareholding. These include Civic Assurance, MWLASS and Local Government Financial Agency, of which Council have a minor shareholder interest in.

The Council also has non-controlling interests in numerous Council organisations, by virtue of appointing one or more board members or trustees. These are generally "not for profit" bodies, and includes:

Council Controlled Organisations

- **Shannon Community Development Trust** – Council appoints 100% of the Trustees to the Shannon Community Development Trust. The Shannon Community Development Trust distributes funding to support projects that bring benefits to the Shannon community.

14. Appointments to Statutory Bodies, Community Groups/Associations and Other Organisations 2016-2019

At the beginning of each term, Council appoints representation to statutory bodies, community associations and other organisations for the elected term. These appointments enable Council to support special interests groups and community orientated bodies within the community.

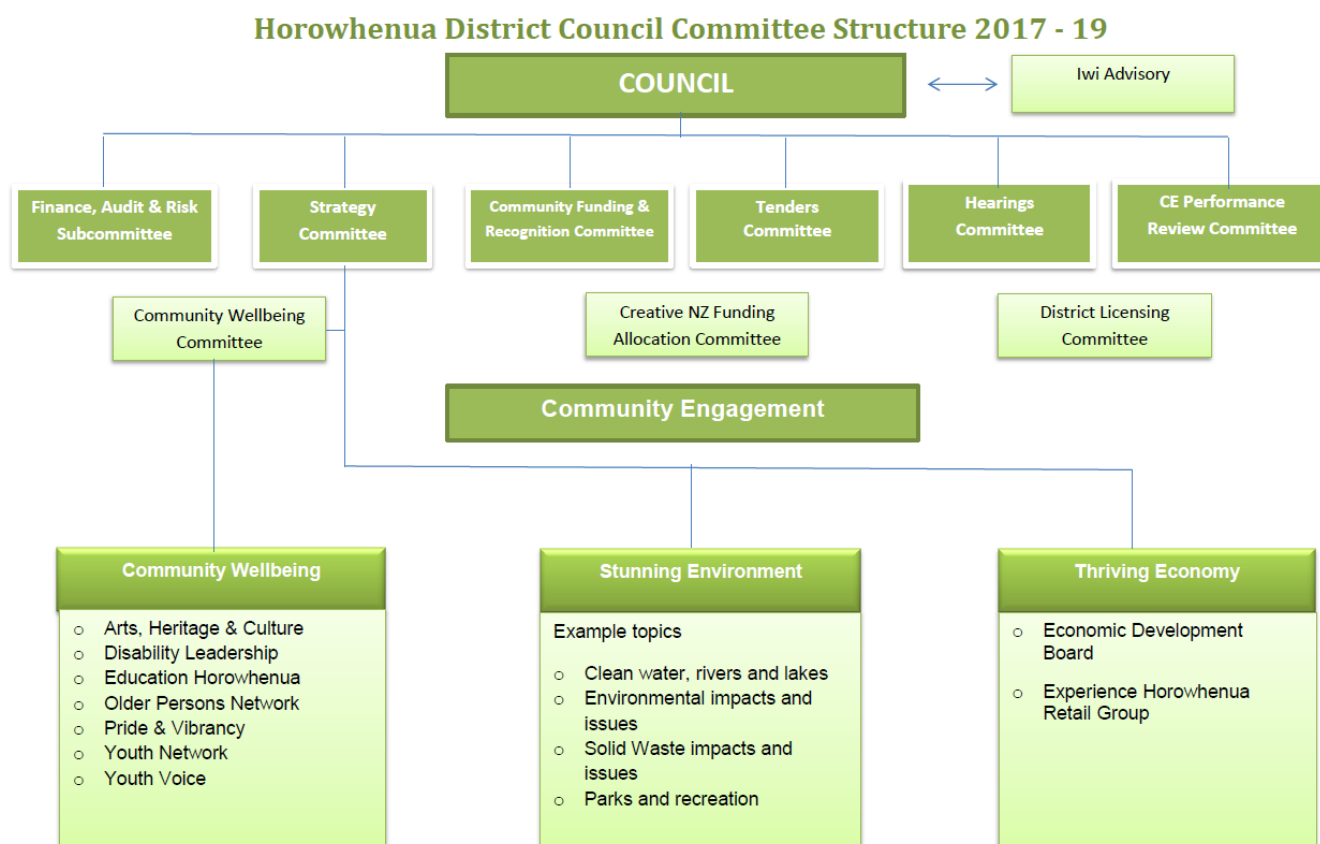
Community Organisation / Group	Appointment(s)
Coast Access Radio - Horowhenua District Trustee	Cr Barry Judd
Crime Prevention Camera Trust	Cr Ross Brannigan Cr Victoria Kaye-Simmons
Disability Leadership Forum	Cr Jo Mason
Education Horowhenua	Cr Barry Judd Cr Piri-Hira Tukapua
Foxton Area Community Medical Trust	Cr Neville Gimblett
Hokio Progressive Association Inc	Cr Christine Mitchell Cr Wayne Bishop
Horizons Regional Council – Passenger Transport Committee	Cr Neville Gimblett
Horizons Regional Council – Regional Transport Committee	Mayor Feyen Cr Ross Campbell (alternate)
Horowhenua District Health Transportation Trust	Cr Victoria Kaye-Simmons
Horowhenua Events Centre Trust	Council Appointee - Stephen Poulton
Horowhenua Health Workforce Trust	Cr Jo Mason
Horowhenua Lake Domain Board	Mayor Feyen Cr Victoria Kaye-Simmons Cr Piri-Hira Tukapua
Horowhenua Learning Centre Trust	Cr Piri-Hira Tukapua
Horowhenua Neighbourhood Support Management Committee	Cr Jo Mason
Jack Allen Community House	Cr Victoria Kaye-Simmons
Keep Levin Beautiful Committee	Cr Victoria Kaye-Simmons

Lake Accord (He Hokioi Rerenga Tahī)	Mayor Feyen Cr Victoria Kaye-Simmons Cr Ross Campbell
Manakau District Community Association	Cr Christine Mitchell Cr Wayne Bishop
Manawatu River Users Advisory Group	Mayor Feyen Cr Ross Campbell
Manawatu/Wanganui Regional Disaster Relief Fund Trust	Cr Bernie Wanden
Manawatu-Wanganui Region Civil Defence Emergency Management Group Governance Body	Mayor Feyen
Mangaore Village Residents' Association	Cr Ross Campbell
Mayor's Task Force for Jobs	Mayor Feyen
National Museum of Audio Visual Arts & Sciences Trust Board	Cr Ross Brannigan
Save Our River Trust	Mayor Feyen
Shannon Community Development Trust	Cr Ross Campbell
Shannon Progressive Association Inc	Cr Ross Campbell
Shannon Sewerage Working Party	Cr Ross Campbell
Thompson House Committee	Cr Victoria Kaye-Simmons
Waikawa Beach Ratepayers Association	Cr Christine Mitchell Cr Wayne Bishop
Waitarere Beach Progressive and Ratepayers Association Inc	Cr Christine Mitchell Cr Wayne Bishop
Youth Voice	Cr Piri-Hira Tukapua

15. Governance Structures and Processes

The Council reviews its committee structure after each triennial election to ensure that it aligns with how Council wishes to go about the business of setting strategic direction and the decision making process.

Council's governance structure recognises the Finance, Audit & Risk Subcommittee, Strategy Committee, Community Funding & Recognition Committee, Tenders Committee, Hearings Committee, Chief Executive Performance Review Committee and Community Wellbeing Committee as official committees of Council.



The role of the Community Engagement Forums is to give advice and feedback to Council and provide a conduit to wider community views. The forums are new to Council's structure and form an integral part of how the community can be more involved in Council activities.

15.1 Establishment of Committees

Under section 41A of the Local Government Act 2002 the Mayor has the power to establish the committees of the governing body and appoint the chairperson of each committee of the governing body before the other members of the committees are determined.

Committee includes, in relation to the Council:-

1. A committee comprising all the members of the Council;
2. A standing committee or special committee appointed by the Council;

3. A standing committee or special committee appointed by the Mayor;
4. A joint committee appointed under clause 30 of Schedule 7 of the Local Government Act 2002;
5. Any subcommittee of a committee described in items (a) (b), (c) or (d) of this definition; and
6. A subordinate decision-making body, including Subcommittees and Forums.

15.2 Committee Appointments

Appointments for the 2016–2019 triennium are as follows:

Committee	Members	Chair	Deputy Chair
Chief Executive's Performance Agreement Review Committee	Full Council	Mayor Michael Feyen	Deputy Mayor Bishop
Community Recognition & Funding Committee	Cr Bernie Wanden Cr Jo Mason Cr Piri-Hira Tukapua	Cr Neville Gimblett	Cr Ross Campbell
Community Wellbeing Committee		Cr Barry Judd	Cr Jo Mason
Creative New Zealand Funding Allocation Committee	Cr Victoria Kaye Simmons Cr Ross Brannigan	To be appointed by Committee	
Finance, Audit and Risk Subcommittee	Full Council	Independent Chair	Cr Barry Judd
Hearings Committee	Cr Bernie Wanden	Cr Jo Mason	Cr Piri-Hira Tukapua
Strategy Committee	Full Council	Mayor Michael Feyen	Cr Victoria Kaye Simmons
Tenders Committee	Cr Ross Brannigan Cr Neville Gimblett Cr Christine Mitchell	Deputy Mayor Bishop	Cr Ross Campbell
Community Engagement Forums			
Economic Portfolio	Cr Bernie Wanden Deputy Mayor Bishop		
Environmental Portfolio	Cr Christine Mitchell Cr Neville Gimblett		
Cultural Portfolio	Mayor Michael Feyen Cr Piri-Hira Tukapua		

		Cr Ross Campbell Cr Barry Judd		
District Committee	Licensing	-	Cr Ross Brannigan	Cr Neville Gimblett

Appointments are to be reviewed annually, as agreed by Council.

15.3 Meeting Frequency

Council, Finance, Audit & Risk Subcommittee, Strategy Committee and Foxton Community Board meet on a six weekly meeting cycle.

Hearings Committee, Community Wellbeing Committee and Community Forums meeting dates can be found on our website:

A schedule of meeting dates can be found on Council's website:

<http://www.horowhenua.govt.nz/Council/Your-Council/Meeting-Schedules-Speaking-Rights#Meeting-Schedules-2>

15.4 Terms of Reference

Terms of Reference for Council, committees and special committees were adopted by Council on 1 February 2017.

COUNCIL	
Membership	11
Meeting Frequency	Meets on a six weekly basis Extraordinary Meetings can be called following a resolution of Council, or on the requisition of the Chair or one third of the total membership of Council
Quorum	6

Terms of Reference

The Council's terms of reference include the following powers which cannot be delegated to committees, officers or any other subordinate decision making body.

The power to:

1. make a rate
2. make a bylaw
3. borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Plan
4. adopt a Long Term Plan or Annual Plan and Annual Report
5. appoint a Chief Executive

6. adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the Long Term Plan or developed for the purpose of the Governance Statement
7. adopt a remuneration and employment policy
8. approve or amend Council's Standing Orders
9. approve or amend the Code of Conduct for elected members
10. appoint and discharge members of committees
11. establish a joint committee with another local authority or other public body

In addition, Council can:

1. approve a proposed plan under the Resource Management Act 1991
2. approve Council policy and strategy
3. remove chairpersons of committees, subcommittees and Community Engagement Forums
4. approve Council's recommendation to the Remuneration Authority for the remuneration of elected members
5. approve the Triennial Agreement
6. approve the Local Governance Statement
7. make decisions on representation reviews
8. appoint or remove trustees, directors or office holders to Council CCOs or COs
9. approve the recommendation of a hearings commissioner on a proposed plan, plan change or variation (including private plan change) and
10. approve a proposed plan or a change to a district plan under clause 17 of the First Schedule

FINANCE, AUDIT & RISK SUBCOMMITTEE

Membership	12 (full Council, one independent)
Meeting Frequency	Meets on a six weekly basis
Quorum	6
Reports to	Council

Purpose

The Finance, Audit and Risk Subcommittee provide objective advice and recommendations regarding the results of Council's financial processes, risk management, control and governance frameworks and processes. It is responsible for exercising active oversight of all areas of the Council's control and accountability in an integrated and systematic way.

The Finance, Audit and Risk Subcommittee ensure Council takes responsibility for:

- the robustness of the internal control framework and financial management practices
- the integrity and appropriateness of internal and external reporting and accountability arrangements
- the robustness of risk management systems, processes and practices
- the independence and adequacy of internal and external audit functions
- compliance and applicable laws, regulations, standards and best practice guidelines
- the establishment, maintenance and effectiveness of controls to safeguard the Council's financial and non-financial assets

Terms of Reference

The Finance, Audit and Risk Subcommittee assist Council to fulfil its responsibilities by:

1. Undertaking the administration of all statutory functions, powers and duties within its terms of reference, other than those specifically delegated to any other committee or subcommittee, or retained by Council.
 - a. reviewing asset management plans
 - b. monitoring Council's investments and debt portfolio
 - c. monitoring debt recovery and recommending write offs as appropriate.
2. Internal Control Framework
 - a. review whether management's approach to maintaining an effective internal control framework is sound and effective
 - b. review whether management has taken steps to embed a culture that is committed to probity and ethical behaviour
 - c. review whether management has in place relevant policies and procedures and how these are reviewed and monitored
 - d. review whether there are appropriate systems, processes and controls in place to prevent, detect and effectively investigate fraud.
3. Internal Reporting
 - a. regularly review Council's performance against budget, Financial Strategy parameters and service level performance targets set out in the relevant Long Term Plan and/or Annual Plan

-
- b. regularly review Council's performance against the benchmarks set under the Local Government (Financial Reporting and Prudence) Regulations 2014 and any subsequent amendments
 - c. consider the processes for ensuring the completeness and quality of financial and operational information being provided to the Council
 - d. seek advice from internal and external auditors regarding the completeness and quality of financial operational information that is provided to Council.
4. External Reporting and Accountability
- a. review and recommend to the Council for adoption, the Council's Annual Report, and the Financial and service performance reporting aspects of the Long Term Plan (including the Financial Strategy and Infrastructural Strategy) and Annual Plans
 - b. agree the appropriateness's of the Council's existing accounting policies and principles and any proposed change
 - c. satisfy itself that the financial statements and statements of service performance are supported by appropriate management signoff in relation to significant estimates and judgements and the adequacy of the systems of internal control.
5. Risk Management
- a. review whether management has in place a current, comprehensive and effective risk management framework and associated procedures for effective identification and management of Council's significant risks
 - b. consider whether appropriate action is being taken by Management to mitigate Council's significant risks.
6. Internal Audit
- a. review and approve the internal audit coverage and annual work plans, ensuring these plans are based on the Council's risk profile
 - b. review the adequacy of management's implementation of internal audit recommendations
 - c. review the internal audit charter to ensure appropriate organisational structures, authority, access, independence, resourcing and reporting arrangements are in place.
7. External Audit
- a. prior to the commencement of each audit, confirm the terms of the engagement, including the nature and scope of the audit, timetable and fees, with the external auditor

- b. at the completion of each audit receive the external audit management report and review and monitor the resolution of the action(s) to be undertaken by management on significant issues and recommendations
 - c. if so desired, host a members-only session with the external auditor to raise / discuss any matters that either side wishes to bring to the other's attention.
8. Compliance with Legislation, Standards and Best Practice Guidelines
- a. review the effectiveness of the system for monitoring the Council's compliance with laws including governance legislation, regulations and associated government policies, with Council's own standards, and best practice guidelines as applicable.

STRATEGY COMMITTEE

Membership 11 (full Council)

Meeting Frequency Meets on a six weekly basis

Quorum 6

Reports to Council

Purpose

The purpose of the Strategy Committee is to set the vision and direction for the Horowhenua District. In order to achieve this, the committee will determine specific outcomes that need to be met to deliver on the vision, and set in place the strategies, policies and work programmes to achieve set goals and targets.

Terms of Reference

The Strategy Committee is responsible for:

Strategy and Policy

- a. developing and recommending strategies, plans and policies to Council that advance the Council's vision and goals, and comply with the purpose of the Local Government Act
- b. monitoring the implementation and effectiveness of strategies, plans and policies
- c. general coordination of Council policy and decisions
- d. provide and set topics for the agenda for Community Engagement Forums and receive feedback and status reports from Community Engagement Forums
- e. responding to government legislation proposals and policy issues.

Significant Projects and Monitoring and Reporting

- a. monitoring and oversight of significant projects
- b. review business cases and agree next steps on significant projects

- c. receive and consider reports on the Council's performance against the Long Term Plan and Annual Plan.

Community Consultation and Engagement

- a. receive reports from the Council's Community Engagement Forums and monitor engagement with the community
- b. review annually and agree upon the model for Community Engagement Forums to ensure ongoing effectiveness from Council and community perspective.

COMMUNITY FUNDING AND RECOGNITION COMMITTEE

Membership	5
Meeting Frequency	Meets as required (anticipated to be up to six (6) times per annum)
Quorum	3
Reports to	Council

TERMS OF REFERENCE

The Community Funding and Recognition Committee are responsible for the following areas:

Community Grants and Funding

- a. to consider the allocation of community grants in line with the relevant grants criteria and priorities for:
- o Community Development Grant
 - o Community Consultation Grant
 - o Rural Halls Grant
 - o Vibrant Communities Grant

To consider the Community Wellbeing Strategy and the associated Action Plan priorities (Positive Ageing, Youth, Arts, Culture, History and Heritage*, Pride and Vibrancy* and Disability*) when making funding recommendations. (*Action Plans currently under review)

- b. to make recommendations to Council for endorsement of funding allocations to specified applicants
- c. the criteria and focus areas for community grants funds will be reviewed by Council officers with the Community Funding and Recognition Committee each triennium and recommendations regarding any significant changes will be made to Council during each three (3) year term.

Civic Honours and Special Awards

The Committee has the delegated responsibility to make decisions on behalf of Council with all decisions to be reported to Council.

- a. to assess and consider applications for the following awards:
- o Certificate of Recognition

- Civic Honour
- Mayoral Award
- Service Award

The criteria and focus areas for Civic Honours and Special Awards will be reviewed by Council officers with the Community Funding and Recognition Committee each triennium and recommendations regarding any significant changes will be made to Council during each three (3) year term.

Youth Scholarships

- a. to assess and consider applications for Youth Scholarships and award in line with criteria and budget allocation
- b. to make recommendations to Council (In Committee) for endorsement of funding to specified applicants

The criteria and focus areas for Youth Scholarships will be reviewed by Council officers with the Community Funding and Recognition Committee each triennium and recommendations regarding any significant changes will be made to Council during each three (3) year term.

Tertiary Scholarships

Tertiary Scholarship recipients are selected in conjunction with the sponsoring Council Manager for which the Scholarship recipient will be required to be supervised by.

One member of the Community Funding & Recognition Committee and a Council Manager from the Group in which the scholarship applicant has applied to work will:

- a. assess and consider applications for Tertiary Scholarships and award in line with criteria and budget allocation.

The committee will:

- a. review the scholarship criteria and make recommendations to Council each triennium.

All recommendations are reported to Council for endorsement.

International Representation Grant

International Representation Grants are awarded on an ad-hoc basis throughout the year as individuals are offered opportunities for international representation. Grants are awarded within the allocated budget and in line with the grant criteria.

As individual applications are received, a Council officer will prepare a summary report and make a recommendation. This will be circulated to Committee members by email along with a copy of the application. Committee Members will:

- a. assess and consider applications and award in line with criteria and budget allocation
- b. make decisions on behalf of Council. Due to tight timeframes, it is not always practical to report to Council prior to awarding a grant
- c. All decisions will be reported to Council

The criteria and focus areas for International Representation Grants will be reviewed by Council officers with the Community Funding and Recognition Committee each triennium and recommendations regarding any significant changes will be made to Council during each three (3) year term.

In fulfilling their role, all members shall be impartial and independent at all times.

TENDERS COMMITTEE	
Membership	6
Meeting Frequency	Meets as required
Quorum	3
Reports to	Council

Terms of Reference

The Tenders Committee is responsible for assisting Council in its general overview of procurement and tender activity. The committee will accept and consider tenders which exceed the Chief's Executive's delegated authority to approve, for projects approved by Council through an Annual Plan or Long Term Plan.

The committee is able to provide oversight and direction to officers on tendering processes in general and/or relating to a particular project.

The Tenders Committee will make a recommendation to Council on the outcome of a tender process for resolution when above delegations.

The Tenders Committee has delegation to approve or award contracts beyond the Chief Executive's delegated authority within the parameters of approved AP/LTP Budgets up to \$2 million.

HEARINGS COMMITTEE	
Membership	4 or 5
Meeting Frequency	Meets as required
Quorum	3
Reports to	Council

Purpose

The Hearings Committee will consider and determine matters under these acts:

- Resource Management Act 1991
- Dog Control Act 1996

Delegations

Specific Delegations to the Hearings Committee are as stated in Part D of the Horowhenua District Council Delegations Register (RM8 D16/66721).

Terms of Reference

The Hearings Committee has responsibility for and authority to:

1. approve Council's list of Hearings Commissioners under the Resource Management Act 1991 (comprising qualified Councillors sitting as Hearings Commissioners and independent Commissioners)
2. review and agree the Council's guidelines for composition of hearings panels
3. conduct statutory hearings on regulatory matters and undertake and make decisions on those hearings (excluding Resource Management Act 1991)
4. hear and determine submissions and objections in relation to proposed changes to the operative District Plan
5. hear and determine submissions and objections in relation to any proposed District Plan or variation thereof
6. hear and determine any objections made under S 357 of the Resource Management Act (under which applicants may object to certain resource consent decisions made by officers under delegated authority)
7. hear and consider matters requiring a decision as a result of the special consultative process having been undertaken and make any decisions needed as a consequence, except the actual adoption, pertaining to the formulation and review of Policy and Bylaws.
8. determine matters under any other legislation where a hearing process is necessary.

CHIEF EXECUTIVE PERFORMANCE REVIEW COMMITTEE

Membership	11
Meeting Frequency	Twice yearly
Quorum	6
Reports to	Council

Purpose

The Chief Executive Performance Review Committee has responsibility for the effective monitoring of the Chief Executive's performance and has the authority to undertake the annual remuneration review.

The Committee also has the role of undertaking any recruitment and selection process, for recommendation to Council.

Terms of Reference

The Chief Executive Performance Review Committee will have responsibility and authority to:

1. agree with the Chief Executive the performance objectives for the financial year

2. undertake a six monthly review to assess progress against the performance objectives, provide constructive feedback and agree to any amendments to the objectives with the Chief Executive
3. conduct a review at the end of the financial year to assess progress against the performance objectives and provide constructive feedback
4. undertake the annual remuneration review and make decisions regarding remuneration.

CREATIVE NZ FUNDING ALLOCATION COMMITTEE

Membership	9
Meeting Frequency	Twice yearly
Quorum	5
Reports to	Council

Purpose

Horowhenua District Council administers the Creative Communities NZ Scheme on behalf of Creative New Zealand. Creative New Zealand allocates the Horowhenua District an annual amount of funding to administer.

Members include Councillors and community representatives from performing arts, fine arts, music and cultural arts backgrounds. Committee members serve for a fixed period of up to three years and may serve for only two consecutive periods.

Terms of Reference

To allocate funding provided from Creative New Zealand on a twice yearly basis under the criteria set by Creative New Zealand.

The Special Committee meet twice a year to consider applications received under the respective grant rounds and to allocate funding to qualifying applicants.

DISTRICT LICENSING COMMITTEE

Membership	2x Council appointees (Chairperson and Deputy Chairperson) 5x external appointees
Meeting Frequency	Meets as required
Quorum	A Chairperson plus two members

Purpose

The Sale and Supply of Alcohol Act 2012 (the Act) requires Council to appoint a District Licensing Committee to deal with licensing matters.

The District Licensing Committee is appointed to administer the Council's alcohol licensing framework, as determined by the Act.

Terms of Reference

The functions of the District Licensing Committee are specified by the Act and include:

1. to consider and determine applications for licenses and manager's certificates
2. to consider and determine applications for renewal of licenses and manager's certificates
3. to consider and determine applications for temporary authority to carry on the sale and supply of alcohol in accordance with section 136 of the Act
4. to consider and determine applications for the variation, suspension, or cancellation of special licenses
5. to consider and determine applications for the variation of licenses (other than special licenses) unless the application is brought under section 280 of the Act (Note: section 280 relates to applications by constables or inspectors to the Alcohol Regulatory Licensing Authority (ARLA) for the variation, suspension or cancellation of a licence, other than a special licence)
6. with the leave of the Chairperson for the licensing authority (ARLA), to refer applications to the licensing authority
7. to conduct inquiries and to make reports as may be required of it by the licensing authority under section 175 of the Act
8. any other functions conferred on licensing committees by or under the Act or any other enactment.

Reporting to Council

An annual report on the proceedings and operations of the District Licensing Committee will be prepared and submitted to Council.

Foxton Community Board	
Membership	5 plus 1x Council appointee
Meeting Frequency	To be determined by the Board
Quorum	3
Reports to	Council

Purpose

The role of the Foxton Community Board is to:

- represent and act as an advocate for the interests of its community
- consider and report on matters referred to it by Council
- maintain an overview of services provided by Council within the community

- prepare an annual submission to Horizons Regional Council and Horowhenua District Council for expenditure within the community
- communicate and liaise with community organisations and special interest groups within the community on matters of interest and concern.

Terms of Reference

The Community Board shall:

- facilitate the Council's consultation with local residents and community groups on local issues including input into the Long Term Plan, Annual Plan and policies that impact on the Community Board area
- engage with Council Officers on local issues and levels of service, including infrastructure, parks and recreation, and community services matters.

Council will consult with the Board on all issues that impact on the Board's area and allow enough time for the Board's feedback to be considered before a decision is made.

The Community Board has responsibility for and authority to:

1. as a board, make submissions to any organisation, including submissions on resource consents notified by Horowhenua District Council or Horizons Regional Council, relating to matters of interest within the Board's area. A copy of any submissions made should be copied to the Chief Executive
2. Represent the interests of the community at Council, Committee or Subcommittee meetings when a motion under debate relates to a matter that the Board considers to be of particular interest to residents within its area
3. Consider matters referred to it by Officers, Council or committees, including reports relating to the provision of council services within the Board's area, and make submissions or recommendations in response to those matters as appropriate. This includes:
 - a. monitoring and keeping the Council informed of community aspirations
 - b. keeping Council informed about the level of satisfaction with services provided
 - c. providing input to proposed District Plan changes that may impact on the Board's area
 - d. providing input into strategies, policies and plans
 - e. providing input to bylaw changes that impact on the Board's area
4. Provide input and feedback to Council Officers on the following matters:
 - a. local road work priorities
 - b. traffic management issues such as traffic safety, pedestrian crossings and street lighting
 - c. application of the Resource Management Act (including notification of decisions) within the Board's area
 - d. the Emergency Management needs of the area

This input and feedback can be provided from the full Board or from a subcommittee of the Board.

Note: the final decision on matters in No. 4, will be made by Council Officers acting under their delegated authority.

16. Meeting Processes

The legal requirements for council meetings are set down in the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987 (LGOIMA).

All Council and committee meetings must be open to the public unless there is reason to consider some items with the public excluded. Although meetings are open to the public, members of the public do not have Public Participation time allocated unless they make prior arrangements with the Council.

More information about how to request time to speak to an item on the agenda at a Council or committee meeting can be found here or by calling Council:

<http://www.horowhenua.govt.nz/Council/Your-Council/Meeting-Schedules-Speaking-Rights#Speaking-at-a-Public-Meeting-3>

The LGOIMA contains a list of the circumstances where councils may consider items with the public excluded. These circumstances generally relate to protection of personal privacy, professionally privileged or commercially sensitive information and, the maintenance of public health, safety and order.

Council is required to adopt a set of Standing Orders for the conduct of its meetings and those of its committees.

The Horowhenua District Council adopted their Standing Orders for Meetings on 1 February 2017. These can be found on Council's website. During meetings of the Council or committees, all council members must follow Standing Orders unless Standing Orders are suspended by a vote of three-quarters of the members present and voting. The Mayor or committee chair is responsible for maintaining order at meetings.

The Council agenda is a public document, although parts may be withheld if it contains an item that is to be considered with the public excluded.

Minutes of meetings must be kept and made publicly available, subject to the provisions of the LGOIMA.

For an ordinary meeting of the Council, at least 14 days notice of the time and place of the meeting must be given. Extraordinary meetings can generally be called on three working days' notice.

Monthly meeting schedules are required to be publicly notified together with the dates, times and venues of meetings to be held. Copies of order papers can be viewed either from the Horowhenua District Council Service Centres, Libraries and Council's website:
<http://www.horowhenua.govt.nz/Council/Your-Council/Council-Meetings>

17. Engagement and Consulting with Māori

There are four Iwi within the boundaries of the Horowhenua District Council – Muaūpoko, Ngāti Raukawa ki te Tonga, Ngāti Apa and Rangitāne. Horowhenua District Council recognises the importance and special position of tangata whenua within the district.

Engaging and consulting with Māori is important and as such Council is looking to enhance relationships by creating a Māori Advisory Group. This will provide for an opportunity for a more solid and consistent working relationship with Māori across the district. In addition, this will achieve more meaningful and effective consultation on a wide range of issues affecting not only Māori, but the wider community.

Protecting the environment, economic growth and social wellbeing is important to Council and Māori. As such it is vital that those with local knowledge and experience are consulted on a range of issues, activities and plan reviews such as Long Term Plan, Annual Plan and District Plan to name a few.

Through its decision-making processes, Council recognises the principals of the Treaty of Waitangi and kaitiakitanga, providing for the relationship of Māori and their traditions with their ancestral lands, water sites, waahi tapu and other taonga. And further, Council recognises its obligations under the Local Government Act 2002 to establish and provide opportunities to Māori to contribute to its decision-making processes and make information available to Māori for this purpose.

More information about these Iwi partnerships can be viewed at:
<http://www.horowhenua.govt.nz/Council/Iwi-Relationships>

18. Key Approved Planning Documents

The following are key Council planning and policy documents. To view or find out more about these plans, reports, policies or strategies, please contact Council.

The Long Term Plan (LTP)

A Long Term Council Community Plan (LTP) must be prepared that sets out Council's priorities for the next 10 years. It must provide information on budgets, rating levels, major projects and general Council services. It must also outline Horowhenua District's community outcomes – the aspirations of the community for the next 10 years or so – and Council's role in meeting them. The current LTP was adopted in June 2015 for the financial year beginning 1 July 2015. The Plan is reviewed and updated every three years, with the next review due in 2018 for the 2018-28 period.

Annual Plan

In intervening years where an LTP is not prepared, an annual plan must be prepared. Each annual plan will describe the work programme to deliver that year's 'slice' of the LTP.

Annual Report

After the end of the financial year Council publishes an annual report which contains audited accounts for the previous financial year. The purpose of the annual report is to:

- Compare the actual activities and actual performance of the local authority in the year with the intended activities and performance as set out in the LTP or annual plan
- Promote the local authority's accountability to the community for decisions made throughout the year by the local authority.

The Annual Report must be adopted by the end of October each year and contain an audited financial statement, set of accounts, and annual financial report which assesses Council's financial performance against its budget. Audit NZ are responsible for auditing Council's financials.

Horowhenua District Plan

The District Plan is Council's key document for managing the district's natural and physical resources in terms of Council's functions and duties under the Resource Management Act 1991. The District Plan identifies the district's significant resource management issues and sets out objectives, policies and rules to address these issues.

The Council's second generation District Plan became operative on 1 July 2015 following the review of the Horowhenua District Plan (1999).

The following Strategies and Action Plans can be found on Council's website. These strategies and plans have been adopted by Council and inform the strategic vision and work plan for Council:

- Community Wellbeing Strategy and Action Plans
- Heritage Strategy
- Horowhenua Economic Development Strategy
- Open Space Strategy
- Waste Management and Minimisation Plan
- Horowhenua Development Plan
- Reserve Management Plan
- Horowhenua Shared Pathways Strategy

19. Consultation

The Horowhenua District Council carries out consultation according to the Local Government Act 2002. The Act sets out consultation requirements and principles for Council (sections 75-87) to follow when making decisions. You can find out more by visiting:

http://www.localcouncils.govt.nz/lqip.nsf/wpg_url/About-Local-Government-Local-Government-In-New-Zealand-How-councils-should-make-decisions#Decision-MakingPrinciples.

Following a review of Council's engagement activities, strategy and policy, Council has updated its Significance and Engagement Policy and will engage with the public on the revised policy, through the draft 2017/18 Annual Plan engagement process.

The major recommendation is that the policy includes Council's engagement principles in its Community Engagement Strategy and that the strategy is rescinded.

19.1 Special Consultation Procedure

The Special Consultative Procedure has specific procedures that Council must follow when making certain types of decisions. The Special Consultative Procedure (mainly sections 83-87 of the Local Government Act 2002) is regarded as a minimum process that the Council must use when making decisions that trigger particular criteria within the Local Government Act 2002 or the Council's Significance and Engagement Policy.

To find out more about the Special Consultative Procedure, go to:
<http://www.legislation.govt.nz/act/public/2002/0084/latest/DLM172328.html>.

19.2 Significance and Engagement Policy

Council's Significance and Engagement Policy (required under LGA 2002) outlines:

- general approach to determining the significance of proposals and decisions
- criteria or procedures for assessing the extent to which issues, proposals, assets, decisions, or activities are significant or may have significant consequences
- how the local authority will respond to community preferences about engagement on decisions relating to specific issues, assets, or other matters, including the form of consultation that may be desirable
- how the local authority will engage with communities on other matters.

The purpose of the policy is for the council and the community to identify significance and have clarity about how the council will engage with the community.

Find out more:

- <http://www.horowhenua.govt.nz/Council/Local-Bylaws-Policies/Significance-and-Engagement-Policy>
- Current Community Engagement Strategy *[insert link as per above]*

The Council can and does conduct consultation outside of these processes. A range of consultation techniques have been used including surveys, focus group meetings, meetings and displays.

20. Equal Employment Opportunities Policy

Horowhenua District Council is committed to developing Equal Employment Opportunities (EEO) for all current and future employees. Council is a member of Equal Employment Opportunities Trust. Diversity is valued and embraced.

Fair and equitable employment practices are essential for an efficient and effective workforce.

Staff will be recruited, appointed, developed and promoted on the basis of their paid and unpaid work experience, ability, skills and future potential.

Council policies and practices are designed to prevent discrimination based on:

- Gender
- Race
- Family preferences
- Marital status
- Religious, cultural or political belief
- Disability
- Age
- Sexual preference

Staff are provided information and education on Council's employment policies and procedures. This aims to support the prevention of discrimination and to promote a workplace that values diversity and promotes equal employment opportunities.

Documents Executed and Electronic Transactions Authorities Signed

File No.: 17/61

1. Purpose

To present to Council the documents that have been executed, Electronic Transactions Authorities and Contracts that have been signed by two elected Councillors, which now need ratification.

2. Recommendation

- 2.1 That Report 17/61 Documents Executed and Electronic Transactions Authorities Signed be received.
- 2.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.
- 2.3 That the Horowhenua District Council hereby ratifies the signing of documents and Electronic Transaction Authorities as scheduled:
 - (a) Bond binding Haddon Winston Preston as to 7/10ths share and JHP Investments Limited to a 3/10ths share to Horowhenua District Council in the sum of \$422,000 to comply with completion of subdivision, 341 Tararua Road, Levin.
 - (b) Electronic Transaction Authority relating to the sale of 17 Oxnam Place, Foxton Beach, to Russell Ngaio Easton, contained in Certificate of Title 399497.
 - (c) Electronic Transaction Authority relating to the transfer and merger of lease of 21 Shortt Street, Foxton Beach, to Jeffrey Noel Ashby, Christine Claire Ashby, Bain Lane Webster and Andrew Kinley Ormond Henderson, contained in Certificate of Title WNF1/669.
 - (d) Electronic Transaction Authority relating to the sale of 14 Oxnam Place, Foxton Beach to Kevin South and Helen Innes Margaret Grisdale, contained in Certificate of Title 399503.
 - (e) Electronic Transaction Authority relating to the sale of 15 Oxnam Place, Foxton Beach to Glenis Mavis Seymour and Alan McKenzie Larsen (as trustees of Kaihinu Trust), contained in Certificate of Title 399496.
 - (f) Lease Instrument for Leader & Watt, 209-211 Oxford Street, Levin. The lease is a land-lease where Leader & Watt lease the land but the own the building. Leader & Watt have exercised their right to renew the lease for a further term of 21 years.
 - (g) Electronic Transaction Authority relating to the sale of 13 Oxnam Place, Foxton Beach to Raycon Limited, contained in Certificate of Title 399495.

3. Issues for Consideration

This report provides a mechanism for notifying the execution of formal documents by two elected Councillors and signing of Electronic Transactions Authorities.

Attachments

There are no attachments for this report.

Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

Signatories

Author(s)	David Clapperton Chief Executive	
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Approved by	David Clapperton Chief Executive	
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Adoption of Terms of Reference Community Forums

File No.: 17/102

1. Purpose

To adopt the Terms of Reference for the Horowhenua District Council Community Forums 2016-2019.

2. Recommendation

- 2.1 That Report 17/102 on Adoption of Terms of Reference Community Forums be received.
- 2.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.
- 2.3 That Horowhenua District Council adopts the Terms of Reference for Community Forums.
- 2.4 That Horowhenua District Council seeks expressions of interest for membership of the Forums.
- 2.5 That Horowhenua District Council seeks nominations for independent facilitators for the Community Forums.
- 2.6 That the Mayor and {INSERT ELECTED MEMBERS} establish a working party to review expressions of interest and report back to Council with recommendations at its April Council meeting.

3. Background/Previous Council Decisions

- 3.1 In February 2017 Council adopted its Committee Structure. The Structure also identified the establishment of Community Forums; more work was required to understand the purpose and scope of the Community Forums.
- 3.2 **Attached** to this report is a copy of the Terms of Reference for Council to consider.
- 3.3 The Community Forums will report to the Strategy Committee and its work programme will be guided by the direction the Strategy Committee provides.

4. Issues for Consideration

- 4.1 Officers recommendation is that Council adopt the recommendation in the report.
- 4.2 Should Council adopt the recommendations, Council Officers will then begin the process of seeking expressions of interest for both membership roles and the independent facilitators.
- 4.3 A working party of elected members including the Mayor will then work with Officers to review expressions of interest, with the view to make recommendations to the April Council meeting. It is Councils decision whether to appoint or not.
- 4.4 Following appointment to these forums, Officers will then work with the Liaison Councillor's to establish the first forum. The first forum will not take place until following a strategy workshop of Council.

Attachments



No.	Title	Page
A	Community Forums - Terms of Reference DRAFT	121

Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

Signatories

Author(s)	Monique Davidson Group Manager - Customer and Community Services	
Approved by	David Clapperton Chief Executive	



**Terms of Reference
Horowhenua District Council
Community Forums
2016 – 2019**

**ENVIRONMENTAL COMMUNITY FORUM
ECONOMIC COMMUNITY FORUM**



Terms of Reference

The terms of reference set out the purpose, role and protocols of all Horowhenua District Council community forums. Forum members abide by the Code of Conduct for members of Horowhenua District Council community forums (Appendix A).

Community forums

The demographic community forums of Horowhenua District Council in the 2016-2019 term are the:

- Environmental Community Forum
- Economic Community Forum

(It should be noted Horowhenua District Council has a number of other Community Wellbeing Forums that are not included as part of this document eg – Youth Network, Older Persons Network, Education Horowhenua, Disability Leadership Group)

Purpose

As one of council's engagement mechanisms with communities, the community forums provide advice to the strategy committee and council staff within the remit of those topics and projects identified by the Strategy Committee.

The forums' advice will contribute to improving the outcome of ensuring community participation, discussion and consultation into strategic issues and opportunities facing the Horowhenua District Council.

Community Forums Topics and Scope

Environmental Forum

- Clean water, rivers and lakes
- Environmental impacts and issues
- Solid Waste impacts and issues
- Parks and recreation

Economic Forum

- Tourism
- Economic Development
- Retail Transformation

***Please note that these topic areas are not extensive and will evolve following further guidance from Council's Strategy Committee.**

Strategic agenda and work programme

The forums must develop a work programme and set a strategic agenda for the term. The agendas should be focused and integrated across the forums for collaborative input into shared agendas.

The forums should advise on Council's organisational strategies.

The governing body and Council staff should work with the forums for the development of their strategic agendas and work programme. The Strategy Committee will approve the forums' work programme and any subsequent major changes to it.

Chief liaison councillor and liaison councillors

The Mayor appoints liaison councillors for each of the community forums.

The role of a chief liaison councillor is to:

- support a more integrated panel approach
- provide connections between the governing body and the forums
- advise the Mayor on panel issues.

The role of a liaison councillor is to:

- ensure that the governing body is aware of forums' feedback on council issues and their advice on diverse communities.
- help align the forums' strategic agendas with governing body priorities
- actively engage in panel meetings and workshops
- engage with the forum facilitator and the lead officer for meeting agendas

The forums will mainly engage with the governing body through the environment and community committee meetings or workshops. The forums may also engage with other committees considering plans and strategies on which the forums have provided advice.

Selection process

The selection process of forum members is open for applications. The members of the forums are selected on the basis of their:

- individual competencies
- lived experience with relevant diverse communities
- ability to offer policy and strategic advice
- understanding of diverse communities of Horowhenua
- understanding of Te Tiriti O Waitangi.

Qualification of members is set out in Appendix B.

Council appoints forum members – giving endorsement of the governing body to give effect to the membership of the forums.

Membership

Each panel has between 10 – 20 members and should represent a cross section of interested stakeholders.

Each panel must have at least one member with lived experience in Te Ao Māori and knowledge of the contemporary issues facing Māori communities.

The forums' term is for 12 months from appointment and will be reviewed annually.

The membership of a panel member will lapse if one or more of the disqualifying matters set out in Appendix B applies to the panel member.

If a member fails to attend a significant number of meetings, breaches the Code of Conduct or otherwise underperforms in his/her duty as a member, the facilitator or Councillor must raise the issue of expectations about performance with the member and if necessary with the Chief Executive.

Meetings and workshops

Each forum will have a minimum of four workshops per year with the, at a time deemed convenient to the majority of members.

Scheduled workshops are open to any elected members of Horowhenua District Council.

Workshops are used for discussion between forum members, governing body members and relevant council staff.

Additional workshops or meetings will be organised in agreement with the Chief Executive and Mayor to advance the forums' strategic agenda and work programme depending on the availability of budget.

Meeting protocols

Each forum will have appointed an independent facilitator.

The independent facilitator is responsible for guiding all forum meetings and workshops. The facilitator will be appointed by Council and is intended to be independent.

The forums may invite presentations from external organisations and individuals in scheduled meetings if the topics are relevant to the forums' strategic agendas. The chair approves such external presentations in consultation with the liaison councillor and the lead support officer.

Minutes will be kept for workshops but will not be published.

Submissions

The forums must not make formal submissions to Horowhenua District Council on council strategies, policies and plans, for example, the annual plan.

In its advisory role to the council, the forums may have input to submissions made by the council to external organisations but do not make independent submissions, except as agreed with the council.

This does not prevent individual members being party to submissions outside their role as panel members.

Communications

The forums may issue media releases through the council's communications advisor on council matters or issues of importance to their respective communities. Any media release by a panel requires the approval of the Chief Executive and Liaison Councillor.

The forums should refer to the Code of Conduct in the event that a panel member receives a request for panel comment directly from a journalist or media outlet.

Staff support

The forums are supported by the following council staff.

Governance Director

The Team Leader – Governance and Executive Support Services:

- is the Council team member responsible for community forums.
- works with the Mayor's office to create strong links between the forums, the governing body and the organisation
- drives and promotes the council's engagement with forums through the executive team
- brings panel views on council's organisational strategy for the consideration of the executive team where appropriate.

Lead Officer Support

The Lead Officer Support:

- advises the chair on the strategic agendas
- co-ordinates development of the forums' strategic agenda and work programme
- follows up on meeting actions and resolutions
- acts as a conduit with relevant parts of organisation for the forums
- supports the liaison councillor
- attends pre-meeting briefings with the chair and liaison councillor
- highlights potential issues and risks
- sits next to the chair in meetings to provide advice as appropriate
- ensures guidance and advice from the forums is clearly captured
- provides subject matter expertise.

Communications Lead

The Communications Lead:

- is the forums' single point of contact for all media activity undertaken by or in collaboration with the forums.
- anticipates and identifies media matters of relevance to the forums and/or related to the forums' strategic agenda and work programme
- advises the chair of the forums and/or delegated panel spokesperson and relevant support staff in response to any media inquiries
- drafts a media release for the forums on issues approved by the chair and the Mayoral office.

Review

The form and functioning of the forums will be reviewed in 12 months from commencement.

Appendix A: Code of Conduct for members appointed to Community Forums

1 Purpose

The Code of Conduct sets out expectations for the general conduct of members of Horowhenua District Council's community forums.

2 Principles

The principles underlying the expected conduct of members include:

2.1 Honesty and integrity

Members have a duty to act honestly and with integrity at all times.

2.2 Impartiality and accountability

Members should consider issues on their merits, taking into account the views of others. This means co-operating fully and honestly to ensure the best advice is provided to the council.

2.3 Openness

Members should be as open as possible about their actions and advice. This includes having an open mind and a willingness to listen to differing points of view. This means giving reasons for advice given; communicating clearly; not being close-minded and taking personal ownership of comments made publicly.

2.4 Respect

Members should treat others, including staff, with respect at all times. This means not using derogatory terms towards others, or about others, including in public-facing new media; not misrepresenting the statements or actions of others (whether they be other individual members, the governing body, local forums, committees or staff); observing the rights of other people; treating people with courtesy, and recognising the different roles others play in local government decision-making.

2.5 Duty to uphold the law

Members should uphold the law and, on all occasions, act in accordance with the trust the public places in them.

2.6 Stewardship

Members should ensure that they and the council use resources prudently and for lawful purposes.

2.7 Leadership

Members should promote and support these principles by example.

3 Relationships

Members will conduct their dealings with each other in ways that:

- maintain public confidence in the office to which they have been appointed
- are open and honest
- focus on issues rather than personalities.

Members will:

- recognise that employees of Horowhenua District Council or any other organisation providing advice or services to the forums
- not do anything which compromises, or could be seen as compromising, the impartiality of an employee
- avoid publicly criticising any employee in any way
- raise concerns about an employee only through the employee's employer.

4 Media

4.1 Spokesperson

The Mayor is the first point of contact for the official view of the forums on any issue. Where the chair is absent, any matters will be referred to the Chief Liaison Councillor.

No other member may comment on behalf of the forums without having first obtained the approval of the Mayor and Chief Liaison Councillor.

4.2 Response to media enquiries

In the event that a panel member receives a request for panel comment directly from a journalist or media outlet, the member is required to forward the request immediately to the forums' assigned communications advisor as well as the panel chairs. Panel members must not respond directly to media without prior agreement.

Where a journalist or media outlet seeks an individual panel member's views, the panel member will:

- make clear that the views presented represent the personal views of the individual member
- ensure that information presented is consistent with information provided to the panel
- maintain the integrity of the forums and Horowhenua District Council at all times.

4.3 Personal views

Members are free to express a personal view in public or in the media, at any time. When doing so, they should observe the following:

- comments must make clear that they represent a personal view and must not state or imply that they represent the views of the forums
- where a member is making a statement that is contrary to a panel policy, the member must not state or imply that his or her statements represent a majority view
- comments to the media must observe the other expectations of general conduct, e.g. not disclose confidential information, or compromise the impartiality or integrity of staff.

5 Confidential information

If members receive information that is confidential they must ensure it remains confidential. Confidential information is normally deemed to be such because its public release will cause some harm, either to the council or to other parties.

6 Ethics

Members will:

- not influence, or attempt to influence, any officer or employee to take actions that may benefit the member, or the member's family or business interests
- not use the resources of the forums for personal business
- not solicit, demand, or request any gift, reward or benefit by virtue of the member's position.

7 Members' interests

7.1 Acting in the interests of the community forum and the public

Members act in the interests of the forums and not in their own interests.

A financial conflict of interest arises when a member stands to benefit financially, either directly or indirectly, from advice given by the forums.

A non-financial conflict may arise from a personal relationship or association with another organisation or from conduct that indicates prejudice or predetermination. In these situations a member may be influenced by interests that conflict with the duty to act in the best interests of the forums.

Members must declare any private interests or personal benefits relating to their public duties and take steps to resolve any conflicts of interest in such a way that protects the public interest. This means fully disclosing actual or potential conflicts of interest; avoiding any financial or other obligation to any individual or organisation that might reasonably be thought to influence them in the performance of their duties.

8 Complaints

A complaint about a member's conduct will be made to the chair of the forums in the first instance, who will counsel the member concerned. Alternatively, concerns about the conduct of any member or chairperson may be raised with the Chief Executive, who will give advice on options available to resolve the concerns.

Appendix B: Qualifications of Members

1. To be a member of the forum, a person must
 - a. be a natural person, and
 - b. consent to being appointed to the forum, and
 - c. not be disqualified under sub clause (2).

2. The following persons are disqualified from being members:
 - a. a person who is an undischarged bankrupt
 - b. a person who is prohibited from being a director or promoter of, or being concerned or taking part in the management of, an incorporated or unincorporated body under the Companies Act 1993, or the Securities Act 1978, or the Securities Markets Act 1988, or the Takeovers Act 1993
 - c. a person who is subject to a property order under the Protection of Personal and Property Rights Act 1988
 - d. a person in respect of whom a personal order has been made under that Act that reflects adversely on the person's
 - i. competence to manage his or her own affairs in relation to his or her property; or
 - ii. capacity to make or to communicate decisions relating to any particular aspect or aspects of his or her personal care and welfare
 - e. a person who has been convicted of an offence punishable by imprisonment for a term of two years or more, or who has been sentenced to imprisonment for any other offence
 - f. a current member of Parliament
 - g. a person who is disqualified under another Act.

File No.: 17/73

Fees and Charges 2017/18 : Food Act Premises and Resource Consenting (Planning)

1. Purpose

To propose a schedule of fees and charges in respect of Food Premises that are subject to the Food Act 2014 and fees and charges in respect of Resource Consenting (Planning) for the 2017/18 year commencing 1 July 2017.

2. Executive Summary

2.1 Fees and charges in respect of these two activities are required to be consulted on using the Special Consultative Procedure laid down in the Local Government Act 2002, as follows:

- (a) Food Act Fees – Food Act 2014 section 205(2);
- (b) Resource Consent (Planning) Fees – Resource Management Act 1991 section 36(2)

2.2 As a consequence this report is to facilitate this requirement.

3. Recommendation

3.1 That Report 17/73 Fees and Charges 2017/18 : Food Act Premises and Resource Consenting (Planning) be received.

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

3.3 That the Horowhenua District Council resolves that the Food Act Fees attached as **Attachment A**, and Resource Consent (Planning) Fees attached as **Attachment B**, for the 2017/18 year be used as the Statement of Proposal, and the Summary of Information attached as **Attachment C**, be consulted on using the special consultative procedure as set out in section 83 of the Local Government Act 2002.

3.4 That the hearing of any submissions on this matter be heard by the Hearings Committee of Council acting under delegated authority, and a subsequent recommendation be made by the Committee to Council on this matter.

4. Background / Previous Council Decisions

Each year there is a requirement to consult on these fees as required by the relevant legislation.

5. Discussion

5.1 Food Act Fees

- (a) Section 2015 of the Food Act allows a territorial authority to fix fees to cover direct and indirect costs related to registration, verification, compliance and monitoring activities.
- (b) Section 199 of the Food Act states the methods by which costs may be recovered – fixed fees or charges, fees or charges based on a scale or formula or at a rate determined on an hourly or other unit basis, the recovery by way of a fee or charge of actual and reasonable costs expended in or associated with the performance of

function, estimate fees followed by reconciliation, refundable or non-refundable deposits, levies, or any combination of any of the methods described.

- (c) The proposed fees and charges attached as Attachment A have been developed taking account of the above, and are primarily by way of a fee or charge of actual and reasonable costs associated with the activity, and have taken account of the criteria contained in section 198(2) of the Act.

5.2 Resource Consent (Planning) Fees

- (a) Section 36 of the RMA provides for a local authority to fix charges for various planning services in the manner set out in section 150 of the Local Government Act 2002 after using the special consultative procedure set out in section 83 of that Act.
- (b) Section 36(4) of the RMA sets out the criteria a local authority needs to have regard to when setting fees – that the sole purpose of the charge is to recover reasonable costs incurred by the local authority in respect of the activity to which the charge relates, and a particular persons or persons should only be required to pay a charge to the extent that the benefit of the local authorities actions to which the charge relates is obtained by those persons as distinct from the community of the local authority as a whole.
- (c) The proposed fees attached as Attachment B have been developed in accordance with the above requirements.

5.3 In both cases the fees proposed should facilitate achievement of the funding policy within each activity.

6. Options

There are no options, legislation requires the proposed fees to be consulted on using the special consultative procedure.

6.1 Cost

Not Applicable to this report

Option	Cost
Not Applicable	Not Applicable

6.1.1 Rate Impact

There will be no rate impact arising.

6.2 Community Wellbeing

There are no negative impacts on Community Wellbeing arising.

6.3 Consenting Issues

There are no consents required or consenting issues arising.

6.4 LTP Integration

Not applicable to this report.

7. Consultation

No consultation was required to be undertaken to reach this point.

8. Legal Considerations

The legal considerations relate to consultation; adopting the recommendations in this report will address this matter.

9. Financial Considerations

There is no financial impact from the discussion or options above

10. Other Considerations

There are no other considerations

11. Next Steps

That Council adopts the recommendations which will then allow the consultation plan as follows-

TASK	DATE
Council approve Statement of proposal and Summary of Information – Recommendation 3.3 of this Report	15 March 2017
Submissions open	16 March 2017
Submissions close	5pm 24 April 2017
Officer consideration of Submissions	28 April 2017
Hearing of Submissions by Hearings Committee	To be confirmed – approx. mid May 2017
Report to Council and Council decision	7 June 2017

12. Supporting Information

Strategic Fit/Strategic Outcome - Not Applicable

Decision Making - Decision making relating to the adoption of fees and charges for these two activities can only be made following use of the special consultative procedure.

Consistency with Existing Policy – Not Applicable

Funding – Not Applicable

Confirmation of statutory compliance


In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

13. Appendices

No.	Title	Page
A	Statement of Proposal Food Act Fees & Charges 2017/18	135
B	Statement of Proposal Resource Consenting (Planning) Fees & Charges 2017/18	138
C	Summary of Information - Proposed Fees & Charges (Food Act and Resource Consenting) 2017/18	142
D	Submission Form - Proposed Fees & Charges (Food Act & Resource Consenting) 2017/18	143

Author(s)	Mike Lepper Customer and Regulatory Services Manager	
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Approved by	Monique Davidson Group Manager - Customer and Community Services	
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Statement of Proposal



Food Act Premises Fees and Charges for the 2017/18 Year

HOROWHENUA DISTRICT COUNCIL FOOD ACT PREMISES FEES 2017/18

1. INTRODUCTION

This Statement of Proposal has been prepared to fulfil the requirements of section 83 of the Local Government Act 2002 (LGA) and section 205(2) of the Food Act 2014 (the Act).

The Act provides the Council with the ability to fix fees to recover the direct and indirect costs of Council's functions under the Act.

Council is proposing to fix fees to recover these costs.

Prior to fixing fees under the Act, the Council is required to consult on the proposed fees using the special consultative procedure of the LGA 2002.

2. COUNCIL'S FUNCTIONS UNDER THE FOOD ACT 2014

Council performs the following functions under the Act:

- Registration

Receiving and processing of applications for registration of food businesses.

- Verification

Undertaking verification activities for those businesses operating under a Food Control Plan or a National Programme.

- Compliance and Monitoring Activities

Undertaking compliance and monitoring activities across the District.

3. REASON FOR PROPOSAL

Council has decided to set fees to recover a portion of the direct and indirect costs of its functions performed under the Act.

Recovering costs in this manner recognises the benefit to the direct user of the service while also recognising the public benefit for the community in relation to the functions performed. This aligns with Council's Revenue and Financing Policy, which identifies that in funding regulatory services functions, the majority of funds should be sourced through fees with a minority funded through general rates.

4. PROPOSAL TO SET FEES

Council proposes the following fee structure to ensure the recovery of a proportion of the direct and indirect costs incurred by Council in performing its functions commencing 1 July 2017.

Proposed Fees

Food Fees Under the Food Act 2014		
<u>Function</u>	<u>Fees (incl GST)</u>	<u>Notes</u>
Registering a Food Control Plan that is based on a MPI template	\$200.00 fixed fee	
Registering a business under a national programme	\$150.00 fixed fee	
Renewing the registration of a Food Control Plan that is based on a MPI template	\$150.00 fixed fee	
Renewing the registration of a business operating under a national programme	\$150.00 fixed fee	
Amendment to registration	Charged at hourly rate of \$150.00 per hour	
Verification of a Food Control Plan that is based on an MPI template	\$150.00 fixed fee for up to 1 hour then additional time is charged at \$150.00 per hour	
Verification of a National Programme	\$75.00 fixed fee (for up to 1 hour) then additional time is charged at \$150.00 per hour	
Compliance and Monitoring	Charged at hourly rate of \$150.00 per hour	
Charges for travel outside of Horowhenua District	Cost + 20%	If the verifier is required to travel outside of the Horowhenua District to verify a template Food Control Plan or a National Programme

5. **HAVE YOUR SAY**

- Post to : Proposed Fees & Charges 2017/18 Submission, Horowhenua District Council, Private Bag 4002, Levin 5540;
- Deliver To : Horowhenua District Council, 126 Oxford Street, Levin;
- Email to : recordsprocessing@horowhenua.govt.nz;
- Fax to : (06) 366 0983.

Please note that submissions must be received by 5.00 pm on Friday 24 April 2017.

Statement of Proposal



Planning Fees and Charges for the 2017/18 Year

HOROWHENUA DISTRICT COUNCIL PLANNING FEES 2017/18

1. INTRODUCTION

This Statement of Proposal has been prepared to fulfil the requirements of section 83 of the Local Government Act 2002 (LGA) and section 36(2) of the Resource Management Act 1991 (the Act).

The Act provides the Council with the ability to fix fees to recover the direct and indirect costs of Council's functions under the Act.

Council is proposing to fix fees to recover these costs.

Prior to fixing fees under the Act, the Council is required to consult on the proposed fees using the special consultative procedure of the LGA 2002.

2. REASON FOR PROPOSAL

Council has decided to set fees to recover a portion of the direct and indirect costs of its functions performed under the Act.

Recovering costs in this manner recognises the benefit to the direct user of the service while also recognising the public benefit for the community in relation to the functions performed. This aligns with Council's Revenue and Financing Policy, which identifies that in funding regulatory services functions, the majority of funds should be sourced through fees with a minority funded through general rates.

In fixing fees under section 36 of the RMA a local authority is required to have regard to the requirement that the sole purpose of the charge is to recover reasonable costs incurred by the local authority in respect of the activity to which the charge relates, and a particular person or persons should only be required to pay a charge to the extent that the benefit of the local authorities actions to which the charge relates is obtained by those persons as distinct from the community of the local authority as a whole.

3. PROPOSAL TO SET FEES

Council proposes the following fee structure to ensure the recovery of a proportion of the direct and indirect costs incurred by Council in performing its functions commencing 1 July 2017.

- (a). Fees and charges are set under the Resource Management Act 1991.
- (b). All fees and charges are GST inclusive and are effective from 1 July 2017, and Council reserves the right to review any fees and charges at any time.
- (c). Fees are charged for processing a wide variety of "planning" related applications processed under the Resource Management Act 1991 or the Local Government Act 1974 and 2002. Some fees and charges have a fixed fee, and others require a

deposit and are then charged on an hourly rate basis which will be invoiced on completion of processing.

- (d). Ten Day Land Use
- (i) For consents with a Controlled or Restricted Discretionary Activity only, where there are a maximum of two non-compliances;
 - (ii) Does not apply when referrals to other departments/organisations are required;
 - (iii) Have complete written approvals from all potentially affected parties (e.g. all adjoining/opposite neighbours);
 - (iv) A meeting with a Resource Management Planner is required prior to lodging any application to ensure all necessary information is provided to avoid unnecessary delay for the applicant.
- (e). Applicants may apply for the remission of any charges and have the right of objection and appeal to any “additional” charges that may be incurred (s36(6) Resource Management Act 1991).
- (f). Deposit fees/charges are ‘non-refundable’.
- (g). Consents may incur additional charges relating to any required monitoring inspections.

4. PROPOSED FEES AND CHARGES

Description	Fee/Charge
Consent Applications	
Processing Fee	\$150.00 per hour
10 Day Land Use Consents	\$2,000.00 fee
Land Use Consent (non-notified)	\$1,000.00 deposit
Subdivision Consents (non-notified)	\$1,200.00 deposit
Digital Capture Levy (applies to all consent applications)	\$25.00 fee
Other Applications	Deposit & Time Based
Bond Administration	\$200.00 fee
s125 Extension of Time	\$750.00 fee
s221 Preparation of Consent Notice	\$210.00 fee
S223 Approval of Land Transfer Plan	\$150.00 fee
Certificate of Compliance	\$600.00 deposit
Existing Use Certificate	\$600.00 deposit
s127 Application	\$600.00 deposit
s221 Consent Notice Amendment and/or cancellation	\$600.00 deposit
s224(c) or (f) Application	\$400.00 deposit
Outline Plan approval or waiver	\$600.00 deposit

Any other application or certificate under the RMA	\$205.00 deposit
Any other application under provisions of LGA 1974 not repealed	\$500.00 deposit
Notification & Hearing Costs	Fee/Charge
Limited Notification	\$1,115.00 deposit
Full Notification	\$2,230.00 deposit
Hearing Costs – Council Hearings Committee	\$3,200.00 deposit based on 6 hour hearing
Commissioner Costs	At cost
s357 Lodgement of Objection & Assessment	\$550.00 deposit
Miscellaneous Matters	Fee/Charge
Consultant s42A planning reports	Cost + 20%
Specialist Reports	Cost + 20%
Mileage	AA rate applicable
Disbursements	Cost + 20%
Pre-Hearing Meetings	Cost + 20%
Title Searches	Cost + 20%

5. **HAVE YOUR SAY**

- Post to : Proposed Fees & Charges 2016/17 Submission, Horowhenua District Council, Private Bag 4002, Levin 5540;
- Deliver To : Horowhenua District Council, 126 Oxford Street, Levin;
- Email to : recordsprocessing@horowhenua.govt.nz;
- Fax to : (06) 366 0983.

Please note that submissions must be received by 5.00 pm on 24 April 2017.

SUMMARY OF INFORMATION

**HOROWHENUA DISTRICT COUNCIL
PROPOSED FEES AND CHARGES 2017/18
FOOD ACT PREMISES
and
RESOURCE CONSENTING (PLANNING)**

Proposal

To set a range of fees to apply in the Horowhenua District for 2017/18, commencing 1 July 2017, in respect of:

- Food Premises that are subject to the Food Act 2014;
- Resource Consenting (Planning) Services, Resource Management Act 1991.

Summary of Information

Council is required to consult when setting these fees using the Special Consultative Procedure as laid out in the Local Government Act 2002.

Food Act Premises Fees

The Food Act 2014, section 205(1) enables the Council, by resolution, to fix fees to recover direct and indirect costs of any registration, verification, compliance and monitoring functions performed under the Act, after using the Special Consultative Procedure of the LGA. A new scale of fees is proposed.

Resource Consenting (Planning) Services Fees

The Resource Management Act 1991, section 36, requires use of the Special Consultative Procedure. No change in fees from that which currently applies is proposed.

A copy of the proposed Fees & Charges 2016/17 can be viewed at Council's Services Centres: Clyde Street, Foxton; Plimmer Terrace, Shannon; 126 Oxford Street, Levin; or Te Takere, Bath Street, Levin; or on Council's website: www.horowhenua.govt.nz. Telephone enquiries can be made to Council's Customer Service Centre on (06) 366 0999. Submissions close at 5.00 pm on 24 April 2017.

Submission Form

Proposed Fees & Charges 2017/18

- Food Act 2014, Food Premises
- Resource Consenting (Planning)

OFFICE USE ONLY

TRIM # _____

Submission No: _____

Please print using a black or dark blue pen

Your details

Name: Mr / Mrs / Miss / Ms / Dr (circle): _____

Name of organisation (if applicable): _____

Postal
address: _____

Post Code: _____

Telephone: day: _____

evening: _____

mobile: _____

Email: _____

Communication

Preferred method of communication: Email Telephone Post

Presentation

Submissions will be heard by the Hearings Committee, with hearing dates to be confirmed once submissions close.

Do you wish to present your comments to Council in person at a hearing? Yes No

My Submission(s):

Please note your submission will be included in a public agenda.

(continued overleaf)

Return your submission by:

Post to: Proposed Fees & Charges 2017/18 Submission, Horowhenua District Council,
Private Bag 4002, Levin 5440.

Deliver to: Horowhenua District Council, 126 Oxford Street, Levin; or Te Takere; Foxton Library
or Shannon Library

Email to: recordsprocessing@horowhenua.govt.nz

Fax to: (06) 366 0983

We need to receive your submission by 5.00 pm on 24 April 2017

Copies of the Proposed Fees & Charges 2016/17 (Food Act and Planning) and the Summary of Information are available at Council's Levin office, Te Takere, Foxton Library, and Shannon Library. It can also be found on-line at www.horowhenua.govt.nz

If you would like copies posted to you, please contact the Horowhenua District Council, Phone (06) 366 0999 or email: enquiries@horowhenua.govt.nz

Planning Services Matters Considered Under Delegated Authority

File No.: 17/98

1. Purpose

To present details of decisions made under delegated authority in respect of Planning Services Matters.

2. Recommendation

- 2.1 That Report 17/98 Planning Services Matters Considered Under Delegated Authority be received.
- 2.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

3. Discussion

The following decisions were made under delegated authority:

- (i) Subdivision and Land Use Consents approved:

All Subdivision Resource Consents Approved Under Delegated Authority 19/12/16 to 18/02/17

Approved Date	File Ref	Applicant	Address
19.12.2016	SUB/3869	Neil Koot	102-110R Muhunoa West Road, Levin Rural
19.12.2016	SUB/3870	McGruddy Holdings	Union Street, Foxton
22.12.2016	SUB/3851	Sabzi Organics	68 Potts Road, Levin Rural
22.12.2016	SUB/3871	Paul Lilley	108 Kukutauaki Road, Levin Rural
27.01.2017	SUB/2017/1	Trevor Hayes	11 Lakewood Grove, Levin
02.02.2017	SUB/2017/2	Brian Cooper	41 George Street, Levin
09.02.2017	SUB/2017/3	William Bell	497 Kimberley Road, Levin Rural
09.02.2017	SUB/2017/4	Geoffrey Smith	31 Papaitonga Lake Road, Levin Rural
15.02.2017	SUB/2017/6	Streamline Mailing Ltd	Pretoria Road, Tokomaru Rural

All Land Use Resource Consents Approved Under Delegated Authority 19/12/16 to 18/02/17

Approved Date	File Ref	Applicant	Address
21.12.2016	LUC/3872	Wayne Bishop Builder	44-70 Kimberley Road, Levin Rural
03.02.2017	LUC/2017/3	Quin Buildings Direct	21 Tame Porati Street, Manakau Township
07.02.2017	LUC/2017/1	Robert Cheriton	323 Hokio Sand Road, Levin Rural
16.02.2017	LUC/2017/2	Jemma McKay	7 Reeve Street, Levin
16.02.2017	LUC/2017/10	Brenden Phillips	538 Poplar Road, Tokomaru Rural

(ii) Road Names approved

None during the period.

Attachments



There are no attachments for this report.

Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

Signatories

Author(s)	Mike Lepper Customer and Regulatory Services Manager	
Approved by	Monique Davidson Group Manager - Customer and Community Services	

Exclusion of the Public : Local Government Official Information and Meetings Act 1987

The following motion is submitted for consideration:

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:

Confirmation of Council In Committee Minutes – 1 February 2017

C1 Proceedings of the Foxton Community Board 20 February 2017

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 Proceedings of the Finance, Audit & Risk Subcommittee 22 February 2017

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.	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 Shannon Community Development Trust - Appointment of Replacement Trustee

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.	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.