

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

Date: Wednesday 30 August 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 Neville Gimblett	
	Mr Barry Judd	
	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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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 Takeretanga o Kura-hau-pō, 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 Declarations 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, 7 June 2017

5.2 Meeting minutes Council, 21 June 2017

6 Announcements

Waiopahu College

Waiopahu College Barbershop Quartet

- *Fetuli Hala, Tali Lomu, Viliami Mohi, Harley Pitihira*

4_DubC

- A group made up of *Manu Salu, Antonio So'oalo and Viliami Mohi*

Foxton Community Board

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

Proceedings of the Hearings Committee 31 May 2017

File No.: 17/342

1. Purpose

To present to the Council the minutes of the Hearings Committee meeting held on 31 May 2017.

2 Recommendation

- 2.1 That Report 17/342 Proceedings of the Hearings Committee 31 May 2017 be received.
- 2.2 That Council receives the minutes of the Hearings Committee meeting held on 31 May 2017.

3. Issues for Consideration

The following items considered by the Hearings Committee meeting held on the 31 May 2017 are included in reports on today's Council Agenda.

Policy on Dangerous and Insanitary Buildings 2017

Proposed Resource Consent Fees 2017/18

Draft Local Alcohol Policy

Fees and Charges 2017/18 : Food Act Premises

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	Nicki Brady Group Manager - Business Services	

Hearings Committee

OPEN MINUTES

Minutes of a meeting of the Hearings Committee held in the Council Chambers, 126-148 Oxford Street, Levin, on Wednesday 31 May 2017 at 1.00 pm.

PRESENT

Chairperson Cr J F G Mason
Members Cr P Tukapua
Cr B P Wanden

IN ATTENDANCE

Mr M E Lepper (Customer & Regulatory Services Manager)
Ms V Miller (Customer Experience Lead)
Ms M Leyland (Compliance Lead)
Mrs A Pakau (Consents Lead)
Mrs K J Corkill (Meeting Secretary)

ALSO IN ATTENDANCE

Policy on Dangerous and Insanitary Buildings 2017

Ms C Craig (Heritage New Zealand Pouhere Taonga)

Proposed Resource Consent Fees 2017/18

Ms S Graham (Truebridges)

Draft Local Alcohol Policy

Ms C Bruce (Health Promotion Agency)
Ms G Baretta (Health Promotion Agency)
Mrs C Smith
Mrs G McCutcheon (Communities Against Alcohol Harm)
Dr G Hewison (Communities Against Alcohol Harm)
Dr N Jackson (Alcohol Healthwatch)
Mr P Ward
Mr P Radich (Progressive Enterprises)

Mr A Little

1 Apologies

Apologies were recorded for the following submitters who had indicated their wish to speak, but withdrew prior to the meeting:

Policy on Dangerous and Insanitary Buildings 2017

Anne Hunt

Draft Local Alcohol Policy

Dominic Smith, Maru Kowhana Smith, Annamarie Smith, Kim Anderson Smith.

MOVED by Cr Tukapua, seconded Cr Wanden:

THAT the apologies be accepted.

CARRIED

Opening the hearing, Cr Mason introduced the Hearings Panel and Council Officers in attendance and advised, for the record, that the meeting was being recorded.

2 Declaration of Interest

There were no declarations of interest.

3 Reports

3.1 Policy on Dangerous and Insanitary Buildings 2017 - Hearing of Submissions

Purpose

To provide the platform for the Hearings Committee (Committee) to hear and consider submissions received on the Policy on Dangerous and Insanitary Buildings 2017 (Policy) and make subsequent recommendation to Council in respect of the policy.

MOVED by Cr Tukapua, seconded Cr Wanden:

THAT Report 17/171 Policy on Dangerous and Insanitary Buildings 2017 - Hearing of Submissions be received.

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

CARRIED

Requesting that the report be taken as read, Mrs Miller, Customer Experience Lead, joined the table to respond to any Members' questions.

Introducing herself, and tendering an apology for Mr Kiddle who had intended to be in attendance, Claire Craig, speaking on behalf of Heritage NZ Pouhere Taonga (HNZPT), reiterated HNZPT's opposition to 4.1 under Heritage Buildings which provided that "*No special dispensation will be given to heritage buildings under this policy*". Whilst appreciating the Act was not easy, Ms Craig stressed the need to work collaboratively to get the right outcome. She encouraged Council to include in the policy the need for collaboration to assist the owners of heritage buildings to avoid such buildings lapsing into a dangerous and insanitary condition.

Responding to a request for clarification as to what HNZPT would regard as a heritage building, Ms Craig said that was somewhat tricky. It was not necessarily age, but could also include something that had an historic resonance for someone. From HNZPT's perspective, in relation to the current situation, it definitely included things scheduled in the District Plan and on the NZ Heritage list. The District Plan was updated on a ten yearly cycle and hopefully everything would be captured in that cycle of identification.

Noting item 9. in HNZPT's submission and that as part of its Annual Plan process, Council had adopted an amount of \$50,000 per year to assist heritage building owners, Cr Tukapua queried if that went some way to addressing matters raised in terms of assistance for affected parties.

Ms Craig said they were delighted and while they would like much more, they did appreciate the difficulties Council had in resourcing the wide variety of responsibilities it had with there being such a range of issues in the region which covered a high seismicity area of the country. However, it was also helpful to offer a carrot as well as a stick.

Noting that the submission from HNZPT had promoted a change in wording and additional clauses with regard to 4. Heritage Buildings, Cr Mason acknowledged the important partnership between the two organisations and the commitment to work together going forward.

Responding to a query from Cr Wanden with regard to earthquake prone buildings, Mr Lepper advised that these would come under new Government legislation that came into effect on 1 July 2017.

3.2 Proposed Resource Consent Fees 2017/18

Purpose

The purpose of this report is to provide the platform to allow the committee to hear and consider submissions received on the Proposed Resource Consent Fees 2017/18, and provide a subsequent recommendation to Council.

MOVED by Cr Wanden, seconded Cr Tukapua:

THAT Report 17/202 Proposed Resource Consent Fees 2017/18 be received.

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

CARRIED

Mrs Pakau, Consents Lead, joined the table to speak to the report and answer any questions from Members.

Mrs Graham, Truebridge Associates Ltd, reiterated the objections raised in her submission with regard to the replacement of the Fast Track Consent with a processing time of 5 working days with the proposed 10 Day Land Use Consent and attendant fee increase, the increase in the s125 Application Fee and the addition of 20% to the cost of s42A planning reports.

Mr Wanden queried how many fast track consents Council had done over the last year at \$480.00.

Whilst not being able to give a specific number, Mrs Pakau said quite a few fast track consents had been done. Clearly defined criteria were now proposed for the 10 Day consent, which was a premium service. If someone was prepared to pay for a premium service it would be undertaken, versus the fast track consent which had not been very realistic.

Also queried by Mrs Graham was 3. Proposal to set fees, (f) Deposit fees/charges are non-refundable.

Mr Lepper clarified that this was in respect of a consent that was withdrawn, suggesting the addition of the following words to (f) "...if the consent is withdrawn, minus the amount of time spent up until that point."

Mrs Pakau clarified that the s125 application fee was made up of the time taken to lodge, process, and research the consent, and all administration costs. History had shown that Council had not been recovering those costs which was why the increase was proposed.

The meeting adjourned from 1.45-2.10 pm.

As submitters were awaited for the hearing of submissions on the Draft Local Alcohol Policy, it was agreed that 3.4 – Report 17/226 – Fees and Charges 2017/18 : Food Act Premises would be the next item addressed.

3.4 Fees and Charges 2017/18 : Food Act Premises

Purpose

To provide a platform for the Hearings Committee (Committee) to make a recommendation to Council in respect of the proposed schedule of fees and charges in respect of Food Premises that are subject to the Food Act 2014 for the 2017/18 year commencing 1 July 2017.

MOVED by Cr Tukapua, seconded Cr Wanden:

THAT Report 17/226 on Fees and Charges 2017/18 : Food Act Premises be received.

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

CARRIED

Ms Leyland, Compliance Lead joined the table to answer questions from members, and advised that this report related to the proposed fees for food businesses that were operating under the Food Act 2014 only. The fees were relatively the same as last year with a few minor tweaks given that last year was the first year operating under the new scheme. In terms of consultation, with had been undertaken directly with all of the food business currently registered with Council under the new Food Act and Food Hygiene Regulations. No submissions had been received.

3.3 Draft Local Alcohol Policy - Hearing of Submissions

Purpose

To provide the platform for the Hearings Committee to hear and consider submissions received on the Draft Local Alcohol Policy (LAP) and then make a subsequent recommendation to Council in respect of the Policy.

MOVED by Cr Wanden, seconded Cr Tukapua:

THAT Report 17/220 Draft Local Alcohol Policy - Hearing of Submissions be received.

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

CARRIED

Ms Leyland, Compliance Lead, joined the table to speak to the report and answer any questions from members.

Prior to hearing from submitters, the Chair noted that this would be the first time that Council had a Local Alcohol Policy and she acknowledged the huge amount of work

done by Mr Lepper and Council Officers to get it to the point where submissions would now be heard.

Ms Leyland noted that all the information was contained in the report and Officers had nothing further to add, but would be happy to answer any questions.

Submission 40 – Health Promotion Agency – Cathy Bruce and Giselle Baretta were welcomed to the table. Ms Baretta introduced herself and Ms Bruce and gave a background to the work done by the Health Promotion Agency.

Ms Bruce highlighted the main points in the Agency's submission expressing HPA's support for the work undertaken by HDC so far as well as expanding on the few minor changes suggested which could result in a stronger LAP which would better meet the objectives of the Act. She stressed Council's crucial role in helping to reduce alcohol harm in the community and she encouraged keeping the objectives of the Act in mind when making the LAP.

Noting comments made by Ms Bruce with regard to New Zealand's drinking culture, Cr Wanden queried if she thought the culture was more harmful in 2017 than five years ago and could she see it changing in the next few years.

Ms Bruce responded that it would be very naïve to think that any area was immune from alcohol-related harm. There were issues of acute harm involving violence and long term health conditions which resulted from heavy use of alcohol. There was some data showing that statistics around young people were improving, but there was a lot of harm out there.

With the LAP just being words on paper, Cr Wanden queried what measures Council could take to try and change that culture.

Ms Baretta said the LAP was a good first step which gave a mandate for some change. Data from the MOH with regard to this community could also be a good indicator of how things were tracking locally and could help tailor things within the Policy.

Responding to comments by Ms Bruce on the number of streams that the Agency worked in to reduce alcohol harm, Cr Wanden suggested that this was something that could be of interest to Council's Community Wellbeing Committee.

Timeframes and the anticipated growth were raised with Ms Bruce saying that the process should not be rushed as it was a big process to go through and it was important to think six years ahead and how the community could change within six years.

With regard to special licences and limiting the number of events, Ms Bruce said special events become an extension of a licence and it was important the intent of the Act was considered when deciding applications for a special licence. Some premises held something every month when they became less of a special event.

With regard to future growth and how to address that, Ms Bruce said different Councils had tried different things. Some Council had picked out high harm areas, bottle stores, or limited where a premises could position itself. That was a call for each Council to make.

Submission 1 – Corrine Smith – Ms Smith introduced herself saying over the past 18 months she had been the voice in her community against alcohol harm. She expressed her deep concern about the negative effect of alcohol on her community. When working as an enrolled nurse she had seen the effect of domestic violence

fuelled by the use of alcohol; had seen black eyes; broken limbs and other harm caused by the misuse of alcohol. She saw the LAP as a way for Council to protect communities. Overall she said she agreed with what was proposed but thought it could go a little bit further.

Submission 8 – Glen McCutcheon (Communities Against Alcohol Harm) – Ms McCutcheon said she had come down from Auckland to support Corrine Smith. She highlighted concerns in Auckland in relation to supermarket licences as Auckland did not have a LAP. She said she was 100% behind HDC putting in place a LAP. Whilst this was a positive start, Ms McCutcheon said she would like Council to listen to what the community was saying which was really important as sometimes people in the community felt they were not listened to. She reiterated her support for the suggested trading hours in her submission of 10.00 am to 9.00 pm as the later premises closed in the evening the more alcohol harm there was. She also urged a freeze on more outlets. CAAH was also opposed to, and had been successful in Auckland in removing, alcohol brand advertising.

Also from Communities Against Alcohol Harm, Dr Hewison was given the opportunity to speak. He spoke about people like Corinne Smith who was an advocate for the Shannon Community because she and others like her had seen and experienced alcohol harm in their lives. Five years ago Auckland Council had commenced the LAP process but still had not got there. One of the things having a LAP did give a community was a framework to work from and in Auckland there currently was no framework. One of the key levers that a LAP could give was around opening and closing times. Dr Hewison suggested if Members felt that closing times in particular could be moved back that was something that could be focussed on as the shift of even one hour could make a difference. Another area for focus could be the number of liquor outlets, supermarkets, taverns, etc, and a freeze could be placed on these, particularly in vulnerable communities like Shannon where it was known there was alcohol harm. He also urged consultation with local iwi.

Responding to a query from Cr Wanden with regard to evidence regarding closing times and off licence premises and what was proposed in the LAP, Ms Leyland said that partner agencies such as MDHB and the NZ Police were directly consulted with and they had not suggested any changes. There was no sales-related data available and that related to the fact that there was no requirement for that data to be held.

Cr Mason thanked Ms McCutcheon and Dr Hewison for making the trip from Auckland to speak to their submission. She assured them the panel, as members of this community, were listening to what submitters had to say.

Submission 5 – Peter Ward – Mr Ward said he was fully in agreement with and supported the submission by Alcohol Health Watch. He said when he first read the proposed LAP he asked the question “Would this protect the Shannon community against a new office licence?”. The answer was not in the LAP, it was in Government legislation. Parties, such as the Police, who had to work within the legislation were under-resourced and it was a nationwide issue. He strongly urged Councils to do more research and there was a need to push back on the Act which had some serious flaws.

Mr Ward said that alcohol was New Zealand’s single biggest social problem with the Act structured and formulated to be only picking around the edges of the problem.

Cr Tukapua queried if Mr Ward would support, as suggested, Council lobbying Central Government through Local Government NZ to strengthen the legislation so vulnerable communities would be better protected.

Mr Ward said other groups would also support that as this was a social policy issue and it had been put in the hands of the judiciary to policy social policy.

Submission 7 – Dr Nicki Jackson (Executive Director, Alcohol Healthwatch) – Dr Jackson introduced herself advising that Alcohol Healthwatch was an independent charitable trust working to reduce inequities in alcohol-related harm. The Trust was funded by the Ministry of Health to provide evidence-based information and advice on policy and planning matters.

Dr Jackson provided an overview of AH's submission with regard to the context of LAPs in New Zealand, noting that about a quarter of tlas had not yet developed a draft LAP, while over a third had adopted one. All LAP's adopted had been appealed except one.

Also provided was Police Call Out data on violent offences (including family violence) and anti-social behaviour.

LAPs were intended to minimise harm ("reduce to the smallest amount, extent or degree"), and a LAP was not about maintaining the status quo not enhancing economic interest. It was about achieving the object of the Act and that was minimising alcohol related harm as far as reasonably possibly. There was a need to protect vulnerable populations in the district such as young Māori and Pacifika men and young women. After providing some New Zealand data with regard to the impact of alcohol density and alcohol availability in terms of opening and closing hours, Dr Nicholson suggested that Council use the Act to the extent that it could such as specifying in the Provisional LAP the number of on and off licences in some areas.

Responding to a query in relation to supermarkets, Dr Nicholson said they had been able to sell wine from 1989 and beer from 1999. In terms of a culture change, wine consumption had gone up.

Submission 44 – Paul Radich, Progressive Enterprises – Mr Radich commenced by saying that Progressive Enterprises understood the issue of alcohol for communities. They were supportive of the work that had been done and the recommendations that had been arrived at. He thought it was reasonable and it was fair. He said what was proposed was a starting point and they would work with Council and the Police to establish actual data in terms of harms facing this community to establish base-line harm data. The Police had looked at the draft LAP and had agreed that it was reasonable and fair. PE's submission was relatively short and he did not have anything further to add. Whilst not thrilled to bits with the LAP, they did understand the reason for it and considered it fair.

Mr Radich provided some data in relation to alcohol sales and time of day, saying that people purchased alcohol from supermarkets because it was convenient and the vast majority of alcohol sold was during the day. He also commented on the practicality of shortening the hours alcohol could be sold in terms of overall opening hours as it made it difficult for people who were genuinely shopping to purchase a bottle of wine. He also provided information with regard to alcohol advertising, saying there were restrictions on how much discount could be advertised, which was not more than 25%. There were also no legal restrictions on marketing, but they imposed restrictions themselves as they were a responsible retailer.

Responding to a query with regard to the call out data provided by the previous submitter with regard to offences and querying if Progressive Enterprises kept specific data about intoxicated people, Mr Radich said the information provided was a calculation and there was a myriad of research in that space which said different things. They had more problems now with cigarettes than with alcohol. They were also putting their 4,000 staff through refresher training on how to deal with intoxicated persons.

The meeting broke from 3.40 pm to 4.05 pm awaiting the final submitter who was due to speak at 4.00 pm.

With the Foodstuffs North Island Limited representative not attending, Ms Leyland responded to Members questions in relation to:

- the number of licenced premises as noted in Attachment B, clarifying that there were 71;
- club licences – with new licences being for a year and a renewal being for three years;
- special licences could also be applied for which allowed clubs to operate outside normal operating hours;
- if there was a change to the hours that was consulted on, with those people who had submitted in the first instance then having an opportunity to submit on that change and it could go to appeal.

Cr Mason thanked those submitters still in attendance and the Committee retired to deliberate (4.10 pm).

MOTION TO EXCLUDE THE PUBLIC

MOVED by Cr Wanden, seconded Cr Tukapua:

"THAT the Hearing Committee pursuant to Section 48, Local Government Official Information and Meetings Act 1987, resolves that the public be excluded from the following parts of the proceedings of this meeting;

- 17/171 Policy on Dangerous and Insanitary Buildings 2017**
- 17/202 Proposed Resource Consent Fees 2017/18**
- 17/220 Draft Local Alcohol Policy – Hearing of Submissions**
- 17/226 Fees and Charges 2017/17 : Food Act Premises**

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 and Section 7 of that Act or Section 6 or Section 7 or Section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public on the following grounds;

Subject to sections 6, 8 and 17 of the Local Government Official Information Act 1987, the withholding of the information is necessary:

48(1)(d) That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation in any proceedings to which this paragraph applies.

AND FURTHER

THAT the decisions reached during the public excluded section of the meeting be made public."

CARRIED

6.20 pm

The meeting adjourned to await drafting changes to the LAP.

Upon receipt of the LAP with drafting changes the meeting was declared closed on 30 June 2017.

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

DATE:.....

CHAIRPERSON:.....

Proceedings of the Community Wellbeing Committee 20 June 2017

File No.: 17/338

1. Purpose

To present to the Council the minutes of the Community Wellbeing Committee meeting held on 20 June 2017.

2. Recommendation

- 2.1 That Report 17/338 Proceedings of the Community Wellbeing Committee 20 June 2017 be received.
- 2.2 That the Horowhenua District Council receives the minutes of the Community Wellbeing Committee meeting held on 20 June 2017

3. Issues for Consideration

There are no items 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	
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Approved by	Denise Kidd Community Services Manager	
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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 20 June 2017 at 1.00 pm.

PRESENT

Chairperson	Cr Barry Judd
Deputy Chairperson	Cr Jo Mason
	Ms Barbara Bradnock
	Mr Mike Fletcher
	Ms Eve Fone
	Mr Liam McLeavey
	Ms Tracy Merson
	Mrs Jacqui Moynihan
	Mr Patrick Rennell
	Mr Mark Robinson
	Ms Jo Smith
	Ms Ella Tavernor
	Ms Margaret Williams

IN ATTENDANCE

Mrs Denise Kidd	Community Services Manager
Miss Sharon Bowling	Meeting Secretary
Mrs Helen Hayes	Community Development Advisory
Mrs Cathryn Pollock	Community Development & Recreation Advisory
Mr Joshua Wharton	Community Development Advisor
Mr Shanon Grainger	Economic Development Manager
Ms Gemma Reilly	Economic Development Support Officer

ALSO IN ATTENDANCE

Ms Emily Anderson	Deputy Chairperson, Youth Voice
Mayor Michael Feyen	Ex-officio
Cr Ross Campbell	
Mr Lew Rohloff	

1 Apologies

Apologies were recorded for Sgt Sam Gilpin, Ms Suze Strowger, Ms Moira Howard Campbell, Mrs Di Rump, Ms Delphi Winters, Dr Betty Lou Iwikau, Mr Craig Fleury and Mr Murray Woodcock.

Cr Jo Mason advised she would be approximately 30 minutes late.

2 Public Participation

None requested.

3 Confirmation of Minutes

MOVED by Mr Liam McLeavey, seconded Ms Margaret Williams:

THAT the minutes of the meeting of the Community Wellbeing Committee held on Tuesday, 13 June 2017, be confirmed as a true and correct record.

CARRIED

A correction was noted for Page 3 to read 'a consumer and a clinical council', and Jacqui Moynihan's apology, which had been overlooked, was recorded for the Minutes of 11 April 2017.

4 Announcements

The Chair advised of three additional announcements:

1. A brief presentation on Growth 2030 to be given by HDC Officers Shanon Grainger and Cathryn Pollock, relevant to older people in the district.
2. Re Ministry of Health: in relation to the development of a Horowhenua 'Health and Wellbeing Plan (Locality Planning)' initiative/strategy, a number of meetings have taken place with representation from the Community Wellbeing Committee. An update on progress will be invited for the next meeting.
3. New members have been appointed to Community Wellbeing Committee – Dr Betty Lou Iwikau (Ngāti Raukawa iwi representative) and Ms Debbie Baker (from Life to the Max to represent the youth provider sector in contrast to representing the view of young people which will continue to be delivered by representation from Youth Voice nomination).

The Chair also advised that CWC Members should have all received an invite to tomorrow's Compassion Horowhenua Stakeholder Briefing (re Community Housing), and Chair provided a brief background around the purpose of the meeting.

Growth 2030

HDC Officers Shanon Grainger and Cathryn Pollock gave a brief update and outline on the 'Quality Care and Lifestyles for Older People' project, aka LIFT. Members were reminded that this is a national pilot, with the focus on designing solutions about our community with our community. Delivery of the project is based on co-design principles – working with the community as participants, which reflects the essence and approach taking. A rapid process: at the moment focused on design phase, with full launch into the community in 2018. Keen to engage with key stakeholders and test thinking with the committee; will engage with community members/ relevant community and government organisations over the next 6-8 weeks, to ensure that Horowhenua community views and priorities are clearly represented in that plan.

The PowerPoint presentation is **attached** to the official minutes.

Ministry of Education (MOE)

Ella Tavernor presented that latest analysis of educational data for Horowhenua (Info-graphic tabled).

There was some discussion about the data MOE is intending to provide for the annual report for Community Wellbeing Committee:

- Ministry of Education - number and % enrolled in early childhood (including ethnicity)
- Ministry of Education - number and % of young people achieving NCEA Level 2 or higher by the age of 18 years (including ethnicity)

Discussion included the value of providing in relation to the trends, for previous years, in order to give it some context and provide a sense of an improving or worsening trend over time.

Discussion was also had regarding potentially including the Year 8 data that has replaced other data in the “Better Public Service” indicators.

Other general comments regarding data sets included Level 4 achievements, Learners Accessing Learner Support and Year 8 achievements.

Action Point: Denise Kidd to liaise with Ella Tavernor to gather the data including trends data for the two agreed sets

The info-graphic is **attached** to the official minutes.

Ministry for Vulnerable Children, Oranga Tamariki

Presentation on new organisation and youth data for Horowhenua by Eve Fone.

A front facing organisation of care and protection for children and young people:

- Listening to what young children/tamariki have to say. Historically it was tempting as adults working in these fields to believe we are the experts; when in fact the young children/people are the experts in their lives. This is now enshrined in legislation.
- Raising of the age settings for care to protection to include 17 year olds (recognising that 17 year olds are not ready to be independent). Legislation now requires us to do this; now retained in our custody until age 18.

More flexibility has been built into the system for young children/people. Processes in place to prepare adolescences for independence.

VOYCE – Whakaronga Mai – is a new (NGO) advocacy service for children and young people with care experience, independent to Oranga Tamariki. Partnership with children, young people, philanthropic organisations, government and NGOs. Children’s voices/participation is the crucial aspect (rather than an adult voice for them).

81 children in the Horowhenua community are in the day-to-day care or guardianship under the organisation; 61 are Māori, of which the bulk are living with whanau (first place of placement, rather than Oranga Tamariki carer). Need to apply similar standards to whanau care as Oranga Tamariki care, to ensure whanau is the right place for them.

Six new values of Oranga Tamariki were tabled; which put at the forefront, how we undertake our work, applying these values in every aspect.

Discussion covered local care/custody statistics and indicators and its tracking, NFA (No Further Action) stats/signals, collaborations with other community organisations/agencies looking at different means of appropriate response, local suicide rates and the value of capture suicide data, impact of adoption (losing identify or culture).

There is a shift in thinking which is more agile, transformational – instead of funding services, will commission/tailor make the services to fit the child/young person.

The PowerPoint presentation is **attached** to the official minutes.

Youth Voice

Presentation and update on Youth Action Plan by Liam McLeavey and Emily Anderson, covering the purpose of Youth Voice, what they've been up to this year and plans going forward.

Youth Voice were commended for what they are doing as was Council for the absolute positive engagement.

Citing a disconnect with schools of Foxtan around fitness, it was questioned if this presented an opportunity for the role of YV to bridge this disconnect. Liam McLeavey acknowledged the disconnect that exists, and that representatives from three schools met recently and are addressing this.

Liam McLeavey stated that for the young people who have been involved in Youth Voice (formerly Youth Council) the investment in it makes a huge difference in their lives, it changes lives.

The PowerPoint presentation is **attached** to the official minutes.

Update on Family Violence Charter and Action Plan

Due to time restrictions the decision was made to defer this update to the next meeting.

5 Reports

5.1 Community Services Report to 20 June 2017

Purpose

To present to the Community Wellbeing Committee the Community Services Report to 20 June 2017.

MOVED by Mrs Kidd, seconded Cr Judd:

THAT Report 17/247 Community Services Report to 20 June 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 briefly to this report.

How progressing as a whole community; will be contacting those agencies to provide data to prepare a report to see how we are tracking and how to focus our attention going forward.

Pre-fitness pregnancy course –now full! A great outcome and useful development.

Re: Residents Survey just undertaken, included questions from quality of life survey (e.g. safe/unsafe, groups that people value personal/social supports, feeling socially connected, people have someone to turn to/social infrastructure). First time these questions have been included as a baseline for assessing community safety and wellbeing. The survey outcomes will be presented back to group within the End of Year Score Card on Community Wellbeing Across the District.

Helen Hayes, Council Officer, talked about the ***Inclusion and Access Plan***. Feedback from members of the Committee commended the level of community engagement and participation in the development of this Plan.

It was agreed that members of the Community Wellbeing Committee review the Inclusion and Access Plan and provide feedback to Helen Hayes prior to 03 August 2017. (helenh@horowhenua.govt.nz). The next Community Wellbeing Committee meeting is expected to table and accept the Inclusion and Access Plan and recommend that Council also confirms this Plan.

Action Point: Committee members to provide feedback on Inclusion and Access Plan on or before 03 August 2017

Based on the information presented and the associated discussion, at April meeting, it is proposed that *Social and Affordable Housing in Horowhenua District* be confirmed as one area for priority focus for the Horowhenua Community Wellbeing Committee over the next twelve (12) months.

It was decided that the proposed focus of the August meeting to include 'Housing and Affordability' be revisited at the next CWC meeting.

Commencing gathering of information and data on how Horowhenua district, is progressing as a whole community in regards to wellbeing; Team will be contacting those agencies to provide data for the End of Year Score Card on Community Wellbeing Across the District to see how we are tracking and where we focus our attention going forward.

Discussion regarding data was had:
Last year the membership of the Horowhenua Community Wellbeing Committee agreed on specific data sets related to Horowhenua district to annually measure community wellbeing across the district, and to inform an annual report for the Committee. Cathryn Pollock is available to receive this information from agencies (cathrynp@horowhenua.govt.nz).

Action Point: Denise Kidd will contact agencies with data, but agencies can submit their data sets directly to Cathryn Pollock.

Data sets as follows:

1. **New Zealand Police** - Rates of family violence offences per 10,000
2. **Ministry of Education** - Number and % of children enrolled in early childhood education(including ethnicity)
3. **Oranga Tamariki** - Number and % of notification rates that require further action (ethnicity)
4. **Work and Income** - Number and % of working age population who are receiving jobseeker benefit (ethnicity, age and duration)
5. **Mid Central District Health Board** - Number and % of children (0-4 years) with ambulatory sensitive hospital admissions (ethnicity)
6. **Ministry of Education** - Number and % of young people achieving NCEA Level 2 or

- higher by the age of 18 years (ethnicity)
7. **Mid Central District Health Board** - Number and % of young people (7-14 years / 15-24 years) with ambulatory sensitive hospital admissions (ethnicity)
 8. **Work and Income** - Number and % of Horowhenua “Youth” clients (18-24 years; 18-20 and 21-24) of Work and Income (by benefit type, duration, ethnicity, gender)
 9. **Work and Income** - % of “Youth” clients as a percentage of overall beneficiaries for the district and nationally.
 10. **Mid Central District Health Board** - Number and % of people aged 65 years and over with ambulatory sensitive hospital admissions (ethnicity)
 11. **Horizons Council** - Number of people on “Total Mobility” Scheme and number of new applications.
 12. **Age Concern** - Number of “substantiated” incidents of elder abuse reported within Horowhenua.
 13. **Horowhenua District Council*** - Perceptions of Safety (Thinking about issues of crime and safety, in general how safe or unsafe do you feel in the following situations: Very unsafe (1), A bit unsafe (2), Fairly safe (3), Very safe (4), Don’t know / not applicable (5). (A) In your home after dark 1 2 3 4 5 (B) Walking alone in your neighbourhood after dark 1 2 3 4 5 (C) In your town centre during the day 1 2 3 4 5 (D) In your town centre after dark 1 2 3 4 5
 14. **Horowhenua District Council*** - Social Networks (Thinking about the social networks and groups you may be part of, to which of the following, if any, do you belong? A) A sports club Yes /No B) A church or spiritual group Yes /No C) A hobby or interest group Yes /No 4) A community or voluntary group such as Rotary, the RSA or Lions Yes /No 5) Online network through websites such as Facebook / Twitter, online gaming communities and forums Yes /No 6) A network of people from work or school Yes /No 7) Other social network or group (please specify)_____ 8) None of the above Yes /No
 15. **Horowhenua District Council*** - Loneliness (Over the past 12 months how often, if ever, have you felt lonely or isolated? Note: One answer only: Always / Most of the time / Sometimes / Rarely / Never)
 16. **Horowhenua District Council*** - Personal Support (If you were faced with a serious illness or injury, or needed emotional or practical support during a difficult time, is there anyone you could turn to for help? Yes / No / Don’t know / unsure

**Questions included in Residents Survey, Horowhenua District Council come directly from the national “Quality of Life Survey” measuring the wellbeing of residents within the six largest urban territorial authority areas of New Zealand.*

Discussion was had regarding Mid Central DHB data, including the value of capturing suicide data.

It was noted that ASH data is excellent for some age groups but has some limitations for the older population. Jo Smith identified 1-2 data sets that would be useful for the Committee to see reported in the end of year report.

Action Point: Denise Kidd to follow up with Jo Smith to get the older population data including trends data for the two agreed sets (refer Central Technical Advisory Services)

Action Point: Denise Kidd to follow up with Barb Bradnock to get the ASH data including trends data and discuss and consider suicide data.

6 Agency Round Table

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

Barbara Bradnock (MCDHB) – locality process planning continuing (significant loss of funds \$5.1m deficit); GP teams across high utilisation as is the hospital.

Liam McLeavey (Youth Voice) – re: Pathways Horowhenua, developing a statement of intent to incite transformation around education and employment opportunities; a community led model supports young people, significant thing for young people in this community.

Tracy Merson (HALT) – family violence particularly busy with over 700 referrals in 6 months in the district. Good new initiatives, and will talk to them at the next meeting. Wahine Toa Programme with HALT support commences on 01 July (new in NZ, only trialled in Horowhenua). Will report back on this.

Jacqui Moynihan – announced that Maureen Scott has been appointed as the new Children’s Team Director for the district to end of June 2018. BAU for Children’s Team, and working closely with Oranga Tamariki.

Patrick Rennell (HLC) – thanked the Chair for welcome. Bugbear is the NZ education model. Also part of LTTM. HLC going through strategic planning process, welcomes input into that.

Mark Robinson (Education Horowhenua) – busy time of year, have opened up for education 2018; plea to “sell your local schools”; NCEA, shared exciting discussion with HLC and “Talent Central” around work readiness – what are young people do when leave school (with or without school qualifications), what work they enter.

Jo Smith (MCDHB) – a plug to Emily and Liam (Youth Voice): caregiving never regarded as a well-paid industry and an undervalued role; but actually a really good career pathway (for those who may not be academically strong), also not enough men in the industry.

Margaret Williams (Older Person’s Network) – advised that the ‘Easy Living’ mobile van service are coming to the Horowhenua Health Centre Thursday 9-4pm.

Jo Mason (Elected Member) – complimented Helen Hayes on the work done re: forums around the Inclusion and Access Plan, particularly most vulnerable (disability); highly valued. In terms of Council, adoption of Annual Plan tomorrow.

The Chair reiterated the opportunity for Members to attend the community housing event tomorrow to hear from Compassion Horowhenua.

Next meeting confirmed as: **15 August 2017**

Agenda Items to include:

Meeting Focus to be on **older people** with:

- MidCentral to provide a further ASH presentation as well as any additional data regarding older people’s wellbeing
- Update on ‘Health and Wellbeing Plan’ being prepared by MDCHB
- Update by Local Management Group on Family Violence Action Plan
- Update on Pensioner Housing
- Update on **Growth 2030**, the ‘Quality Care and Lifestyles for Older People’ project, aka LIFT and feedback on community engagement to date
- Update by Older Persons’ Network on actions underway in regards to Positive Ageing Action Plan
- **Inclusion and Access Plan** adoption for consideration by Council
- Update on End of Year Score Card on Community Wellbeing across the Horowhenua District. Data received, data still to come

3:22 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 Foxton Community Board 26 June 2017

File No.: 17/335

1. Purpose

To present to the Council the minutes of the Foxton Community Board meeting held on 26 June 2017.

2. Recommendation

- 2.1 That Report 17/335 Proceedings of the Foxton Community Board 26 June 2017 be received.
- 2.2 That Council receives the minutes of the Foxton Community Board meeting held on 26 June 2017.
- 2.3 That, subject to the approval of a Business Case by NZTA, up to \$432,000 (+/- 10%) be made available from the Foxton Beach Freeholding Account for the purpose of funding the local share of the Nash Parade and Bond Street upgrade project.

3. Issues for Consideration

The following item requires further consideration by Council:

Stormwater/Roading Upgrade – Nash Parade/Bond Street, Foxton Beach (see **attached** report)

The Foxton Community Board passed the following resolution:

“THAT the Foxton Community Board recommends to Council that the Foxton Beach Freeholding Account be utilised for the purpose of funding the local share of the Nash Parade and Bond Street upgrade project.”

Council’s endorsement of the resolution is now sought.

Attachments



No.	Title	Page
A	Foxton Community Board Report Stormwater/Roading Upgrade - Nash Parade/Bond Street, Foxton Beach 26 June 2017	28

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 26 June 2017 at 6.07 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

IN ATTENDANCE

Mr D M Clapperton (Chief Executive)
Mr G Saily (Group Manager – Infrastructure Services)
Mrs K J Corkill (Meeting Secretary)

PUBLIC IN ATTENDANCE

There were twenty members of the public in attendance at the commencement of the meeting.

1 Apologies

Apologies were recorded for Cr Gimblett, Cr Brannigan and Mayor Feyen.

MOVED by Mr Allan, seconded Mr Girling:

That the apologies from Councillors Gimblett and Brannigan, and Mayor Feyen, accepted.

CARRIED

2 Public Participation

7.1 Notices of Motion – Flooding at Foxton Beach

Colleen Marlow
Gayle Heine
Rohan Teaz
Dave Thomson
Joy Hansen
Robert Hair
Christina Paton

- 7.2 Monitoring Report
Page 10 Sand Dune Management
Page 12 Kings Canal and Purcell Street Stormwater Catchment
Christina Paton

Page 13 Roore Street Drainage
John Hutching
- 7.3 Chief Executive's Report
3.3 Foxton Community Board's Boundary
3.4 Lack of Cycle/walkway – new Whirokino Bridges
3.8 MavTech
3.9 Foxton Pools
Christina Paton

3.11 Foxton Beach Freeholding Account
Olaf Eady
- 7.4 Stormwater/Roading Upgrade = Nash Parade/Bond Street, Foxton Beach
Christina Paton
Dave Thomson

3 Late Items

There were no late items.

4 Declarations of Interest

None declared.

5 Confirmation of Minutes – 3 April 2017

MOVED by Mr Allan, seconded Ms Metcalf:

THAT the minutes of the meeting of the Foxton Community Board held on Monday, 3 April 2017, be confirmed as a true and correct record.

CARRIED

6 Announcements

There were no announcements.

7 Reports

7.1 Notices of Motion

Purpose

In accordance with Standing Order 26.1, to place on the 26 June 2017 Foxton Community Board Agenda Notices of Motion as submitted by Board Member Jenny Lundie..

MOVED by Ms Lundie, seconded Mr Allan:

THAT Report 17/296 on Notices of Motion be received.

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

CARRIED

In terms of the first NoM item, Colleen Marlow, Gayle Heine, Rohan Teaz, Dave Thomson, John Hansen and Robert Hair each spoke with feeling on the flooding issues in both Foxton and Foxton Beach and the effect that was having on them and their properties. They provided detail on their individual situations and expressed frustration at what they saw as lack of action by Council. Ms Heine and Mr Teaz provided pictures of flooding at their properties.

In expressing her support for the Notice of Motion, Mrs Paton said she was disappointed that there was not an up-to-date map included with the report showing current or historical flooding sites. Commenting on recent flooding around her property she suggested that there had been some bad planning decisions made.

Ms Lundie spoke to the Notice of Motion expressing her motivation for bring it and her sympathy for those affected by the flooding. She appreciated for some it was not easy to come and speak, particularly if they felt when they had spoken they had not been listened to. She hoped the Notice of Motion would assist in moving things along.

Council's Group Manager – Infrastructure Services, Mr Saidy, said Council had listened to the concerns; however the flooding issues at Foxton and Foxton Beach were a bigger problem than appreciated. It could not be solved by reacting to individual problem areas. Council was looking at it at a higher level which included the whole district as flooding was not just a problem for Foxton and Foxton Beach. Modelling had been done of what was occurring now and some modelling had been done for Foxton and Foxton Beach on the amount of stormwater coming through the towns, whether the pipes could handle flows and where the bottle necks were. Recently there had been repeated events over a short space of time and because they could not be immediately solved he could appreciate the frustrations coming through.

As Council was going into its Long Term Plan process, Mr Saidy said that would provide a forum for affected people to raise their issues and for a solution to be identified. Council was working with Horizons particularly on the Foxton scheme and Horizons was looking at what was coming from farms into Foxton. Based on the solutions identified it could be ascertained who was going to contribute in terms of funding. In terms of timeframes for the LTP, discussions would occur in July/August and the proposed solution for stormwater would go through that process.

In the short term, Mr Saidy said he would be happy to provide and deliver, free of charge, sandbags to affected people and he requested those interested to contact him.

Mr Clapperton said he would undertake to ensure that sufficient resources were in place to address the short term issues that had been identified, including sandbagging and contingency maintenance.

To better capture what had been raised, Mr Clapperton suggested a change of wording to the Notice of Motion in relation to addressing flooding issues, which was agreed to by Ms Lundie and Mr Allan. It was therefore:

MOVED by Ms Lundie, seconded Mr Allan:

THAT the Foxton Community Board requests that Council Officers present the findings of the stormwater catchment investigations for Foxton and Foxton Beach through a community engagement programme, with a view of developing an agreed solution for stormwater management in the area, to be incorporated into the 2018/28 Long Term Plan.

CARRIED

In terms of the second item with regard to provision of a southbound bus stop, it was agreed this would lay on the table, and be included on the Monitoring Report, until a definitive response was received from InterCity.

Ms Metcalf did note that the bus shelter on the other side of the road had not been provided by Council but had been a private arrangement with fundraising done by the Community Board.

7.2 Monitoring Report to 26 June 2017

Purpose

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

MOVED by Ms Metcalf, seconded Mr Girling:

THAT Report 17/153 Monitoring Report to 26 June 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 Paton spoke to the following items on the Monitoring Report, providing a copy of her comments:

Page 10 Item 14/32 – Sand Dune Management Surf Club Car Park

This was still ongoing. She recommended it be removed from the Monitoring Report as there was no sand blow problem as the foredunes had reached a protective height, thus saving \$25,000 per annum for car park cleaning. The \$25,000 figure had been provided by Mr Clapperton.

Mr Roache said he did not support Mrs Paton's comments and the reason why it was still on the Monitoring Report was Mr Nelson had been requested to investigate a lowering of the dunes to the kerb and channel so people could enjoy the view from the car park.

Mrs Paton responded that the foredunes were protecting the community as during the last big storm that had been no sand blow.

Page 12 – CE's Report – Kings Canal and Purcell Street Stormwater Catchment

Noting the Officer's comment, Mrs Paton recommended that the Catchment Management Plan be offered to the Community Board in the first instance; public input should be implemented and urgency applied to the entire process.

Referring back to the Notice of Motion resolution, Mr Clapperton said the report was in train. When finalised it could be brought to the Foxton Community Board; however the wording in the Monitoring Report did need updating.

Mr Hutchings spoke to the Roore Street Drainage item on the Monitoring Report saying he was a resident of Roore Street that regularly got flooded and he was not very happy. He outlined his issues which included: the delay in utilising a CCTV camera to check pipes for blockages, which may have been avoided if there had been regular maintenance; survey markings had been ignored; work on drains that may have been illegal; concern at staff behaviour/response; despite paying a significant amount in rates nothing had been done; under previous local bodies there had been

good drain maintenance but not under HDC. In terms of maintaining drains through properties and to provide some control, he suggested, as occurred in some areas, that there should be an easement or covenant on titles so that where a drain went through a property the owner needed to maintain it.

With regard to comments made about staff members, Mr Clapperton said people could speak to him directly if they had an issue.

Page 11 16/59 – Feasibility of Installing a Toilet at Foxton Cemetery
Completed.

However, it was noted that since the new road had been installed there had been flooding at the Ashes Cemetery. A site visit with Mr Nelson to be arranged.

Page 13 16/341 – Foxton River Loop Working Party

Mr Girling advised that Mr Hapi had spoken to all three iwi. Justin Tamihana would be invited to join so there would be representation from three iwi involved.

Mr Clapperton said it was important that an update report be received from the Working Party on short and long term initiatives.

Foxton & Foxton Beach Water

Mr Saily advised that costings were still awaited and then it would need to go through the LTP process.

Mr Clapperton added that Council had identified what was believed would be a solution going forward. Now that needed to be developed by way of a business case. In terms of Foxton water, Council had come a long way particularly in terms of management of manganese in the water and this was still being monitored. The feedback to date had been very positive.

Page 14 Increasing parking capacity in Thomas Place

Mr Clapperton said that Council was working with the School and Roading Team on a solution.

Querying why there was no item number for this, Mrs Paton suggested it should be addressed immediately as there were safety issues involved. Thomas Place was literally shut down to a one way street when pupils were being delivered or picked up and it was potential very dangerous.

In terms of the item number, Mr Clapperton advised there had been no report on this item; hence no number. With regard to a long term solution, it may involve land that was not Council land and that needed to be worked through with the School/MoE which could take time. He would bring an update back to the next Board meeting.

17/32 - Electronic Sign – Manawatu College

Mr Clapperton advised that specific funding had not been allocated, but Officers were working with the College to identify funding opportunities and support applications for funding.

17/26 - Draft Local Alcohol Policy Consultation

Completed

17/125 – Proposed Changes to the Areas Dogs are allowed in the Kere Kere Ward

Mr Clapperton said he would send an email updating members on this item, with Mr Roache also querying if anything had been done about the dog signage that had been requested.

7.3 Chief Executive's Report to 26 June 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 17/154 Chief Executive's Report to 26 June 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 Paton spoke to the following report items:

3.3 Foxton Community Board's Boundary

A change in report layout was suggested for ease of assimilation of information. Discussion on the matter with the Foxton community was suggested sooner rather than later.

Mr Clapperton responded that it was early days yet and legislation prescribed the process Council needed to follow. Perhaps it would have been better not to have included maps at this stage.

Mr Roache added that people in Motuiti Road had raised the Board's boundary with him and he had requested that it be included on the Agenda to signal an expressed desire for a boundary change.

3.4 Lack of Cycle/Walkway – new Whirokino Bridges

The public had been promised at the time of the original consultation that clip-on cycleways would be provided and NZTA should be reminded of this.

3.8 MAVtech

A financial up-date on what had been spent on MAVtech to date was requested. With the Foxton Memorial Hall also being a seismic risk, other options and whether upkeep was value for money needed to be examined.

Mr Roache commented that it was nice to have history preserved but was it affordable and could it be done better. It had been included in the LTP process.

Mr Clapperton supported Mr Roache's comments about looking at what was being delivered out of the facility going forward to determine what, if anything, should be invested. It would be pointless to bring it up to earthquake standards when future use and sustainability had not been assessed.

3.9 Foxton Pool

Despite adequate research being done, this facility had been poorly constructed and someone should be held to account.

Mr Roache said the Board would be putting a submission into the LTP for this as he believed it was an LTP issue and it needed to go out to the public to find out why the Pool was not being used. He would like to have a public meeting solely around the Pool and get public input from everybody who had an interest in it to see if there was desire to retain it before going to Council as part of the LTP process.

Mr Olaf Eady spoke to 3.11 Foxton Beach Freeholding Account giving a background to the Fund, how it had come about and how it should be operated. He then queried the amount that had gone into the upgrade of the Pinewood Camp, which had later been sold and what appeared to be a loss on sale.

Mr Clapperton explained how this had been treated in the accounts with normal

accounting practice having been followed and he also addressed the Development Contribution query raised by Mr Eady. Mr Clapperton said he would be happy to sit down with Mr Eady and discuss the figures with him. He also agreed to provide a summary of the Financial Statements for the Freeholding Fund for 2015.

Mr Clapperton worked through his report providing additional comment as required.

3.2 Foxton Main Street Upgrade

Responding to a query from Ms Lundie if the results of the workshop held with regard to the Cenotaph would come to the Community Board before they were released to the public, Mr Clapperton said while he did not know when that would be available, the concept around that area would certainly come back to the Board.

3.4 Lack of Cycle/walkway – new Whirokino Bridges

What the Board's response to this should be was discussed including requesting the CE to set up a meeting with NZTA and to also include the local MP.

Mr Clapperton suggested that it was something he could approach NZTA on to see if there was a willingness to come and speak to the Community Board about the programme of works that was being undertaken, which may also include the bigger picture around the Roads of National Significance.

Mr Saidy did say his understanding was that although there would be no dedicated cycle lanes, sufficient space had been provided on both sides for cyclists.

3.7 Foxton Wastewater Treatment Plant Hearing

The possibility of Council working with Turks to introduce sludge drying was raised by Mr Girling.

Mr Clapperton said it was a business decision the company would need to make itself. Council was currently discussing the company's intentions and may work with them in terms of treatment of their waste and also with regard to water.

3.9 Foxton Pool

Mr Roache reiterated the need for a public meeting, otherwise the status quo would continue.

Mr Clapperton said a public meeting could be initiated to see what the community wanted going forward. It may mean that a significant capital investment would be required. The budget of \$1.5m was never going to be enough to provide a long term sustainable facility so the community now needed to decide what it wanted in terms of Aquatics going forward and what would be needed to meet future requirements.

3.10 New Zealand Community Board's Conference – 2017

Mr Girling read out his summary of the Community Board's Conference.

Ms Metcalf said she would be happy to workshop their Conference attendance to share the knowledge gained.

Following on from the Conference attendance, Mr Roache advised that he was keen to try and get a Manawatu College student appointed to the Board. He had approached Mr McIntyre and had also spoken to Council's Graduate Community Development Advisor, Joshua Wharton, and now need the Board's endorsement of the idea. The appointee would have full speaking but no voting rights.

The Board Members expressed their support for the idea and it was suggested that the School elect the appointee.

7.4 Stormwater/Roading Upgrade - Nash Parade/Bond Street, Foxton Beach

Purpose

To discuss an option for carrying out the physical works of the proposed stormwater and roading upgrade of Bond Street and Nash Parade in the upcoming 2017-18 Financial Year.

MOVED by Ms Metcalf, seconded Mr Girling:

THAT Report 17/271 Stormwater/Roading Upgrade - Nash Parade/Bond Street, Foxton Beach be received.

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

CARRIED

Mrs Paton spoke succinctly to this report saying "Get on with it and yes, use the Freeholding Fund. It was about time the Freeholding Fund was spent in Foxton Beach".

Mr Thomson expressed a concern that the report was too vague with not enough detail. He also queried dipping into the Freeholding Fund as rates were paid district wide and were being used to address the stormwater issues in NE Levin so Levin people should help to pay for Foxton Beach stormwater. While he said he did want it to go ahead, the Board did need to know the cost and the time it would take.

Ms Lundie expressed her discomfort with what was proposed as there was not enough information with regard to cost and also with the Freeholding Fund being used.

Requesting that the report be taken as read, Mr Saidy responded to Members questions in relation to exactly where the work would be undertaken with the reasoning being to widen that section of road and resolve the stormwater issues that occurred when it rained. The figures provided were just an estimate based on a very high level concept design. 52% of the funding would be provided by NZTA, with the balance being proposed from the Freeholding Fund.

Mr Clapperton noted it was not the Board's place to question costs; that was an operational matter. There was a procurement process that would be undertaken, which would include a tender process. If this project was not progressed now funds from NZTA may potentially not be available for the foreseeable future. Also the only way to progress this was through the Freeholding Fund as it was not included in the LTP.

Following discussion and with all but Ms Lundie, who still expressed her misgivings, supporting the proposal, it was:

MOVED by Ms Metcalf, seconded Mr Allan:

THAT the Foxton Community Board recommends to Council that the Foxton Beach Freeholding Account be utilised for the purpose of funding the local share of the Nash Parade and Bond Street upgrade project.

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

For:

Members: David Allan
John Girling
Patricia Metcalf

Against:

David Roache

Ms Jennifer Lundie abstained.

The division was declared CARRIED by 4 votes to 0.

7.5 Resource Consenting (Planning) Matters Considered Under Delegated Authority

Purpose

To present details of decisions made under delegated authority in respect of Resource Consenting (Planning) Matters.

MOVED by Mr Allan, seconded Ms Metcalf:

THAT Report 17/152 Resource Consenting (Planning) Matters Considered Under Delegated Authority be received.

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

CARRIED

9.10 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:.....

File No.: 17/271

Stormwater/Roading Upgrade - Nash Parade/Bond Street, Foxton Beach

1. Purpose

To discuss an option for carrying out the physical works of the proposed stormwater and roading upgrade of Bond Street and Nash Parade in the upcoming 2017-18 Financial Year.

2. Executive Summary

- 2.1 An action item from the Long Term Plan 2015 to 2025, as listed on the FCB monitoring report, was to carry out a feasibility study of the proposed upgrade work on Nash Parade and Bond Street in Foxton Beach. The two roads in question are too narrow for their purpose and the classification of Secondary Collector. They have no kerb and channel and no piped stormwater network. Bond Street in particular has flooding issues during storm events with the stormwater ponding on the road and creating a hazard for road users.
- 2.2 A preliminary investigation of the roading and stormwater system has been completed, however, the design proposed works have not progressed any further to date due to limited funding and the prioritization of the works. Recent discussions with our roading co-funding organisation, the New Zealand Transport Agency (NZTA), have indicated that there are funds still available for Local Road improvements in the 2015-18 funding period. To secure this funding from NZTA a Business Case is required to be developed and submitted to NZTA for approval. If approved, NZTA would fund 52% (Council's Funding Assistance Rate for 2017-18) of the project with the other 48% required from local share.

3. Recommendation

- 3.1 That Report 17/271 Stormwater/Roading Upgrade - Nash Parade/Bond Street, Foxton Beach 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 Foxton Community Board recommends to Council that the Foxton Beach Freeholding Account be utilised for the purpose of funding the local share of the Nash Parade and Bond Street upgrade project.

4. Background / Previous Council Decisions

As part of the Long Term Plan 2015 to 2025, it was resolved that a feasibility study of the proposed upgrade work on Nash Parade and Bond Street in Foxton Beach be carried out. This led to a preliminary investigation of the roading and stormwater infrastructure of these two roads.

5. Discussion

- 5.1 Discussions with our roading co-funding organisation, the New Zealand Transport Agency (NZTA), have indicated that there are funds still available for Local Road improvements in the 2015-18 funding period (this surplus of funds will not be available following the end of the 2015-18 period). To secure this funding from NZTA a Business Case is required to be developed and submitted to NZTA for their approval. If approved, NZTA would fund 52% (Council's Funding Assistance Rate for 2017-18) of the project with the other 48% required from local share.
- 5.2 A Business Case for the upgrade work on Nash Parade and Bond Street will be developed if Local Share funding for the works can be attained. Once all funding has been secured, NZTA and Local Share, then the detailed design would be completed.
- 5.3 As there is no money allocated for the Local Share portion of this project in the LTP, an alternate option is to utilise the Foxton Beach Freeholding Account to fund the local share. This would enable access to the NZTA funding which will allow the construction of the project to be accelerated.

6. Options

Only one option is currently being considered and that is the feasibility of utilizing the Foxton Beach Freeholding Account to fund the Local Share of the proposed upgrade work on Nash Parade and Bond Street.

6.1 Cost

The initial investigation puts the cost of the upgrade in the range of \$700,000 to \$900,000. However, due to the low lying ground and the high watertable in this area, the complexity of the design means that a more accurate cost of the upgrade won't be ascertained until further investigation, design and the development of the Business Case is completed.

6.1.1 Rate Impact

If the Foxton Beach Freeholding Account is utilised there will be no rate impacts arising for the construction of the project.

The ongoing maintenance costs once the upgrade is completed will come from existing Roading budgets and there will be no rate impacts arising for the ongoing maintenance.

6.2 Community Wellbeing

There are no negative impacts on community well-being and the proposal contributes to the community outcome of providing a safe, resilient roading network.

6.3 Consenting Issues

No consent will be required for the construction of the roading or stormwater infrastructure, however, the stormwater discharge may require consent and this will be discussed with Horizons Regional Council.

6.4 LTP Integration

There is no LTP programme related to the proposal in this report. There are no Special Consultative Processes required.

7. Consultation

There is no consultation required to be undertaken for a road widening project.

8. Legal Considerations

There are no Legal Requirements or Statutory Obligations affecting the proposal.

9. Financial Considerations

- 9.1 Our roading co-funding organisation, the New Zealand Transport Agency (NZTA), have indicated that there are funds still available for Local Road improvements in the 2015-18 funding period (this surplus of funds will not be available following the end of the 2015-18 period). To secure this funding from NZTA, a Business Case is required to be developed and submitted to NZTA for their approval. If approved, NZTA would fund 52% (Council's Funding Assistance Rate for 2017-18) of the project with the other 48% required from local share.
- 9.2 The Business Case will be developed if Local Share funding for the works can be arranged. Once all funding has been secured, NZTA and Local Share, then the detailed design would be completed.
- 9.3 As there is no money allocated for the Local Share portion of this project in the LTP, an alternate possibility would be to utilise the Foxton Beach Freeholding Account to fund the local share. This would enable access to the NZTA funding which will allow the construction of the project to be accelerated.

10. Other Considerations

The Foxton Community Board identified the upgrade of these roads as a desired project in the 2015-18 LTP.

11. Next Steps

The next steps include.

- Resolution agreeing to the utilization of the Foxton Beach Freeholding Account, or not for the purpose of funding the local share of the Nash Parade and Bond Street upgrade project and
- should the decision be to agree to the utilization of the Foxton Beach Freeholding Account:

Recommend to Council that the Foxton Beach Freeholding Account be utilised for the purpose of funding the local share of the Nash Parade and Bond Street upgrade project.

12. Supporting Information

Strategic Fit/Strategic Outcome

This project fits with Council's goal to:

"Provide for the safe, convenient and efficient transit of people goods and traffic through and within the district in a way that meets appropriate national standards".

Decision Making

The decision can be made outside the LTP process.
The decision does not require a special consultative process.
The decision is not significant.

Consistency with Existing Policy

Funding



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

There are no appendices for this report

Author(s)	Gallo Saidy Group Manager - Infrastructure Services	
	Kevin Peel Roading Services Manager	

Approved by	Gallo Saidy Group Manager - Infrastructure Services	
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Proceedings of the Finance, Audit & Risk Subcommittee 28 June 2017

File No.: 17/345

1. Purpose

To present to the Council the minutes of the Finance, Audit & Risk Subcommittee meeting held on 28 June 2017.

2. Recommendation

- 2.1 That Report 17/345 Proceedings of the Finance, Audit & Risk Subcommittee 28 June 2017 be received.
- 2.2 That Council receives the minutes of the Finance, Audit & Risk Subcommittee meeting held on 28 June 2017.
- 2.3 THAT on the recommendation of the Finance, Audit & Risk Subcommittee the letters from Audit New Zealand be co-signed by the Mayor and the Chairperson of the Finance, Audit & Risk Subcommittee on behalf of the Horowhenua District Council.
- 2.4 THAT the Horowhenua District Council approves the write off of rates and penalties that are no longer collectable under the Local Government (Rating) Act 2002 totalling \$106,654.30.

3. Issues for Consideration

Council's endorsement is sought for the following recommendations of the Finance, Audit & Risk Subcommittee:

7.2 Audit Engagement and Arrangement Letters

THAT the Finance, Audit & Risk Subcommittee recommends to Council that the letters from Audit New Zealand be co-signed by the Mayor and the Chairperson of the Finance, Audit & Risk Subcommittee on behalf of the Horowhenua District Council.

- 7.8 *THAT the Horowhenua District Council approves the write off of rates and penalties that are no longer collectable under the Local Government (Rating) Act 2002 totalling \$106,654.30.*

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)	Doug Law Chief Financial Officer	
Approved by	David Clapperton Chief Executive	

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 28 June 2017 at 4.00 pm.

PRESENT

Chairperson	Mr P Jones	
Deputy Chairperson	Cr B F Judd	
Members	Cr W E R Bishop	
	Cr R H Campbell	(until 4.10 pm)
	Cr N G Gimblett	
	Cr V M Kaye-Simmons	
	Cr J F G Mason	
	Cr P Tukapua	
	Cr B P Wanden	

IN ATTENDANCE

Mr D Law	(Chief Financial Officer)
Mr D M Clapperton	(Chief Executive)
Mrs N Brady	(Group Manager – Business Services)
Mr M Lester	(Project Coordination Manager)
Mr D McCorkindale	(Senior Manager – Strategic Planning)
Mr J Paulin	(Finance Manager)
Mrs D Weir	(People & Capability Manager)
Mr G O'Neill	(Projects Manager)
Mrs K J Corkill	(Meeting Secretary)

PUBLIC IN ATTENDANCE

There were thirteen members of the public in attendance at the commencement of the meeting.

1 Apologies

Apologies were recorded for Mayor Feyen and Councillors Brannigan and Mitchell.

MOVED by Cr Judd, seconded Cr Tukapua:

That the apologies from Mayor Feyen and Councillors Brannigan and Mitchell be accepted

CARRIED

2 Public Participation

No requests to speak had been received.

3 Late Items

There were no late items.

4 Declarations of Interest

None declared.

5 Confirmation of Minutes – 5 April 2017

MOVED by Cr Judd, seconded Deputy Mayor Bishop:

THAT the minutes of the meeting of the Finance, Audit & Risk Subcommittee held on Wednesday, 5 April 2017, be confirmed as a true and correct record.

CARRIED

6 Announcements

Standing on behalf of Mayor Feyen who was not at the meeting due to ill-health, Cr Campbell said Mayor Feyen had given him a statement to be read out in the public part of the meeting on the Peer Review of the Internal Auditor's Review of Sensitive Expenditure.

As Cr Campbell commenced reading the statement, Cr Judd raised a point of order as the report being referred to in the Mayor's statement was an operational report which had not yet been brought to the table and it was not appropriate for it to be aired.

The Chair upheld the point of order as the matter was covered in a report in the Public Excluded portion of the meeting and any announcement should be delivered then.

Commenting that the Mayor had also asked him to pass the statement on to the press as it was in the public's interest to know about the matter, Cr Campbell gave his apologies and withdrew from the meeting citing ill-health (4.10 pm).

New independent Chair, Philip Jones, introduced himself and gave an explanation of how he proposed FARS meetings would be conducted going forward to ensure that everyone was involved.

7 Reports

7.1 Financial Report for the eleven months to 31 May 2017

Purpose

To present to the Finance, Audit & Risk Subcommittee the financial report for the eleven months to 31 May 2017.

Mr Law spoke to the financial report noting that the main focus was the lower than predicted surplus which was due to a delay in receiving capital grants for the Te Awahou Nieuwe Stroom building project. It was a timing issue.

Responding to a query with regard to the number of resource consents created and where they were actually at in the process, Mr Law advised that these were at the s223 stage (when lines were drawn on the map) where a resource consent had been received to subdivide. Lots could not be sold until they passed the s224 stage and titles were issued. He had been advised it was a manual process but Mr Law said he would report to Councillors by email on the split.

It was suggested that the wording in the report “have been created” could be causing confusion and that should be looked at.

Mr Clapperton responded to a query with regard to the financial performance of the TANS project advising that committed funding to date was a little over \$3m and Council was getting close to the target it had set itself for third party funding. Significant funding from Culture and Heritage was still awaited and that should be announced shortly. Grant funding would be received in the 17/18 rather than the current financial year.

Mr Law also gave further information on queries with regard to finalising the values for infrastructure assets, the lower maintenance recorded primarily in six areas, and water-by-meter income.

MOVED by Cr Kaye-Simmons, seconded Cr Mason:

THAT Report 17/292 on Financial Report for the eleven months to 31 May 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 Jones queried what other information elected members might like to see. He personally would like to see a regular cash flow statement as it would enhance the report to talk about cash compared with budget and balance sheet compared with budget. Whilst not requiring a resolution, Mr Jones requested through the CE that that become part of regular reporting.

Mr Clapperton responded that information was normally brought through on a quarterly basis but he was happy for it to be brought through on a six weekly basis.

Mr Jones also requested that the Annual Report and key monthly reports were in the same format so when it came to adopting the Annual Report people were used to seeing the information and could understand it.

7.2 Audit Engagement and Arrangement letters

Purpose

To deliver to the FAR Subcommittee the three letters regarding the Audit New Zealand audit assignment for the next 3 financial years 2016/17, 2017/18, 2018/19, but with particular emphasis on the audit for the 2016/17 financial year.

Mr Law commented on the Audit and Engagement letters with there being normally only one; however this year there were three – the Audit Proposal Letter, Audit Engagement Letter and Audit Arrangements Letter. Ms Perera would also usually address the meeting but had been unavailable. She had, however, met earlier in the day with the Chair and staff.

MOVED by Cr Tukapua, seconded Cr Judd:

THAT Report 17/297 Audit Engagement and Arrangement letters be received.

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

THAT the Finance, Audit & Risk Subcommittee recommends to Council that the letters from Audit New Zealand be co-signed by the Mayor and the Chairperson of the Finance, Audit & Risk Subcommittee on behalf of the Horowhenua District Council.

THAT the ordinary Finance Audit and Risk Subcommittee meeting scheduled for 20 September 2016 considers the draft Annual Report and recommends its adoption to Council.

CARRIED

Given that Council consistently had unqualified/unmodified audit opinions, Deputy Mayor Bishop expressed his disappointment about the general response from the community being that Council received that because it was paying the bill and that the process was not robust. Whilst it appeared expensive, it did represent almost 1,000 hours of time with people who were engaged in all things to do with Council's operation. It did give him huge confidence in the process and the opinion received.

Mr Jones directed members' attention to page 51 of the Agenda which set out the hours involved. He also noted that the auditor was not appointed by Council but by the Auditor General who had to comply with audit standards. Non-compliance with audit standards could lead to disciplinary action.

With regard to the Annual Report, Mr Law advised that it was proposed to bring the first draft to the 9 August FARS meeting which would give Councillors the opportunity to have input into what would be audited. The audit would commence on 14 August 2017.

7.3 Horowhenua District Council's risk of future involvement in the LAPP fund insurance facility

Purpose

Horowhenua District Council is a member of the Local Authority Protection Programme (LAPP) Fund to protect underground 3 waters assets from disasters like the Christchurch and Kaikoura earthquakes. It is set up as a charitable trust whereby members contribute to a fund that, along with reinsurance cover, will pay for the re-establishment of assets following a major event. The issue has been, since the Christchurch event, that the fund has faced financial pressure and competition from the private insurance market. Members have been leaving to the point that it is timely to review Council's continued involvement with LAPP.

Mr Law gave a background to the Local Authority Protection Programme Fund and Council's involvement.

Responding to a query about what status updates would be brought back to the Subcommittee, Mr Law said there would be an update from LAPP in the new financial year about which Councils had left the fund and when that information was to hand it would be brought back to the Subcommittee.

MOVED by Mr Jones, seconded Cr Wanden:

THAT Report 17/299 on Horowhenua District Council's risk of future involvement in the LAPP fund insurance facility be received.

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

THAT the Subcommittee continues to review the risks associated with continued LAPP membership and reviews its membership before April 2018 in time for a possible withdrawal from LAPP.

THAT the Subcommittee be informed of the number of participating Councils as soon as practicable after that information is available.

CARRIED

7.4 Health and Safety Quarterly Report to 31 May 2017

Purpose

To provide an update to Elected Members on health and safety matters at Horowhenua District Council for the previous three months.

Requesting that the report be taken as read, Mrs Weir covered the highlights in her report.

MOVED by Cr Kaye-Simmons, seconded Cr Judd:

THAT Report 17/286 on Health and Safety Quarterly Report to 31 May 2017 be received.

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

CARRIED

Commenting that Health and Safety was a journey and not a destination, Mr Jones said it was important that Council understood its role in Health and Safety; however the Subcommittee's role was not to do Health and Safety but to gain assurance that Health and Safety was alive and well and was minimising risk to the organisation to the best of its ability. He requested that the next report to the Subcommittee include some key statistics to provide a trend analysis over a period of time of near misses and reportable instances – what the top 5-10 risks were, what needed to be done to reduce those risks and a timetable to achieve that. Hopefully those risks would change going through the journey.

7.5 Treasury Report

Purpose

To present to the Finance, Audit & Risk Subcommittee the Bancorp Treasury Report for the March 2017 quarter.

Mr Law spoke to the report saying he was happy where Council was at present.

Responding to a query as to whether Council was over-weighted in short term borrowings, Mr Law said that would be covered in the next Treasury Report.

MOVED by Cr Gimblett, seconded Deputy Mayor Bishop:

THAT Report 17/290 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

Mr Jones queried how long Mr Law thought the average-weighted cost of 4.25% would hold and what was the locked in period.

Mr Law said Council had a number of loans locked in for a long period time at 4% and under. It would depend on how quickly low interest rates rose. Council always looked for the lowest rate it could. Joining the LGFA and getting a credit rating had made a big impact on Council's interest rate.

7.6 Standard and Poors Credit Rating

Purpose

To present to the Finance, Audit and Risk committee the Standard and Poors' report on the review of Council's credit rating.

Reiterating that Standard and Poors had reconfirmed Council's A+ Credit Rating, Mr Law also noted the three risk areas identified in the report that could lead to a review downwards of that rating.

Mr Jones requested that an options paper be brought to the Subcommittee for reducing Council's liquidity risk and queried what would be an acceptable timeline.

Mr Law said he was confident he could bring something to the 9 August 2017 Subcommittee meeting.

It was also requested that the options paper include long term and short term borrowing from a layperson's point of view and what were the risks of money tightening up or interest rates rising.

MOVED by Cr Gimblett, seconded Cr Judd:

THAT Report 17/293 Standard and Poors Credit Rating be received.

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

THAT the Finance, Audit & Risk Subcommittee requests the Chief Financial Officer submit a report to the 9 August 2017 Subcommittee meeting exploring options for addressing the liquidity risk identified in the Standard and Poors Credit Rating report.

CARRIED

Mr Jones identified two other risks noted by Standard and Poors being the political situation and major changes to Council's capital expenditure. If capital expenditure was increased, that increased debt and if rate income did not increase to pay for it then there was the possibility of a downgrade. It was something Councillors needed to be aware of as part of LTP decision making.

7.7 Projects Update June 2017

Purpose

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

Council's Projects Manager, Mr O'Neill gave a PowerPoint presentation updating the Subcommittee on North East Levin and the Levin Water Treatment Plant Upgrade.

Responding to a query about how much stormwater capacity there was for future growth and climate change, Mr O'Neill said that had been factored into calculations. There was an issue that future growth figures had not yet come through but an initial assessment had been done and growth projections would be updated.

Mr Clapperton added that the key point was that Council was being very very careful, whether it was for renewals or growth related, to take into account growth forecasts for stormwater, wastewater or water.

The views of stakeholders in the projects reported on was raised and discussed, with consultation still to be undertaken in some instances.

The status of the consenting process with HRC was also commented on with Mr Clapperton suggesting, to give comfort to the Subcommittee and to Council, that a report on the RMA process that was being undertaken would be helpful.

Following the PowerPoint presentation and queries that had arisen, Mr O'Neill requested that the report be taken as read. He also sought any suggestions from the Subcommittee in terms of improving reporting.

Mr Jones said what concerned him was other than engineering projects that were not included in the reporting. It would be helpful, at a high level, to consider other projects in terms of the LTP. Whilst this was not an LTP committee, it would assist to know what the risks were if a project was not completed on time to the required standard, and monitoring in terms of financial cost.

Noting that non-capital projects would be reported back to the Subcommittee, Mr Clapperton commented that the value of having an independent chair was that it challenged Council to keep up to speed, with Mr Jones having identified other areas (Policy Development; the s17A Review; an holistic update on overall growth response; and the LTP development process) that should be brought back to the Subcommittee by way of updates.

MOVED by Cr Kaye-Simmons, seconded Cr Judd:

THAT Report 17/258 on Projects Update June 2017 be received.

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

CARRIED

7.8 Statutory Rates Write Off

Purpose

To approve the write off of rates and penalties that are no longer collectable under the Local Government (Rating) Act 2002.

MOVED by Cr Kaye-Simmons, seconded Cr Gimblett:

THAT Report 17/295 Statutory Rates Write Off be received.

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

THAT the Horowhenua District Council approves the write off of rates and penalties that are no longer collectable under the Local Government (Rating) Act 2002 totalling \$106,654.30.

CARRIED

Mr Law confirmed that doubtful debts were provided for, which included this statutory rates write-off.

7.9 Risk Management Update

Purpose

The purpose of this report is to provide the Finance, Audit and Risk Subcommittee (FAR) with an update regarding Risk Management at HDC and encourage discussion regarding the committee expectations going forward.

Requesting the report be taken as read, Mrs Brady gave a background to the Risk Management Framework which was now up for review. Direction was sought as to how elected members wished to proceed. When this had initially been introduced there had been briefings and workshops and that could again occur.

MOVED by Cr Tukapua, seconded Cr Mason:

THAT Report 17/307 on Risk Management Update be received.

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

CARRIED

Mr Jones stressed that the Subcommittee needed to understand what it wanted in terms of reporting. Hopefully members did not want to see every risk reported on every six weeks. It was important to identify the key risks and how they would be monitored.

Responding to Mrs Brady's queries as to what the Subcommittee might like to see by way of reporting, Mr Clapperton suggested, as this matter was still in its embryonic stage of understanding how the framework might work, that Officers circulate to the Subcommittee by mid-July for input by members, what were perceived as the top five risks, including those identified in the Standard and Poors Report. Based on that feedback a report would then be brought to the 9 August 2017 FARS meeting.

7.10 Monitoring Report - Issues Identified during the 30 June 2015 Audit

Purpose

To present to the Finance, Audit & Risk Subcommittee the Monitoring Report covering issues identified during the 30 June 2015 Audit.

Mrs Brady advised that this did relate to 2015. It had come to the Subcommittee two meetings ago and there was commentary in the Report on which an update was requested.

The Audit Monitoring Report would now be updated based on the 2016 Audit Report.

MOVED by Cr Kaye-Simmons, seconded Cr Judd:

THAT Report 17/306 Monitoring Report - Issues Identified during the 30 June 2015 Audit be received.

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

CARRIED

8 Procedural motion to exclude the public

MOVED by Cr Wanden, seconded Deputy Mayor Bishop:

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 Peer Review of the Internal Auditor's Review of Sensitive Expenditure

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
<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

5.37pm 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.

6.10 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:.....

Proceedings of the Strategy Committee 5 July 2017

File No.: 17/344

1. Purpose

To present to the Council the minutes of the Strategy Committee meeting held on 5 July 2017.

2. Recommendation

- 2.1 That Report 17/344 Proceedings of the Strategy Committee 5 July 2017 be received.
- 2.2 That the Council receive the minutes of the Strategy Committee meeting held on 5 July 2017.
- 2.3 THAT, as recommended by the Strategy Committee, the Horowhenua District Council adopts Proposed Plan Change 1: Historic Heritage – Update Schedule 2 to include additional buildings, structures and sites and the Section 32 Evaluation Report for the purpose of public notification in accordance with Clause 5 of the First Schedule of the Resource Management Act 1991.
- 2.4 THAT, if necessary, the Senior Manager – Strategic Planning, in consultation with the Chair of the Hearings Committee be authorised (prior to public notification) to correct any minor errors or omissions in the text and maps of Proposed Plan Change 1 and the Section 32 Evaluation Report.
- 2.5 THAT the Horowhenua District Council authorises officers to proceed with public notification of Proposed Plan Change 1: Historic Heritage – Update Schedule 2 to include additional buildings, structures and sites, in accordance with the statutory requirements set out in the First Schedule of the Resource Management Act 1991.
- 2.6 THAT, as recommended by the Strategy Committee, Proposed Plan Change 2: Review of Residential Development Provisions and the Section 32 Evaluation Report is adopted by Council for the purpose of public notification in accordance with Clause 5 of the First Schedule of the Resource Management Act 1991.
- 2.7 THAT, if necessary, the Senior Manager – Strategic Planning, in consultation with the Chair of the Hearings Committee be authorised (prior to public notification) to correct any minor errors or omissions in the text and maps of Proposed Plan Change 2 and the Section 32 Evaluation Report.
- 2.8 THAT that the Horowhenua District Council authorises officers to proceed with public notification of Proposed Plan Change 2: Review of Residential Development Provisions, in accordance with the statutory requirements set out in the First Schedule of the Resource Management Act 1991.
- 2.9 THAT, as recommended by the Strategy Committee, the Horowhenua District Council endorses the following appointments to the relevant Forum as proposed by the Community Forums' Working Party:

Economic Community Forum

Malcolm Hadlum

Colleen Sheldon

Vivienne Taueki

Debbie Baker

Deborah Burns

Pauline Masters

Graham Galley

Elizabeth Valentine

Olaf Eady

Life to the Max Horowhenua

Manakau District Community Association

Waitarere Beach Progressive & Ratepayers Assn

Richard Parker

Environment Community Forum

Neil Savage

Peter Thompson

Mike Smith

Graham Bull

Vivienne Taueki

Pauline Masters

Manakau District Community Assn

Graham Galley

Christina Paton

Geoff Kane

Fred de Jager

Waitarere Beach Progressive & Ratepayers Assn

Rose Cotter

Alastair Cole

- 2.10 THAT, as recommended by the Strategy Committee, the Horowhenua District Council approves the submission to the NZ Transport Agency on the Otaki to North of Levin (O2NL) Roads of National Significance Project.

3. Issues for Consideration

The following items were considered by the Strategy Committee and were recommended to Council for adoption:

6.1 Proposed Plan Change 1: Historic Heritage – Update Schedule 2 to include additional buildings, structures and sites

Purpose

To present Proposed Plan Change 1 (including supporting evaluation/technical reports) to the Strategy Committee for its approval and to obtain a recommendation that Council adopts the proposed plan change at its meeting in July and that officers proceed with public notification.

THAT Proposed Plan Change 1: Historic Heritage – Update Schedule 2 to include additional buildings, structures and sites and the Section 32 Evaluation Report is approved by the Strategy Committee and that the Committee recommends it be adopted by Council for the purpose of public notification in accordance with Clause 5 of the First Schedule of the Resource Management Act 1991.

THAT the Strategy Committee recommends to Council that, if necessary, the Senior Manager – Strategic Planning, in consultation with the Chair of the Hearings Committee be authorised (prior to public notification) to correct any minor errors or omissions in the text and maps of Proposed Plan Change 1 and the Section 32 Evaluation Report.

THAT the Strategy Committee recommends to Council that officers be authorised to proceed with public notification of Proposed Plan Change 1: Historic Heritage – Update Schedule 2 to include additional buildings, structures and sites, in accordance with the statutory requirements set out in the First Schedule of the Resource Management Act 1991.

6.2 Proposed Plan Change 2: Review of Residential Development Provisions

Purpose

To present Proposed Plan Change 2: Review of Residential Development Provisions (including supporting evaluation/technical reports) to the Strategy Committee for its approval and to obtain a recommendation that Council adopts the proposed plan change at its meeting in July and that officers proceed with public notification.

THAT Proposed Plan Change 2: Review of Residential Development Provisions and the Section 32 Evaluation Report is approved by the Strategy Committee and that the Committee recommends it be adopted by Council for the purpose of public notification in accordance with Clause 5 of the First Schedule of the Resource Management Act 1991.

THAT the Strategy Committee recommends to Council that, if necessary, the Senior Manager – Strategic Planning, in consultation with the Chair of the Hearings Committee be authorised (prior to public notification) to correct any minor errors or omissions in the text and maps of Proposed Plan Change 2 and the Section 32 Evaluation Report.

THAT the Strategy Committee recommends to Council that officers be authorised to proceed with public notification of Proposed Plan Change 2: Review of Residential Development Provisions, in accordance with the statutory requirements set out in the First Schedule of the Resource Management Act 1991.

6.4 Community Forums – Expressions of Interest

Purpose

To present to the Strategy Committee the expressions of Interest received for the Environment and Economic Community Forums

THAT the Strategy Committee endorses those people proposed by the Community Forums' Working Party for submission to Council for appointment to the relevant Forum.

See **attached** Expressions of Interest.

6.8 Submission of NZTA – O2NL Project Engagement

Purpose

To present to Council the proposed submission to the NZ Transport Agency on the Otaki to North of Levin (O2NL) Roads of National Significance project.

THAT the Committee recommends to Council that it approves the submission to the NZ Transport Agency on the Otaki to North of Levin (O2NL) Roads of National Significance Project

A copy of the submission is **attached**.

Attachments



No.	Title	Page
A	Expressions of Interest - Community Forums - June 2017	59
B	HDC Submission to NZTA - O2NL Project Engagement	60

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	

EXPRESSIONS OF INTEREST

Economic Community Forum

Malcolm Hadlum	
Colleen Sheldon	
Vivienne Taueki	
Debbie Baker	Life to the Max Horowhenua
Deborah Burns	
Pauline Masters	Manakau District Community Assn
Graham Galley	
Elizabeth Valentine	Waitarere Beach Progressive & Ratepayers Assn
Olaf Eady	
Richard Parker	

Environment Community Forum

Neil Savage	
Peter Thompson	
Mike Smith	
Graham Bull	
Vivienne Taueki	
Pauline Masters	Manakau District Community Assn
Graham Galley	
Christina Paton	
Geoff Kane	
Fred de Jager	Waitarere Beach Progressive & Ratepayers Assn
Rose Cotter	
Alastair Cole	

DRAFT HDC FEEDBACK TO NZTA ON THE O2NL RONS PROJECT

1. Introduction

- 1.1. The Horowhenua District Council (HDC) welcomes the opportunity to provide this feedback to the NZ Transport Agency (the Agency) on the Otaki to North of Levin (O2NL) Roads of National Significance project.
- 1.2. It outlines the key expectations and issues considered important for the development of the project from a HDC perspective and aims to support its progress.
- 1.3. The feedback is grouped under the following headings:
 - Collaboration and Support
 - Cultural and Heritage
 - Project Programme, Scope and Staging
 - Project Design
 - Effects on Urban Form
 - Interchanges
 - Walking and Cycling
 - Access and Road Network
 - Amenity
 - Environment and Ecology
 - Economic Impacts
- 1.4. This feedback is not intended to be a complete record of all the views, issues and requirements that HDC considers relevant to the project. It is reflective of our knowledge and the level information available on the project. As the project develops and more detailed information becomes available, we would welcome further opportunities to provide feedback.

2. Collaboration and Support

Collaboration

- 2.1. We support the collaborative approach being taken to develop the project. The Agency's willingness to engage with the community, key stakeholders and iwi is appreciated. The different perspectives and knowledge that these groups bring will provide valuable input to the project and deliver positive outcomes for the District. The current engagement plans proposed to the end of the year will ensure that communities, stakeholders and iwi get the opportunity to communicate to the Agency their views and aspirations for the project.

Support

- 2.2. The project is important for our District, and we are very eager to see it progress through to construction at the earliest opportunity. We fully support the intent of the project and acknowledge the transport benefits and the opportunities it can bring for the economy both at a national level and for our District, especially if the project planning and design process are well considered and delivered on.
- 2.3. The project will create significant change to the roading infrastructure in the District. Approximately 27km of existing State highway will become local road and HDC's responsibility. Levin town centre will experience change and being a key centre in the District it is important that HDC plans effectively for the future changes.

- 2.4. Responding to these changes and engaging on the project generally, creates administrative challenges for HDC with increased demand for resources and specialist technical advice creating additional expenses.
- 2.5. To enable HDC to continue engaging effectively on the project, which assists the Agency deliver positive national and local project outcomes, the provision of financial or resourcing support is requested. This will help offset the additional expenses being created by the project.

3. Culture and Heritage

- 3.1. The Horowhenua District has high cultural and heritage value for iwi, hapū and the wider community. HDC supports strong engagement with iwi and hapū to ensure cultural issues are dealt with appropriately and sensitively. The Agency should support tangata whenua through the engagement process.
- 3.2. The District has a significant cultural landscape, containing wahi tapu and areas and features of cultural importance, these need to be identified, respected and preserved in the design process.
- 3.3. The cultural significance to tangata whenua of the Tararua Mountain Range, the sea and rivers should be respected and preserved in the design process.
- 3.4. All components of the design of the Expressway and associated infrastructure should recognise the local cultural and heritage context.

4. Project Programme, Scope and Staging

Programme

- 4.1. The length of time taken to develop the project and the changes in scope are creating anxiety and uncertainty for our community. This will be compounded by the level of detail that surrounds this round of consultation.
- 4.2. Moving forward, HDC wants to see more certainty on the project for the District, our community and potentially affected property owners. Traffic growth has been high on SH1 over the last 3 years and can be expected to remain high, exacerbating existing traffic issues in the District. This demonstrates the crucial need to achieve the forecast construction start of 2021 or face unacceptable traffic conditions.
- 4.3. We support the current programme through to construction and consider it important that the Agency works expeditiously to achieve it.

Scope

- 4.4. Whilst it is beneficial to extend the scope of the project from SH1 Taylors Road to the Manawatū River, we do however question the reasoning of ending the project at the Manawatū River and not the northern end of Foxton. Rooding standards and traffic volumes on the section of SH1 between Manawatu River and Foxton are no different to those immediately to the south.

- 4.5. The traffic impact on Foxton as the first town traffic on SH1 will pass through from Wellington needs to be assessed. Removing bottlenecks between Wellington and Foxton will create free flowing traffic conditions on SH1 that may create future traffic issues in Foxton.
- 4.6. The overall scope of the project should consider the impact not only within the District but also on the function of the District from an inter-regional perspective.
- 4.7. HDC does not support the scope of the project or staging scenario that ends the project south of Levin. This would not alleviate the traffic issues in the town centre.
- 4.8. The project needs to consider the high level of growth being predicted for the District with project decisions supporting the District achieves its growth projections. HDC are reviewing the future growth projections for the District and can provide updated information to the Agency.

Staging

- 4.9. Generally, HDC does not support any staging of the project; however, if staging was going to enable parts of the project to be delivered early this would be supported.

5. Project Design

- 5.1. The project should promote good urban design principles to assist the District to realise its growth potential and help achieve its community outcomes.
- 5.2. Given the scale of the project, it will have a profound effect on the District, its communities and landscape well into the future. Therefore, HDC expects the Agency to use best practice design standards with a high degree of innovation applied to produce project outcomes that support the District in achieving its community aspirations and outcomes.

6. Effects on Urban Form

- 6.1 The project should limit its overall impact on existing developed areas in the District.
- 6.2 The project should maintain the integrity of the district's growth areas and should minimise severance of these areas from existing residential areas, particularly around Levin.
- 6.3. Appropriate future proofing should be included in the design of new infrastructure to ensure that it can be easily upgraded to accommodate growth in the District.

7. Interchanges

- 7.1 The provision of interchanges must be strategically located to ensure highly efficient access to Levin and its town centre. Levin is a key destination In the District which is reflected by the significant volume of traffic that has an origin or destination there.
- 7.2. It is desirable that the form of interchanges achieves as much free flow of traffic as possible, by using merges/diverges rather than give way or stop control.
- 7.3 HDC supports a connection to the south of Levin that will be the key access between Levin and the south. It is understood that a connection for Levin is being considered to the south of Ohau; however, HDC considers that a location closer to Levin would provide a more beneficial access and give a sense to drivers that Levin is close. This location should be investigated.

- 7.4. It is understood that an interchange at Manakau has been investigated and whilst this would be desirable to serve the local area, it is not considered a suitable access to Levin from the south. The interchange would potentially attract a high volume of traffic onto the existing SH1 which would be a local road in the future.
- 7.5. The interchange provision should enable inter-regional freight movements that travel through Levin to avoid the town centre.
- 7.6. The interchanges on the expressway will form gateways and first impressions to the District, its towns and services and should enhance the appeal of the District for visitors and residents.
8. Walking and Cycling
 - 8.1. A shared walkway/cycleway should be provided that runs the length of the project like that built in the MacKays to Peka Peka RONS project.
 - 8.2. The project should integrate with HDCs shared pathways strategy, and ensure connection opportunities between O2NL pathways and HDC's local pathway network are included.
 - 8.3. Any residential areas severed by the Expressway should have appropriate connections for walking and cycling as long detours are not attractive or appropriate for these modes.
 - 8.4. The expressway should not limit the opportunity for the proposed growth areas to integrate with existing residential areas in terms of walking and cycling.
 - 8.5. Any roads that experience increases in traffic volumes should maintain the existing level of service for pedestrians and cyclists with mitigation measures as necessary.
 - 8.6. The project should improve traffic conditions in Levin town centre and create opportunities for improved pedestrian movement in and around the town centre.
9. Access and Road Network

Access

 - 9.1. The RONS project should recognise the key destinations in the District and provide easy access between these areas and the Expressway, especially for traffic associated with Levin.
 - 9.2. Maintain efficient two-way access to Levin from the south via a connection at Ohau or closer to Levin.
 - 9.3. Maintain efficient two-way access between Levin and SH1 to the north.
 - 9.4. Maintain efficient access to Levin from SH57 and Palmerston North.
 - 9.5. Access between the local road network and expressway should minimise traffic on local roads that could otherwise be using the expressway.
 - 9.6. Ensure the RONS interchange strategy maintains access points to Levin from the north and south.

- 9.7. Maintain and enhance access to key recreational areas within the District, especially the Tararua hill country, Ōhau River and Lake Horowhenua.
- 9.8. Provide good access from the expressway for freight traffic accessing industrial areas in Levin.

Road Network

- 9.9. Any changes to the local road network should minimise any increase in travel time for local traffic.
- 9.10. Reduce congestion and delays in the Levin Town Centre.
- 9.11. Any capacity and safety issues on the local road network because of changed traffic patterns should be mitigated.
- 9.12. The level of service for existing freight and commercial vehicle movements around the District should be enhanced.
- 9.13. Revoked State Highways should be designed to meet their new function as part of the local multi-modal transport network.
- 9.14. Revoked State Highways, including structures, are required to have an appropriate remaining life.

10. Amenity

- 10.1 Any infrastructure changes should preserve and enhance the rural character of the District.
- 10.2. With the proposed Expressway running in a north-south direction any impact on the visual amenity and access between the Tararua Mountain Ranges and the sea should be minimised.
- 10.3. Contribute to enhancing the character and amenity in Levin Town Centre particularly by removing non-essential heavy vehicles.
- 10.4 Minimise effects on key view shafts for existing and future residential areas.
- 10.5. Promote innovation in the design to enhance the overall fit with the landscape and cultural heritage of the District.
- 10.6. Incorporate design components (e.g. artwork, embossed concrete surfaces) that promote and celebrate the local cultural and heritage context of the District.

11. Environment and Ecology

- 11.1 Improve the overall environmental footprint of transport infrastructure throughout the District affected by the projects.
- 11.2. Improve the management of stormwater runoff from any new and revoked infrastructure.
- 11.3. Include positive environmental and ecological outcomes for land, air and water for native flora and fauna to thrive across the scope of the project.
- 11.4. The multiple small stream crossings and waterways should be recognised and provided for in the design and earthworks managed to maintain principle land forms.

12. Economic Impacts

- 12.1. Many businesses in the District are located adjacent to the existing State highways and rely on passing traffic. The impact on these businesses and the wider economic impacts on the District needs to be assessed as part of the project.

Strategy Committee

OPEN MINUTES

Minutes of a meeting of the Horowhenua District Council Strategy Committee held in the Council Chambers, 126-148 Oxford St, Levin, on Wednesday 5 July 2017 at 4.00 pm.

PRESENT

Chairperson Mrs V M Kaye-Simmons
Councillors Mr W E R Bishop
Mr R J Brannigan
Mr N G Gimblett
Mrs J F G Mason
Mrs C B Mitchell
Ms P Tukapua
Mr B P Wanden

IN ATTENDANCE

Mr D M Clapperton	(Chief Executive)
Mr D Law	(Chief Financial Officer)
Mr G Saidy	(Group Manager – Infrastructure Services)
Mr M Lester	(Projects Coordination Manager)
Mr S Grainger	(Economic Development Manager)
Mr D McCorkindale	(Senior Manager – Strategic Planning)
Mr D Haigh	(Growth Response Project Manager)
Mr R Hughes	(Environmental Engineer)
Ms T Williams	(Strategic Planner)
Mr S Wood	(Legal Counsel)
Mrs K J Corkill	(Meeting Secretary)

MEDIA IN ATTENDANCE

Mr T Frewen (“Otaki Mail”)

PUBLIC IN ATTENDANCE

There were 8 members of the public in attendance at the commencement of the meeting, increasing to 23 toward the end of meeting when the NZTA Submission report was addressed.

1 Apologies

Apologies were recorded for Mayor Feyen and Cr Campbell.

MOVED by Deputy Mayor Bishop, seconded Cr Wanden:

THAT the apologies from Mayor Feyen and Cr Campbell be accepted.

CARRIED

2 Public Participation

6.2 Proposed Plan Change 2 – Review of Residential Development Provisions
Christine Paton

6.3 Solid Waste – Review of the Waste Minimisation and Management Strategy 2012
Malcolm Hadlum

6.8 Submission to NZTA – O2NL Project Engagement
Carol Shore

3 Late Items

There were no late items.

4 Declarations of Interest

None declared.

5 Announcements

There were no announcements.

6 Reports

6.1 Proposed Plan Change 1: Historic Heritage – Update Schedule 2 to include additional buildings, structures and sites

Purpose

To present Proposed Plan Change 1 (including supporting evaluation/technical reports) to the Strategy Committee for its approval and to obtain a recommendation that Council adopts the proposed plan change at its meeting in July and that officers proceed with public notification.

MOVED by Cr Judd, seconded Cr Wanden:

THAT Report 17/266 on Proposed Plan Change 1: Historic Heritage – Update Schedule 2 to include additional buildings, structures and sites be received.

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

CARRIED

Ms Williams and Mr McCorkindale joined the table to speak to this report.

Requesting the report be taken as read, Ms Williams gave a background to the proposed plan change. She clarified that the comment about “owners being generally supportive” included those on the list who had confirmed their support. Those on the list who were not sure had not been included. In terms of who had nominated the properties for inclusion; of the 78, 60 properties had been nominated by people other than the property owner, with the owners then indicating their support.

Commending Officers on the work done, Cr Judd said the prior briefings and consultation put elected members in a good space to make a decision.

MOVED by Cr Judd, seconded Cr Brannigan:

THAT Proposed Plan Change 1: Historic Heritage – Update Schedule 2 to include additional buildings, structures and sites and the Section 32 Evaluation Report is approved by the Strategy Committee and that the Committee recommends it be adopted by Council for the purpose of public notification in accordance with Clause 5 of the First Schedule of the Resource Management Act 1991.

THAT the Strategy Committee recommends to Council that, if necessary, the Senior Manager – Strategic Planning, in consultation with the Chair of the Hearings Committee be authorised (prior to public notification) to correct any minor errors or omissions in the text and maps of Proposed Plan Change 1 and the Section 32 Evaluation Report.

THAT the Strategy Committee recommends to Council that officers be authorised to proceed with public notification of Proposed Plan Change 1: Historic Heritage – Update Schedule 2 to include additional buildings, structures and sites, in accordance with the statutory requirements set out in the First Schedule of the Resource Management Act 1991.

CARRIED

6.2 Proposed Plan Change 2: Review of Residential Development Provisions

Purpose

To present Proposed Plan Change 2: Review of Residential Development Provisions (including supporting evaluation/technical reports) to the Strategy Committee for its approval and to obtain a recommendation that Council adopts the proposed plan change at its meeting in July and that officers proceed with public notification.

MOVED by Cr Judd, seconded Cr Mason:

THAT Report 17/267 on Proposed Plan Change 2: Review of Residential Development Provisions be received.

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

CARRIED

Commencing by saying that the report provided a lot of information, Mrs Christina Paton queried what process would be used when it went out for public consultation because it had the potential to significantly affect a considerable number of people and it would help if it was broadly communicated. As well as the usual communication channels, Mrs Paton suggested public meetings where people could see and have explained what was proposed.

Speaking to the report, Ms Williams summarised the information provided saying it was to provide for growth in the existing urban areas. Responding to the matter raised by Mrs Paton, there would be full public notification including a public notice and newspaper articles. Directly affected people, approximately 2,000, would also be notified. That would involve a letter and a pamphlet which provided a summary of the proposed changes.

Mr McCorkindale confirmed that Council had tried to take a proactive approach with a carefully worded media release to ensure it attracted attention. Although a property owner might not have any development aspirations their neighbours may. Other channels, such as social media, would be used to raise as much awareness as possible.

Responding to a query about whether people in Foxton, Foxton Beach and Shannon would be notified as well, Ms Williams said they had not anticipated doing that at this stage as it would involve a significant number of property owners; however she would be happy to take direction on that.

Mr Clapperton undertook to ensure that communication occurred as widely as possible, including public meetings.

MOVED by Cr Mitchell, seconded Cr Mason:

THAT Proposed Plan Change 2: Review of Residential Development Provisions and the Section 32 Evaluation Report is approved by the Strategy Committee and that the Committee recommends it be adopted by Council for the purpose of public notification in accordance with Clause 5 of the First Schedule of the Resource Management Act 1991.

THAT the Strategy Committee recommends to Council that, if necessary, the Senior Manager – Strategic Planning, in consultation with the Chair of the Hearings Committee be authorised (prior to public notification) to correct any minor errors or omissions in the text and maps of Proposed Plan Change 2 and the Section 32 Evaluation Report.

THAT the Strategy Committee recommends to Council that officers be authorised to proceed with public notification of Proposed Plan Change 2: Review of Residential Development Provisions, in accordance with the statutory requirements set out in the First Schedule of the Resource Management Act 1991.

CARRIED

6.3 Solid Waste - Review of the Waste Minimisation and Management Strategy 2012

Purpose

To inform the Committee of the process and steps that will be taken to review the Waste Minimisation and Management Plan 2012 which is due for review in 2018. This review forms part of the Long Term Plan and will include reviewing of the entire Solid Waste Activity.

MOVED by Cr Bishop, seconded Cr Judd:

THAT Report 17/323, Solid Waste - Review of the Waste Minimisation and Management Strategy 2012 be received.

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

CARRIED

Mr Malcolm Hadlum commenced his comments by saying the district's biggest asset by a country mile was its environment, summarising the benefits that a clean environment could bring. Around New Zealand the most successful towns and cities all were based on enhancing their natural assets.

Commenting on the history of the landfill and its inappropriate location for that type of activity, Mr Hadlum suggested Councillors should look into that and the latest non-compliance report. If the landfill was closed, Council could finally comply with the Waste Minimisation Act. At the moment it was very hard to minimise waste when a landfill depended on a certain tonnage to help reduce landfill debt.

Noting that this review was for the whole strategy and having researched this whole matter, Cr Judd raised the fact that closing the landfill would potentially put the district's waste into someone else's backyard.

Mr Hadlum said he supported that as Bonny Glen was large enough to take all the region's waste, it was in a more suitable environment and it was efficient: a state of the art facility. The cost of sending Kapiti Coast's waste to Bonny Glen would be no dearer than sending it here.

Cr Judd raised the potential impact in terms of cost of closing the landfill which may lead to a rise in the solid waste rate.

Mr Hadlum's response was in terms of the difficulty of putting a figure on having a clean environment and he suggested that in New Zealand the cost per capita would be small and well worth ensuring the activity was done correctly. Also, when the landfill did close, and it would have to close at some stage, there would be on-going costs.

Acknowledging Mr Hadlum's comments, Cr Kaye-Simmons said that going forward it was not just about the landfill but a more holistic approach being taken and being more environmentally friendly overall. She assured Mr Hadlum that elected members would be looking at this very seriously.

Mr Saidy introduced Ryan Hughes, Council's Environmental Engineer, who looked after the landfill and Council's solid waste activity. He then made a PowerPoint presentation on the Review to be undertaken, Council's legislative responsibilities, and the key considerations that would be taken into account during the review. The intention of bringing this to the Strategy Committee was to signal to Council that this was coming to the table and to give everyone the opportunity to have a say and understand both sides of the story so Council could make an informed decision around the solid waste activity.

Mr Saidy sought questions from Councillors that could be responded to during the review process.

Information requested by Councillors:

- comfort was sought on the integrity of the liner and that there was no leachate going into nearby streams. The understanding was that there was a substantial liner that collected leachate, which was then pumped back to the wastewater treatment plant and then the treated effluent went out to the Pot;
- With the changing face of waste, what would the long term effects and impacts that this community would be facing;
- with the growth projects, was the extra waste that would be generated being taken into account;
- the expiry of the current contract (with 2021 mentioned) and whether the significant amount of tonnage controlled by operators outside this district aligned with that;
- in the analysis could an option be brought back in terms of closing the landfill now – what that would look like, including the carbon cost raised by Mr Hadlum; and future care and other costs;
- information on the subsidies around carbon credits;
- pros and cons of using a regional rather than a local landfill;
- with the current recycling that was occurring, what percentage of that was genuine recycling and how much ended up in the landfill.
- with e-waste being a national issue, what was being done with regard to disposal?

6.4 Community Forums - Expressions of Interest

Purpose

To present to the Strategy Committee the expressions of Interest received for the Environment and Economic Community Forums.

MOVED by Cr Mason, seconded Cr Bishop:

THAT Report 17/289 on Community Forums - Expressions of Interest be received.

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

CARRIED

A name correction was noted, with it being Pauline Masters, not Masten.

MOVED by Cr Mason, seconded Cr Bishop:

THAT the Strategy Committee endorses those people proposed by the Community Forums' Working Party for submission to Council for appointment to the relevant Forum.

CARRIED

6.5 Funding Infrastructure to Support Growth

Purpose

To consider funding mechanisms for infrastructure in relation to future infrastructural requirements and growth, in the context of development of the 2018/38 LTP development.

MOVED by Cr Gimblett, seconded Cr Wanden:

THAT Report 17/319 on Funding Infrastructure to Support Growth be received.

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

CARRIED

Mr Law and Mr Clapperton both added commentary to the report which was a scene setter for Council to consider funding options for future growth as part of the LTP process.

6.6 Socio-economic Projections for Horowhenua

Purpose

The purpose of this report is to provide an update to the Strategy Committee regarding the review of Horowhenua's socio-economic forecasts.

MOVED by Cr Bishop, seconded Cr Wanden:

THAT Report 17/317 on Socio-economic Projections for Horowhenua be received.

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

CARRIED

Council's Economic Development Manager, Shanon Grainger, spoke to this report which he said provided an update to give visibility to work being undertaken. The district had changed quite considerably since NZIER undertook research eighteen months ago and Council was operating in a dynamic space. The draft report had been taken down to Wellington for consideration by a steering group of experts, which had been very beneficial. The Strategy Committee's endorsement of the approach being taken was now sought.

Responding to a query from Cr Wanden as to whether Council was drilling down on how the current growth being experienced was made up, and how that could be tracked, Mr Grainger noted that there had been a shift in LIM reports. Historically the district had seen 60% of its LIM enquiries happening from the local population and 40% for out of town; it was now going the opposite way with 60% being from out of town and 40% local. There

was a strong flow from the south, but also from others areas such as Manawatu and Palmerston North.

With the Horowhenua being promoted as the best rural lifestyle district in New Zealand, Cr Gimblett queried if there was a vision as to what the community should look like in the future.

Mr Clapperton said that was part of the discussion that needed to occur as part of the LTP. Also to be brought to Council was a piece of work being undertaken called H2030 looking at what Horowhenua may look at that point in time. That discussion needed to be undertaken with the wider community and he would be facilitating a discussion with the Waitarere community around the long term vision for that area and where they wanted to be in 20 years' time.

Mr Grainger noted that there was a view that fundamentally growth was not a good thing. However Horowhenua had a very strong community outcomes framework and it was a matter of thinking about growth as positive rather than negative: not growth just for the sake of it.

Cr Brannigan raised the importance of bringing Government agencies, particularly around such things as education, into the discussion. He noted the two schools at Foxton Beach were bulging and the seams and he requested some information be brought to the Strategy Committee around Government agency engagement.

Commenting on the recent steering group meeting, Mr Grainger said of interest was the approach used which nationally was a top down model, rather than a bottom up approach and understanding the implications of that. He acknowledged it would be an ongoing conversation.

Deputy Mayor Bishop said it was great to see this report with its socio-economic projects because for too long too many negative indicators had prevailed for the district. Now it was not just talking about possibilities; growth was actually occurring and it was putting the district on the radar with Government agencies.

In terms of where Council sat with regard to conversations with Government Agencies, Mr Grainger said Council had a few forums in place such as the Community Wellbeing Committee and Education Horowhenua, and those existing frameworks would be used for engagement.

Mr Clapperton said there needed to be a realisation that the growth that was forecast was quite unique. The only other examples on a similar scale was the growth that occurred in Kapiti 15-20 years ago where the population increased quite significantly.

With the number of the reports in the Agenda being closely related and with the LTP looming, Cr Judd queried how confident Council was with how it was tracking in terms of progress against activities such as funding of infrastructure, and would those specific projects be able to be delivered against the demand that was going to come.

Mr Clapperton responded that from a strategic perspective at the moment it was about how that growth should occur. It was not possible to put the handbrake on completely if that was what the community desired. Whilst it was not going to happen in 12 months or 2 years, it was going to happen over time. The good thing was the work completed to date around infrastructure development – water and wastewater treatment facilities – had put Council in a good place to manage growth. If that investment, and using debt to fund it, had not been made there would be problems how and Council would have to move quickly to increase capacity to get those plants upgraded in short order. In hindsight, the decisions made by previous Councils were some of the best decisions made as Council was now at a point

where it could consider how growth should be managed rather than bringing core infrastructure up to speed. Council was probably 80% along the way and how to manage the further 20% would be discussed as part of the LTP.

MOVED by Cr Brannigan, seconded Cr Wanden:

THAT the Strategy Committee endorses the review of Horowhenua's socio-economic projections with a view to updating those currently being utilised for current and future policy development and integrated planning purposes.

CARRIED

6.7 Economic Development in Horowhenua - Discussion Paper

Purpose

To provide the Strategy Committee with a discussion paper regarding the future of Economic Development in the Horowhenua.

MOVED by Deputy Mayor Bishop, seconded Cr Judd:

THAT Report 17/318 on Economic Development in Horowhenua - Discussion Paper be received.

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

CARRIED

Mr Grainger gave a PowerPoint presentation focusing elected members attention to the Discussion Paper on Economic Development in the Horowhenua. He stressed the timeliness of the discussion with Council having introduced an Economic Development Strategy four years ago. Shortly thereafter the first private/public partnership was established in the formation of an Economic Advisory Board which morphed into the Economic Development Board, with the vision and goal being the economic prosperity of the Horowhenua.

Mr Grainger said he was seeking feedback and support for some of the principles outlined in the paper so further information could be brought back to the next Strategy Committee meeting to identify a way forward.

MOVED by Cr Mason, seconded Cr Judd:

THAT Officers bring a report and roadmap to the next Strategy Committee Meeting that applies the principles set out above and provides direction for future actions.

CARRIED

6.8 Submission to NZTA - O2NL Project Engagement

Purpose

To present to Council the proposed submission to the NZ Transport Agency on the Otaki to North of Levin (O2NL) Roads of National Significance project.

MOVED by Cr Mitchell, seconded Cr Brannigan:

THAT Report 17/325 on Submission to NZTA - O2NL Project Engagement be received.

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

CARRIED

Mrs Carol Shore acknowledged the people in the gallery on whose behalf she was also speaking.

Mrs Shore introduced herself saying as a resident of Queen Street East she had an undeniable interest in the conversations that were being held around this submission and she was appealing directly on the matter – though what she had to say applied to many more in the Horowhenua than just herself.

Mrs Shore expressed a concern that Council had been liaising with various parties with regard to the development on the east side of Levin (east of Arapaepae Road) without any consultation with residents. If that had occurred she requested that any information be shared openly and honestly.

In her comments and speaking strongly against a possible expressway through the eastern greenbelt which would sever Levin from the Tararuas, she said she felt that Council's current submission was giving NZTA the greenlight to go ahead with whatever they wanted, wherever they wanted and as quickly as they wanted. However, she requested that Council engage with the whole community to find out what was best for the district.

Mrs Shore also read out an email from Murray Petherick, a Kimberley Road resident, in which he raised historical concerns that neither NZTA nor HDC had been more proactive on the whole issue. Had appropriate provision been made in past decades for a corridor for a future northern arterial route there would not be the complicated situation that now existed where the approach seemed to be reactive rather than proactive.

Mr Petherick emphasised that whichever route was decided upon there would be significant impact on the affected parties. As a retired engineer, he also made some suggestions from a technical perspective with regard to future route options.

To provide some context and clarify Council's position, Mr Haigh, Growth Response Project Manager, joined the table to speak to the report and respond to questions. He noted that this was a NZTA project with Council being a key stakeholder. Currently there was no expressway alignment on the table and Council had no stance as yet as it did not have enough knowledge. What was set out in the submission was high level principles which had been developed following a number of workshops with elected members. As part of the process, Council did want to be supportive of community views. Mr Haigh said he had been fielding enquiries from a number of people and groups, had attended NZTA meetings and had been getting out and about to understand the messaging.

In terms of time frames, Mr Haigh said the best indication was that by October there should be more information on a particular route.

Mr Clapperton gave an overview of NZTA decision changes since 2015 with regard to this project, with Councillors also adding comment.

With the high level of interest, and with it noted that there was going to be a decision that not everyone was happy with due to the differing opinions and views, it was AGREED that a community driven Working Group be established to ensure that everyone with an interest should be involved in the discussions taking place.

MOVED by Deputy Mayor Bishop, seconded Cr Tukapua:

THAT the Committee recommends to Council that it approves the submission to the NZ Transport Agency on the Otaki to North of Levin (O2NL) Roads of National Significance Project

CARRIED

6.10 pm

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

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

DATE:.....

CHAIRPERSON:.....

Proceedings of the Foxton Community Board 7 August 2017

File No.: 17/419

1. Purpose

To present to the Council the minutes of the Foxton Community Board meeting held on 7 August 2017.

2. Recommendation

- 2.1 That Report 17/419 Proceedings of the Foxton Community Board 7 August 2017 be received.
- 2.2 That Council receives the minutes of the Foxton Community Board meeting held on 7 August 2017.

3. Issues for Consideration

There are no items 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)	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 7 August 2017 at 6.00 pm.

PRESENT

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

IN ATTENDANCE

Mr D M Clapperton	(Chief Executive)
Mr A Nelson	(Property & Parks Manager)
Mr S Hester	(Parks & Property Project Lead)
Mrs C McCartney	(Project Manager – Strategic Projects)
Mrs K J Corkill	(Meeting Secretary)

ALSO IN ATTENDANCE

Mayor M Feyen	(to 7.10 pm)
Cr R J Brannigan	

PUBLIC IN ATTENDANCE

There were ten members of the public in attendance at the meeting.

1 Apologies

An apology was recorded for Mr Allan.
NOTED

2 Public Participation

Prior to the announcement of those who had requested to speak to Agenda items, the Chair set out the procedure required for members of the public speaking at Foxton Community Board Meetings:

“1. All speakers shall address the Chair and Board Members, not other members of the public.

2. *The Community Board Meeting is not a forum for complaints about Council staff or Council contractors. Those issues should be addressed direct to the CEO and not at a Foxton Community Board meeting.*
3. *Board members may address the speaker with questions or for clarification on an item, but when the topic is discussed Board Members shall address the Chair.*
4. *All persons present must show respect and courtesy to those who are speaking and not interrupt nor speak out of turn.*
5. *Any person asked more than once to be quiet will be asked to leave the meeting."*

Michael Feyen Item 17/354 – Monitoring Report
 Item 17/355 – Chief Executive's Report

Christina Paton Item 17/354 – Monitoring Report
 Page 8 *Item 14/32 – Sand Dune Management*
 Item 16/674 – Target Reserve Strategic Plan
 Item 16/16 – Stormwater
 Item 16/341 – Foxton River Loop Working Party
 Page 9 *Foxton Beach Water*
 Thomas Place Parking
 Page 12 *Foxton Pool*
 Item 17/355 – Chief Executive's Report
 Page 16 *3/1 – Te Awahou Nieuwe Stroom*
 Page 17 *3/6 – Potential Landscape improvements*
 3/7 – NZ Community Board's Conference Bid
 3/8 – Coronation Hall

Olaf Eady Item 17/355 – Chief Executive's Report
 3.10 – Foxton Beach Freeholding Account

Rosalie Huzziff Item 17/355 – Chief Executive's Report
 3.3 – Flooding Issues – Foxton and Foxton Beach

3 Late Items

Mr Clapperton advised that there had been a request via Mr Girling to have a representative from the Foxton and Beach Bowling Club address the meeting and seek the Board's support on the Club's endeavours to raise funds to build an artificial green, and his recommendation was that this be treated as a late item.

4 Declaration of Interest

There were no declarations of interest.

5 Confirmation of Minutes

MOVED by Mr Girling, seconded Ms Metcalf:

THAT the minutes of the meeting of the Foxton Community Board held on Monday, 26 June 2017, be confirmed as a true and correct record.

CARRIED

A correction noted on page 3 of the Minutes with Joy Hansen being referred to as "John".

6 Announcements

Manawatu College Student – Potential Community Board Student Appointee

An apology had been received from Manawatu College Student, Meghan Davenport, due to ill-health. This would be an item on the next Agenda.

Briefing

The Chair reiterated that there would be a Board briefing from the Parks & Property Team on the proposal for the installation of a Pump Track at Holben Reserve, Foxton Beach, following the meeting.

Foxton and Beach Bowling Club

Mr Girling, who had requested the opportunity for a representative from the Bowling Club to speak, gave a background to the approach that had been made to him.

Mr Oriel Martin was then invited to the table to address the meeting. He gave a background to the Club and its vision to build an artificial green and surrounding apron, as well as outlining the benefits the Club afforded its members and the wider community and why it should be considered as a community asset for the benefit of the local area. The Club had set aside \$100,000.00 but had not been successful in gaining further funding from recent grant applications and was looking to the Community Board for the shortfall of \$138,000.00. The Club had tailored its plans, dropping the carpark upgrade, to make it more affordable. Mr Martin provided Members with a copy of his notes, supporting letters that had been received for prior funding applications, and the Club's approval to apply for funding.

Mr Martin responded to Members questions in relation to what was proposed, what the Club offered to its members and how well patronised it was. Potential sources of funding was raised, with Mr Martin agreeing that the Foxton Beach Freeholding Fund was a possibility.

Following Mr Roache expressing the view that this may need to go into the LTP process, Mr Clapperton referred to the Foxton Beach Freeholding Account Policy and Strategy which provided for consultation to take place for any potential use of the Fund. He further outlined other options that may be available, such as a suspensory loan (which had been used for the Events Centre in Levin) which would be made on the basis that it would be paid back within a certain time frame.

After further discussion and to provide Council with direction to progress this, it was:

MOVED by Mr Girling, seconded Ms Metcalf:

THAT the Foxton Community Board supports in principle the investigation of funding options for Council to support the development of the Foxton & Beach Bowling Club artificial green and surround apron.

CARRIED

7 Reports

7.1 Monitoring Report to 7 August 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 Girling, seconded Ms Metcalf:

THAT Report 17/354 Monitoring Report to 7 August 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 Paton joined the table to speak, covering both Monitoring Report matters and items in the Chief Executive's Report:

Monitoring Report:

Page 8 Item 14/32 – Sand Dune Management – Mrs Paton recommended that the Board accepted the advice given by Regional Council.

Ms Lundie requested a copy of the original design of the carpark.

Item 16/16 – Stormwater – a timeline was requested, with Mr Clapperton advising that the draft CMP had been received and the final would be presented to the Community Board when it was received.

Foxton River Loop Working Party – responding to Mrs Paton's request for a definite timeframe, Mr Clapperton advised that an application had not yet been lodged because formal approval had not been received from all affected parties. With regard the long term, that work was still progressing around the development of a technical solution but also looking at funding requirements. Mrs Paton suggested Central Government should provide the funding because it was their mistake.

Page 9 Foxton Beach Water – with regard to Mrs Paton's request for a timeline for installation, Mr Gaydon's advice was that a quote from Filtec should be received by this Friday and if it was approved, it was anticipated to have it done by the end of the year, depending on Filtec's workload.

Thomas Place Parking – with this item having commenced in November 2016, Mrs Paton queried when the problem would be solved.

Mr Clapperton noted that draft plans had been drawn up and were currently being reviewed. It was anticipated that there would be something to the Community Board by the next meeting.

Chief Executive's Report

3.1 Te Awahou Nieuwe Stroom - Mrs Paton queried the Dutch monetary contribution to date. Mr Clapperton gave an overview of the project which had evolved from being a Dutch museum to a multi-purpose facility and outlined the funding attracted to date because of the Dutch involvement.

3.6 Potential Landscape Improvements – Seaview and Ihakara Gardens - Mrs Paton queried who had requested improvements and how would they be funded. Mr Clapperton advised that Council wanted to ensure a link was provided with all the landscaping opportunities that arose from the work being undertaken on the Te Awahou Nieuwe Stroom site. This included work requested by iwi. However, before any decisions were made discussions would be undertaken with the Community Board and other stakeholders.

3.7 NZ Community Boards' Conference Bid – Mrs Paton expressed her disappointment at the quality of the reference made to the RAMSAR Wetland of International Significance in the Conference bid.

3.8 Coronation Hall – Mrs Paton expressed her view that the building should be replaced.

Mayor Feyen also spoke to items in the Monitoring and Chief Executive's Reports:

Monitoring Report:

Page 8 Item 14/32 – Sand Dune Management - Mayor Feyen said he agreed with stopping spending money on this and spend money on the Pool instead.

Item 16/16 – Kings Canal and Purcell Street Stormwater Catchment – he supported the Community Board approaching Horizons to get funding to sort

this out.

- 16/431 – Foxton River Loop Working Party – whilst the CE had been working to progress this, Mayor Feyen suggested that the Community Board and Council should challenge Central Government directly as it had acknowledged in writing that it had caused the problem.
- Page 9 Foxton & Foxton Beach Water – Mayor Feyen acknowledged Paul Gaydon and his team for progressing this as everyone in Foxton he spoke to now was comfortable with drinking water straight from the tap and, while it may take a little longer to clean out the pipes, that should soon be the case in Foxton Beach.
- Page 10 Notices of Motion – Stormwater Catchment Investigation – Mayor Feyen reiterated his keenness for consultation as communication as the start of a project was everything.
- Page 11 Item 17/154 – Foxton Main Street Upgrade – Mayor Feyen said iwi, particularly those who had been involved in the vigil, were still advising him they had not been consulted.
Mr Clapperton said he understood Anna Wood had consulted with all interested parties, including iwi, but he would check with her.
- Page 12 Foxton Pool – Mayor Feyen expressed his support for having another talk with the community, suggesting it may be possible to get businesses to support free swimming lessons for local students.
Manawatu College Student – FCB Board Appointment – Mayor Feyen expressed his support for this.
Stormwater/Roading Upgrade – Nash Parade/Bond Street, Foxton Beach – Mayor Feyen said he supported this as it would get the job done for people at the Beach.

Chief Executive's Report

- 3.2 Foxton Main Street Upgrade Project – Mayor Feyen queried what was happening with the bricks that were being uplifted as they would have some value.
Mr Roache advised it had been considered and discussed with the Roding Manager but the return may not make it worthwhile.
- 3.5 Foxton Wastewater Treatment Plant Hearing – Mayor Feyen queried which group within Ngāti Raukawa this involved.
- 3.6 Bid to Host the NZ Community Boards' Conference – Mayor Feyen said he thought this was eminently possible and he commended those who had pulled this together given the tight timeframe to submit the proposal.

Mr Clapperton worked through the Monitoring Report responding to queries as raised:

- Page 9 Foxton & Foxton Beach Water
Responding to a query from Ms Metcalf with regard to monthly pipe flushings in the town, Mr Clapperton said this still happened to flush out any residue in the pipes. The same thing would occur at Foxton Beach. There were two issues: one was the treatment and the other was discolouration which occurred in the pipes themselves.
- Page 11 17/296 - Notices of Motion – South Bound Bus Stop
Mr Clapperton advised a response was still awaited from InterCity.
- Page 12 17/154 – New Whirikino Bridges
Re the invitation to be extended to NZTA to come and speak to the Board, Mr Clapperton explained that while NZTA was engaging with stakeholders in relation to the RONS, this project was not part of the RONS and was being undertaken because of the condition of the bridge. Because of that there was some difficulty identifying the right people with whom to speak.

7.2 Chief Executive's Report to 7 August 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 17/355 Chief Executive's Report to 7 August 2017 be received.

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

CARRIED

Providing a Foxton Beach Freeholding Account Statement of Comprehensive Income for the Year ended 30 June 2015, Mr Olaf Eady expressed some confusion with regard to reconciling the figures provided in terms of the Pinewood Motor Camp and its sale. Ms Metcalf endeavoured to provide an explanation, but Mr Clapperton suggested that Mr Eady arrange to meet with Council's Chief Financial Officer who could provide him with the clarification he was seeking.

Mr Clapperton confirmed that the Freeholding Account was accounted for separately in Council's books and was audited. He had circulated to Ms Metcalf and Mr Girling a suggested format going forward for reporting on the Freeholding Fund which provided a more comprehensive breakdown.

Mrs Huzziff joined the table to speak to flooding issues both recent and historic providing some notes on the flooding that took place in Foxton in May 2017, with accompanying photographs. She noted that the flooding occurred on their farm before they purchased it. Kings Canal had been put in to stop the flooding in Foxton and had been working effectively for 40 years.

Following further comment from Mrs Huzziff and also Mr Roache about past flooding issues, Mr Clapperton suggested it was not helpful to look backwards but the focus should be on the future which was why it was important for both Councils to work constructively together to find a long term solution.

Mr Clapperton worked through his report, responding to Members' queries.

- 3.1 Te Awahou Nieuwe Stroom – a visit for Board Members to see the progress to date was arranged for Thursday 10 August at 5.00 pm.
- 3.2 Foxton Main Street Upgrade Project
Ms Lundie noted there was a new timeline and queried how that had been communicated to retailers and the public as some retailers had advised her they were not happy as they were losing money. This to be checked.
- 3.8 Coronation hall
Mr Clapperton confirmed that MAVtech were aware of what was occurring and had given their approval for the feasibility study to be progressed.
- 3.4 Foxton Water Update
Mr Roache said "well done" for the Foxton water result and he looked forward to the same happening for Foxton Beach.
- 3.5 Foxton Wastewater Treatment Plant Hearing
Mr Clapperton noted the work being done at present was mainly with iwi and the outcome would determine the next steps in terms of the Environment Court hearing.

- 3.7 Bid to Host the NZ Community Board's Conference – May 2019
Mr Roache congratulated staff and the CE on the Conference bid.
- 3.3 Flooding Issues – Foxton & Foxton Beach
Mr Girling provided photographs of flooding problems at Cousins Avenue, Foxton Beach, that he had been apprised of that morning. Properties at 10, 12 and 14 were badly flooded. The issue was that a car park had been put at the end of the street and it was higher than the level of the street and the drain. It should not be a major job to put a pipe through there.
- 3.9 Response to the Board's Submission to the Horizons Regional Council 2017-18 Annual Plan
Mr Roache expressed his disappointment that the Horizons Regional Council had decided not to support the Rescue Helicopter. The Board gave their support to Mr Roache writing to the Regional Council expressing disappointment at that decision.

7.3 Resource Consenting (Planning) Matters Considered Under Delegated Authority

Purpose

To present details of decisions made under delegated authority in respect of Resource Consenting (Planning) Matters.

MOVED by Ms Metcalf, seconded Ms Lundie:

THAT Report 17/371 Resource Consenting (Planning) Matters Considered Under Delegated Authority be received.

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

CARRIED

7.40 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 Finance, Audit & Risk Subcommittee 9 August 2017

File No.: 17/420

1. Purpose

To present to Council the minutes of the Finance, Audit & Risk Subcommittee meeting held on 9 August 2017.

2. Recommendation

- 2.1 That Report 17/420 Proceedings of the Finance, Audit & Risk Subcommittee 9 August 2017 be received.
- 2.2 That Council receives the minutes of the Finance, Audit & Risk Subcommittee meeting held on 9 August 2017.

3. Issues for Consideration

There are no items 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)	Doug Law Chief Financial Officer	
Approved by	David Clapperton Chief Executive	

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 9 August 2017 at 4.00 pm.

PRESENT

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

IN ATTENDANCE

Mr D M Clapperton	(Chief Executive)
Mr G Saidy	(Group Manager – Infrastructure Services)
Mr M Lester	(Acting Group Manager – Corporate Services)
Mr J Paulin	(Finance Manager)
Mr D McCorkindale	(Senior Manager – Strategic Planning)
Mr S Wood	(Legal Counsel)
Mrs N Brady	(Group Manager – Business Services)
Mr G O'Neill	(Projects Manager)
Mr L Wilson	(Communications Lead)
Mrs K J Corkill	(Meeting Secretary)

MEDIA IN ATTENDANCE

Mr M Cropp	(Radio New Zealand)
Mr A Robertson	(NZME)
Ms M Schroeter	(“Manawatu Standard”)
Mr W Smith	(“Manawatu Standard”)

PUBLIC IN ATTENDANCE

There were 27 members of the public in attendance at the commencement of the meeting.

On opening the meeting, Chair, Mr Philip Jones, gave an explanation of his role as this had been queried by members of the public and the media. He noted that there were two parts to what he did: Whilst he chaired the meeting, he also provided an independent view on finance, risk and audit – this was independent of both management and elected members. It was important to note that he had no delegation other than what Council specifically gave to him and he could not undertake actions that were outside that delegation. Part of his role was to ensure that correct processes were in place and that these were being followed.

1 Apologies

An apology was recorded for Cr Tukapua.

MOVED by Deputy Mayor Bishop, seconded Mayor Feyen:

THAT the apology from Cr Tukapua be accepted.

CARRIED

2 Public Participation

7.1 Financial Report

Christina Paton
Olaf Eady
Dave Thomson

7.6 Risk Management Update

Terry Hemmingsen, President Greypower

7.7 Strategic Risk Report

Christina Paton

The following had requested to speak to Item 8. As this was a procedural motion, to which speaking rights were disallowed under Standing Orders (14.1), their names were noted:

8 Procedural motion to exclude the public

Anne Hunt
Philip Taueki
Bryan Ten Have
Vivienne Taueki
Peter Heremaia
Judith Holloway
Terry Hemmingsen, President Greypower
Dave Thomson
Michael Kay.

3 Late Items

There were no late items.

4 Declaration of Interest

There were no declarations of interest.

5 Confirmation of Minutes – 28 June 2017

MOVED by Cr Kaye-Simmons, seconded Cr Judd:

THAT the minutes of the meeting of the Finance, Audit & Risk Subcommittee held on Wednesday, 28 June 2017, be confirmed as a true and correct record.

CARRIED

6 Announcements

Mayor Feyen addressed the meeting saying that he had advised the Chair of the scope of the comments he intended to make. Firstly he formally introduced and welcomed Mr Jones on board as independent Chair, which had not occurred at the last meeting.

Mayor Feyen then explained why he personally did not like the process that had occurred to date in relation to the In Committee portion of the meeting around the release of the KPMG Peer Review and why the public were being excluded. He said one of the reasons for his stance was that the internal auditor's draft report had been hidden from him for three months and he was concerned that Councillors had also not read that report. There was also the issue of emails being intercepted, a practice in which the previous Mayor had been involved. He was concerned about reputational harm, with the Ombudsman and Privacy Commissioner now involved. Mayor Feyen said he looked forward to the presentation from KPMG and would be putting forward a resolution for the public not to be excluded from the In Committee portion of the meeting.

7 Reports

7.1 Financial Report for the twelve months to 30 June 2017

Purpose

To present to the Finance, Audit & Risk Subcommittee the financial report for the twelve months to 30 June 2017.

Prior to hearing from the members of the public who wished to speak to this item, Mr Law gave a PowerPoint presentation to assist with understanding the information contained in the report.

Public Participation

Commenting on the concern expressed by the CFO with regard to insufficient time to implement a thorough quality assurance check and suggesting this meeting should be postponed to allow sufficient time for corrections to be made, Mrs Paton raised instances where the 'k' had been omitted to express the correct value. She further queried if there was a record of expenditure for the Foxton Wastewater upgrade; which process had been underway for several months and was still proceeding through the Environment Court.

Mr Olaf Eady said he agreed with Mrs Paton's comments about the meeting being premature in terms of providing correct information. He then put forward a query about unbudgeted income (page 10). Were the amounts gross or was it profit? He further queried:

- the figure provided for development contributions from the Forbes Road subdivision as he understood that development contributions had been cancelled
- some other transactions with regard to the Foxton Beach Freeholding Fund and the amount that had accrued to Council which he felt was too high;
- the debt write offs/provision under "Other expenses": on page 11;
- the Statement of Sundry Debtors (page 21) and the 90+ days amount outstanding, which he said was appalling.

With the two previous speakers having covered some of what he wished to say, Mr Dave Thomson voiced his concern at the mistakes in the report. He also commented on the Rates Debtors (page 20) expressing his concern at the amount of people who were finding it difficult to pay their rates, particularly when money had been spent on an internal audit review and pursuing a Code of Conduct complaint.

Responding to the speakers, Mr Law advised that there was only one figure missing from the Report and that was the revaluation of Land and Buildings and it had no impact on the operational surplus or deficit. He said he did feel comfortable bringing the Report to Council in its current state and he had also sent it off to Audit NZ who would be commencing its audit of Council's books next week.

With regard Mr Eady's Development Contributions query, Mr Law explained that the figure of \$488,000 was for two years and DCs were still being collected on the Forbes Road section sales because the development occurred prior to July 2015 when the change in the DC Policy occurred.

Mr Jones noted that Council was only received the report; there were no recommendations and there would be a further report prior to receipt of the Audit Opinion.

Mr Law further noted that the audit would take two weeks and the Audit Opinion would be brought to the September FARS meeting and the recommendation to adopt the Report would be an item for the October Council Agenda. He then responded to various questions from Elected Members.

MOVED by Cr Kaye-Simmons, seconded Cr Brannigan:

THAT Report 17/379 on Financial Report for the twelve months to 30 June 2017 be received.

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

CARRIED

Mayor Feyen ABSTAINED from voting.

7.2 Treasury Report

Purpose

To present to the Finance, Audit & Risk Subcommittee the Bancorp Treasury Report for the June 2017 quarter.

Mr Law spoke to this report explaining the rationale behind suggested recommendation 2.3 "THAT Council borrow and extra \$5m for a term of not less than 3 years and invest this in short-term investments with interest rates that will at least cover the cost of borrowing" which was proposed to mitigate a perceived liquidity risk identified by Standard and Poors.

MOVED by Cr Judd, seconded Mayor Feyen:

THAT Report 17/389 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

After discussion on proposed recommendation 2.3, it was:

MOVED by Cr Judd, seconded Mayor Feyen:

THAT the Chief Financial Officer be requested to research information in relation to perceived liquidity risk identified by Standard and Poors and do a risk analysis to be brought back to the September 2017 Finance, Audit & Risk Subcommittee meeting.

CARRIED

7.3 Infrastructure Projects Update

Purpose

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

Following up on a request at the last FARS meeting, Mr O'Neill gave a PowerPoint presentation on the RMA process.

Responding to a query from Mayor Feyen about consultation and process on the NE Levin Stormwater Upgrade project and whether things were being done in the correct order, Mr O'Neill explained it was about risk management. There were two parts to the project: construction and attenuation of stormwater downstream. There were flooding issues for people when it rained, so in order to shorten the time frame Council did the constructions it was allowed to do and sought a consent at the same time to get a speedier resolution.

MOVED by Deputy Mayor Bishop, seconded Cr Campbell:

THAT Report 17/364 Infrastructure Projects Update be received.

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

CARRIED

7.4 Projects Update - Non-Capital Projects

Purpose

To provide a status update, identify key risks and milestones for key non-capital projects or programmes of work that are being undertaken by officers.

Requesting the report be taken as read, Mr McCorkindale said this been requested at the last FARS meeting to provide an update on key non-capital projects. Key risks had been identified and Officers had endeavoured to provide some assurance that projects were in hand and on track.

Responding to queries, Mr McCorkindale advised that discussion on Development Contributions would come under the tranche headed Development. There would be a series of briefings coming up setting the scene with regard to the various tranches of projects in the LTP programme.

An update was also requested with regard to community projects such as Te Awahou Nieuwe Stroom.

MOVED by Cr Brannigan, seconded Cr Mason:

THAT Report 17/376 Projects Update - Non-Capital Projects be received.

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

CARRIED

7.5 Overview of TOU Energy Reports

Purpose

To provide the Finance, Audit and Risk Subcommittee with a view of the internal time of use (TOU) electricity reporting developed.

Following Mrs Brady giving an overview of the report, Mr Jones noted that this gave the Committee assurance that there were internal controls working within the organisation, which was part of the Subcommittee's role.

MOVED by Cr Campbell, seconded Cr Mitchell:

THAT Report 17/382 Overview of TOU Energy Reports be received.

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

CARRIED

7.6 Risk Management Update

Purpose

To provide an update on progress of the Risk Management Policy and Framework review.

On behalf of Horowhenua GreyPower, Mr Hemmingsen spoke to the Risk Management Policy, also referencing items in the Strategic Risk Report. He commented on what he said was a real or perceived disengagement between Council and the community with a number of issues coming to the fore over the last few weeks based on media reports. He posed some questions in relation to the In Committee Internal Audit Report item, to which Deputy Mayor Bishop expressed concern that Mr Hemmingsen's comments had shifted from stakeholder engagement to the In Committee item.

Mr Jones noted that Council would be discussing the questions raised by Mr Hemmingsen in the public excluded section of the meeting and it was not possible to respond to them now.

It was noted that this matter would be the subject of Elected Member briefings in September.

MOVED by Cr Campbell, seconded Mayor Feyen:

THAT Report 17/384 Risk Management Update be received.

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

THAT the Finance, Audit and Risk Subcommittee endorses inclusion of the risk analysis, evaluation and treatment criteria into the Risk Framework.

CARRIED

7.7 Strategic Risk Report

Purpose

To provide a report on the top 5 strategic risks and treatments applied to reduce each risk, so that the FAR Subcommittee can endorse/or not endorse that the risks are managed to an acceptable level.

Responding to a query from Mrs Paton with regard to the Council Action noted in 1. (a) with regard to reducing liquidity risk Mr Law advised that it had been covered in the Treasury Report.

Speaking to this report, Mrs Brady noted that this report had been requested at the last FARS meeting, also noting that this report was not static and there would be continual changes and ongoing monitoring of what was happening.

Raising a concern at what he saw as a huge discrepancy between the NZIER statistics and those from Statistics NZ, Cr Campbell queried if Council would be following the data provided by NZIER or if there would be a middle ground.

Mr Clapperton responded that an updated population forecast would be presented to the next Strategy Committee meeting, including updated figures from NZIER and Infometrics.

Mr Law responded to queries with regard to the underspend on Council's capital programme and the funding of depreciation.

Mayor Feyen suggested replacing "Maori" on page 183 with "Tangata whenua".

MOVED by Mayor Feyen, seconded Cr Mitchell:

THAT Report 17/387 Strategic Risk Report be received.

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

THAT the FAR Subcommittee endorses that the risk treatment has managed the risk to an acceptable level.

CARRIED

7.8 Monitoring Report to 9 August 2017

Purpose

To present to the Finance, Audit & Risk Subcommittee Monitoring Reports covering requested actions from previous meetings of the Subcommittee.

MOVED by Cr Brannigan, seconded Cr Kaye-Simmons:

THAT Report 17/381 on Monitoring Report to 9 August 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 186 17/292 – Financial Report for the twelve months to 31 May 2017
Cash flow statement to be included each meeting
Annual Report and key monthly reports to be in the same format
These were being developed and would commence for the 17/18 financial year.

Whilst saying that after having a very good discussion with the Chair about what would occur during the In Committee portion of the meeting he was feeling more comfortable about the process, because of the significant public interest and in the interests of transparency Mayor Feyen proposed a resolution to allow the public to remain for the balance of the meeting.

MOVED by Mayor Feyen, seconded Cr Campbell:

THAT the public not be excluded from the In Committee portion of the meeting.

Expressing his disappointment that the item did need to stay In Committee, Mr Jones said there was very good reason for this and he spoke against the motion. He said that unfortunately some of the comments made in the media were not the facts as he saw them. Also there were issues of privacy that had to be respected.

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

For:

Mayor: Michael Feyen
Councillor: Ross Campbell

Against:

Chair: Philip Jones
Deputy Mayor: Wayne Bishop
Councillors: Ross Brannigan
Neville Gimblett

Barry Judd
 Victoria Kaye-Simmons
 Joanna Mason
 Christine Mitchell
 Bernard Wanden

The division was declared LOST by 2 votes to 9.

Procedural motion to exclude the public

MOVED by Cr Brannigan, seconded Cr Judd:

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 In Committee Minutes – 28 June 2017

C1 Internal Audit Peer Review

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person. s7(2)(f)(ii) - The withholding of the information is necessary to maintain the effective conduct of public affairs through the protection of such members, officers, employees and persons from improper pressure or harassment.	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

The text of these resolutions is made available to the public who are present at the meeting and form part of the minutes of the meeting.

CARRIED

5.50 pm 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.

8.35 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:.....

Proceedings of the Strategy Committee 16 August 2017

File No.: 17/422

1. Purpose

To present to the Council the minutes of the Strategy Committee meeting held on 16 August 2017.

2. Recommendation

- 2.1 That Report 17/422 Proceedings of the Strategy Committee 16 August 2017 be received.
- 2.2 That Council receives the minutes of the Strategy Committee meeting held on 16 August 2017.
- 2.3 THAT the Horowhenua District Council adopts the updated socio-economic projections for Horowhenua so they can be utilised for current and future policy development and integrated planning purposes.

3. Issues for Consideration

The following items considered by the Strategy Committee meeting held on 16 August 2017 require further consideration by Council

Updated Socio-economic Growth Assumptions for Horowhenua

The FAR Subcommittee recommends Council's adoption of the Updated Socio-economic Projects for Horowhenua:

THAT the Strategy Committee recommends to Council the adoption of the Horowhenua's updated socio-economic projections so they can be utilised for current and future policy development and integrated planning purposes.

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	
Approved by	David Clapperton Chief Executive	

Strategy Committee

OPEN MINUTES

Minutes of a meeting of the Horowhenua District Council Strategy Committee held in the Council Chambers, 126-148 Oxford St, Levin on Wednesday 16 August 2017 at 4.00 pm.

PRESENT

Mayor	Mr M Feyen	
Deputy Chairperson	Mrs V M Kaye-Simmons	
Councillors	Mr W E R Bishop	
	Mr B F Judd	(from 5.03 pm)
	Mr R H Campbell	
	Mr N G Gimblett	
	Mrs J F G Mason	(from 4.07 pm)
	Mrs C B Mitchell	
	Ms P J Tukapua	
	Mr B P Wanden	

IN ATTENDANCE

Mr D M Clapperton	(Chief Executive)
Mr D Law	(Chief Financial Officer)
Mr G Saidy	(Group Manager – Infrastructure Services)
Mr M Lester	(Acting Group Manager – Corporate Services)
Mr D McCorkindale	(Senior Manager – Strategic Planning)
Mr D Haigh	(Growth Response Project Manager)
Mr S Grainger	(Economic Development Manager)
Mrs C Pollock	(Project Coordination Lead)
Mrs K J Corkill	(Meeting Secretary)

ALSO IN ATTENDANCE

Mr J Stephenson	(Sense Partners)	(to 5.03 pm)
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MEDIA IN ATTENDANCE

Ms M Schroeter	(“Manawatu Standard”)
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PUBLIC IN ATTENDANCE

There was one member of the public (Mr Lew Rohloff) in attendance at the commencement of the meeting.

1 Apologies

An apology was recorded for Cr Brannigan, and apologies for lateness were recorded for Crs Judd, Mason and Mitchell.

NOTED

2 Public Participation

None requested.

3 Late Items

There were no late items.

4 Declaration of Interest

There were no declarations of interest.

5 Confirmation of Minutes

MOVED by Cr Kaye-Simmons, seconded Cr Tukapua:

THAT the minutes of the meeting of the Strategy Committee held on Wednesday, 5 July 2017, be confirmed as a true and correct record.

CARRIED

6 Announcements

There were no announcements.

7 Executive

7.1 Growth Response Projects Update

Purpose

To provide a status update on the Growth Response work programme with a focus on providing up to date information on current key projects and planning.

MOVED by Deputy Mayor Bishop, seconded Cr Gimblett:

THAT Report 17/392 Growth Response Projects Update is received.

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

CARRIED

Growth Response Project Manager, Mr Haigh, gave a PowerPoint presentation providing an update on the Otaki to North Levin project, the Levin Town Centre Redevelopment, and the Horowhenua Growth Strategy.

It was noted that next week there would be briefings for Elected Members on these projects.

With the agreement of the meeting, Item 7.3, Updated Socio-economic Growth Assumptions for Horowhenua was the next item considered.

7.3 Updated Socio-economic Growth Assumptions for Horowhenua

Purpose

To provide the Horowhenua District Council Strategy Committee with the final SensePartners Socio-Economic Projections Report for Horowhenua.

MOVED by Cr Wanden, seconded Cr Mason:

THAT Report 17/399 Updated Socio-economic Growth Assumptions for Horowhenua be received.

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

CARRIED

Economic Development Manager, Mr Grainger was joined at the table by Mr John Stephenson from Sense Partners, the company that had produced the Horowhenua Socio-Economic Projections Report -27 July 2017, with the key issues in the report highlighted in a PowerPoint presentation.

Mr Clapperton noted that what was being sought was Council's support to utilise the updated figures so these could be incorporated in the planning model.

While this was preparing for the 20 year LTP, one of the independent documents associated with the LTP was the Infrastructure Strategy which had a 30 year timeframe.

MOVED by Cr Campbell, seconded Cr Gimblett:

THAT the Strategy Committee recommends to Council the adoption of the Horowhenua's updated socio-economic projections so they can be utilised for current and future policy development and integrated planning purposes.

CARRIED

7.2 Project Lift - Quality Care and Lifestyle for Older People

Purpose

To provide the Horowhenua District Council Strategy Committee with an update regarding Project Lift – Quality Care and Lifestyle for Older People.

MOVED by Cr Campbell, seconded Cr Mitchell:

THAT the Report Project Lift - Quality Care and Lifestyle for Older People be received.

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

CARRIED

Mr Grainger and Mrs Pollock, Council's Project Coordination Lead, gave a PowerPoint presentation on Project Lift, presenting the Master Plan for Quality Care and Lifestyle for Older People. The presentation outlined the project's journey from July 2014 to now and, should Central Government be supportive and funding be forthcoming, next steps towards implementation. Also shown was a short supporting video outlining the potential of the project for transforming the lives of not only older people, but the whole community.

Having been at a recent gathering where this had been discussed and had achieved a very positive reception, Mayor Feyen congratulated Mr Grainger and those involved in this positive initiative.

MOVED by Cr Mason, seconded Cr Campbell:

THAT the Strategy Committee endorses the Project Lift Master Plan.

CARRIED

Mr Clapperton offered a word of caution. Whilst Council did have capacity and resources it could only do so much and the project progressing was dependent upon receiving support and funding from Central Government.

5.37 pm

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

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

DATE:.....

CHAIRPERSON:.....

Proceedings of the Community Wellbeing Committee 15 August 2017

File No.: 17/425

1. Purpose

To present to the Council the minutes of the Community Wellbeing Committee meeting held on 15 August 2017.

2. Recommendation

- 2.1 That the report 17/425 on Proceedings of the Community Wellbeing Committee 15 August 2017 be received.
- 2.2 That Council receives the minutes of the Community Wellbeing Committee meeting held on 15 August 2017.

3. Issues for Consideration

There are no matters considered by the Community Wellbeing Executive 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)	James Richmond Acting Community Services Manager	
Approved by	Nicki Brady Group Manager - Business 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 15 August 2017 at 1.00 pm.

PRESENT

Chairperson
Members

Cr Jo Mason
Ms Barbara Bradnock
Mr Richard Fry attending for Katie Brosnahan
Ms Debra Baker
Ms Eve Fone
Ms Tracey Merson
Mr Patrick Rennell
Ms Jo Smith
Mrs Margaret Williams
Ms Rose Cotter attending for Delphi Winters
Ms Moira Howard-Campbell
Mayor Michael Feyen (ex Officio) (from

IN ATTENDANCE

Mr James Richmond (Acting Community Services Manager)
Ms Sharon Grant
Ms Helen Hayes (Community Development Advisor)
Ms Sophie Parrant (Youth Development Advisor)

1 Apologies

Apologies were recorded for Cr Barry Judd, Mr Liam McLeavey, Mrs Jacqui Moynihan, Mr Mark Robinson, Mr Mike Fletcher and Ms Ella Tavernor.

NOTED

2 Public Participation

There had been no speaking requests.

3 Confirmation of Minutes

MOVED by Ms Fone, seconded Ms Bradnock:

THAT the minutes of the meeting of the Community Wellbeing Committee held on Tuesday, 20 June 2017, be confirmed as a true and correct record.

CARRIED

4. Announcements

Local Management Group Update

Tracey Mersen gave an update on the Local Management Group (formerly Strengthening Families). Because it was such a useful forum, it was decided that it would continue when Strengthening Families was discontinued. The group, which also included other CWC members, continued to meet monthly.

With regard to Family Violence, The LMG had agreed it was really important to look at family violence in terms of Braided River as there were many interlated issues in the community that came up, as well there being a need to recognise the gaps. It had been decided the LMG needed a plan and family violence was a major part of that. Family violence was a very complex area. It included poverty, mental health, youth issues, overcrowding Any plan would need to capture those factors, as well as recognising the gaps, and recognising that the various factors, as well as family violence, were intertwined. It was a slight strategic shift from previous thinking which had been tied to Braided River.

Ms Hayes said that HDC had offered to assist in putting a proposal together with Braided River. The degree to which things were interrelated had been discussed. The key thing they were trying to do was to collaborate and mobilise resources for the really good work that was being done, building on the successes, but recognising the interelated impact particularly with regard to mental health.

Action Point: Members to be provided with the Braided River Plan.

With her HALT hat on, Ms Mersen reported on a pilot programme that had been undertaken in Christchurch and Hamilton which had been driven by the Police, but with HALT alongside. There were two new people in the Family Violence Team co-located from Oranga Tamariki and Probation. Every morning the Police, Probation and Oranga Tamariki reps did a daily triage going through every family violence incident that had occurred. They were then working on a daily basis with victims.

Two local initiatives were: 'Loves-Me Not' which was being undertaken in schools for 16 year olds to prevent abusive behaviour in relationships, and Wahine Toa, a programme being run by Police in conjunction with HALT.

Ms Merson noted that locally family violence was still really busy with there being 30-50 incidents a week being reported to Police and there was no let up on that at the moment. Responding to a query about how many of these people were being helped and outcomes, Ms Merson said it was a hard question to answer. The perpetrator, victim and any children were being referred to the appropriate agency in most cases, but how many people there were in the community available to help was also a factor. Whilst there was a lot of help available, it was still not enough. Court mandated referrals did get help more quickly than self-referrals.

Ms Fone added that from an Oranga Tamariki perspective, there was a huge cost barrier for people, particulalry for those who needed help the most. The best way for people to get treatment was to be Court referred. Whilst they could subsidise some familites, it was still not enough, and she was going to make enquiries as to why it was so expensive.

Agreeing that cost was a huge issue and suggesting it tied back to the LMG, Ms Merson said the group could look at putting something in place to help people get what they needed.

Cr Mason said it would be helpful if the information on costs to the families in the district could be brought back to the Committee as it was one of the barriers the Committee could look at as a group. She also queried if there was going to be a report on the daily triage that was occurring as that would also be of interest to the CWC.

Ms Merson said the daily triage was a Police initiative, but she would check and report back.

Action point: Ms Merson to check with the Police if reporting would be available on the daily triage..

Another issue highlighted by Ms Fone was the time the Youth Justice process took. From an incident happening and a youth getting into the system, it could take six weeks for an Oranga Tamariki social worker to become involved which was way too late to get the family engaged. She was trying to fast track the family group conference process and she further outlined other steps she proposed to take to endeavour to reduce the harm caused to children particularly as a result of family violence.

Members were reminded of the Petals for Peace artwork auction that was to take place on 25 August with all proceeds from the auction to go to Horowhenua charities working in the prevention, recovery and rehabilitation of victims, perpetrators and families affected by domestic violence.

MidCentral District Health Board

Jo Smith gave a PowerPoint presentation which included a considerable number of facts, statistics, and information on New Zealand's older population. This was particularly relevant for the Horowhenua as 24% of its population was over 65 while the NZ average was 17%.

The need for people to have Enduring Powers of Attorney was raised and discussed, with it queried whether it would be helpful for Council to run a capacity building programme on these.

Project Lift - 'Quality Care and Lifestyles for Older People'

Following on from Ms Smith's presentation, James Richmond gave a video presentation on Project Lift – a project that Council was hoping to undertake to enhance the lives of the district's older population should supporting government funding be forthcoming.

Health & Wellbeing Plan

Margaret Williams provided an update on the Health & Wellbeing Plan. The Horowhenua Locality Planning Advisory Group, comprising professional and community representatives, had been working hard asking local people, individually and collectively, what they would like to see in the future with regard to health and wellbeing and what were their priorities for health care. Whilst the consultation was not targeted at older people, there were a lot of older people involved.

At the last planning group meeting 10 priorities for action were identified. Last week there was a second public workshop at Te Takeretanga o Kura-hau-pō which was well attended (20 people). Mrs Williams said they were noticing a rising level of interest being shown by local residents where in the past the attitude had been very laid back. That attitude was hopefully changing.

There were no great surprises in the priorities identified for action. The list could be summarised in two words: 'community' and 'common-sense', with everything on the list coming under those headings.

The workshop last week had been broken up into smaller groups working on individual priorities. There were several members of the DHB involved. The DHB would now collate all that information and there had been a verbal promise that there would be results.

Council updates - Older Persons' and other Networks

Helen Hayes reported that there had been six Older Persons' Network meetings so far this year and these had all been attended by between 18-22 people. This was a well attended and robust forum, with there having been a range of presentations at the various meetings, including elder abuse, older persons' vulnerability in the community, joint engagement workshop with MidCentral Health.

The Disability Forum had been partnering with MidCentral trying to reach various groups.

A slow moving area was around the Age Friendly Communities initiative which was being pursued although not necessarily to the accreditation stage. There had been a some workshops to progress this.

Also being progressed:

- Haere Mai Horowhenua which would provide a broader outreach to the district's newcomers than the current 'Welcome to the District' packs;
- Live Well Horowhenua – Access and Inclusion Forum Action Plan and Terms of Reference.

5 Reports

5.1 Community Services Report to 15 August 2017

Purpose

To present to the Community Wellbeing Committee the Community Services Report 15 August 2017.

MOVED by Ms Bradnock, seconded Ms Merson:

That Report 17/377 Community Services Report to 15 August 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 Richmond spoke to the Community Services Report particularly highlighting the various recent achievements. Speaking about the proposed Scorecard on Community Wellbeing Across the Horowhenua District he gave a PowerPoint presentation providing data gathered to date, with there still some data to come which would be picked up from the Resident Satisfaction Survey.

6. Agency Updates

Rose Cotter, Horowhenua SuperGrans – AGM was scheduled for the week after next.

Richard Fryer, MSD – there had been some changes following a reorganisation of service delivery. Katie Brosnahan had been appointed and would continue to attend CWC meetings.

Debra Baker, LTTM – 30 young people had been involved in a recent holiday programme. This had included activities not only at the Aquatic Centre, but there had been an intergenerational mix with the RSA teaching the young people to play bowls. This was a programme LTTM wanted to duplicate and grow in the future.

Moira Howard-Campbell – there would be two Communities of Learners hopefully in operation later this year. The appointment process was being undertaken at the moment and then some work should be seen in the community education space.

Jo Smith, DHB – raised the Total Mobility issue and subsidised transport. Council had done some work last year with Regional Council to extend the range of options available, without success. This should now be taken up nationally as older people in the Horowhenua did not have the range of options available to them to facilitate connection with their community that other districts did. This was very short-sighted of Horizons. She would like to see some change and was advocating some deliberate work in that space, particularly now that Project Lift was being embarked upon.

Cr Mason agreed that transport providers such as Driving Miss Daisy should be available for local residents.

Patrick Rennell, HLC – HLC was going through a planning phase. This time of the year they tended to focus on youth engagement in education and lifting engagement in NCEA Level 3. That would be the focus over the next quarter.

3.02 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:.....

Petition re Sale of Pensioner Housing

File No.: 17/264

1. Purpose

For the Horowhenua District Council (Council) to receive a petition requesting it reconsiders selling its pensioner housing stock.

2. Executive Summary

A petition was presented by Mayor Feyen to the Chief Executive at the 7 June 2017 Council meeting. The petition has over 2,000 signatures and is endorsed by the Horowhenua District Residents' and Ratepayers' Association (Chairperson, Christine Moriarty), the New Zealand Labour Party, NZ First and Muaupoko Cooperative Society with the petition prayer reading:

"We, the undersigned, do not want Horowhenua District Council to sell its pensioner housing portfolio comprising 115 units at eight complexes in Levin, Foxton, Shannon and 1.1 hectare of land in Waimarie Park in Levin, as it's a valuable community asset. Furthermore, we respectively request further public consultation urgently on this issue."

A copy of the petition is **attached**.

3. Recommendation

- 3.1 That Report 17/264 on Petition re Sale of Pensioner Housing be received.
- 3.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

4. Background/Previous Council Decisions

- 4.1 In 2015 Council undertook an independent evaluation of options to improve the sustainability of social housing delivery in the Horowhenua District.
- 4.2 Council underwent a special consultation process pursuant to s83 of the Local Government Act from 15 February 2016 to 18 March 2016 seeking feedback on Council's proposal that:
- it no longer provided pension housing as a core Council service;
 - expressions of interest be sought from Community Housing Providers for the stock transfer of Council's Pensioner Housing Portfolio;
 - that it continued to take a leadership role in advocating and facilitating for wider community issues with regard to accessibility and affordability of quality housing stock.
- 4.3 After hearing and considering submissions on its proposal, Council led a process inviting expressions of interest from Community Housing Providers to purchase and manage pensioner housing in the district.
- 4.4 Council has identified a preferred purchaser and is now pursuing due diligence with that party.

Attachments

No.	Title	Page
A	Petition - Requesting Council not to Sell Pensioner Housing (<i>Under Separate Cover</i>)	

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 to 30 August 2017

File No.: 17/302

1. Purpose

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

2. Recommendation

- 2.1 That Report 17/302 Monitoring Report to 30 August 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	112

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							
Item No.	Meeting Date	Item Description	Resolved / Action	Responsible Officer	Date Action by	Date Completed	Officer Comment
14/585	2 July 2014 6 July 2016 5 Oct 2016	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. <p>Inclusion of the Shannon Conscientious Objectors' Camps</p>	D McCorkindale			<p>Research is continuing on the Sites of Cultural Significance. A Dunefields Assessment has been undertaken. Consideration is being given to the most appropriate District Plan response to the assessment findings.</p>

MONITORING REPORT HOROWHENUA DISTRICT COUNCIL							
Item No.	Meeting Date	Item Description	Resolved / Action	Responsible Officer	Date Action by	to Date Completed	Officer Comment
	1 Feb 2017		Discussions to be undertaken re the Inclusion of Paiaka Camp				The Whitaunui Military Defaulter's Camp was nominated and a formal heritage assessment is currently being undertaken.
	26 April 2017		Cr Campbell to be updated on the status of Paiaka Camp discussions				<p>Paiaka Camp will be considered in the next phase of heritage assessments subject to the agreement of the land owner.</p> <p>Following further engagement with the identified heritage property owners, the Historic Heritage Plan Change has been presented to the Strategy Committee on 5 July and was on the 19 July Council agenda</p>

MONITORING REPORT							
HOROWHENUA DISTRICT COUNCIL							
Item No.	Meeting Date	Item Description	Resolved / Action	Responsible Officer	Date Action by	to Date Completed	Officer Comment
							for adoption and public notification. It is now be adopted by Council in August 2017.
16/38	1 Feb 2017	Amendment to Dog Control Policy and Bylaw 2015	<i>THAT Report 16/38 Amendment to Dog Control Policy & Bylaw 2015 lay on the table to allow for consultation with the Foxton Community Board and other interested stakeholders, with Officers to bring a further report to the March 2017 Council meeting.</i>	V Miller	15 March 2017		Officers are working with key stakeholders to gain support for suggested changes. Communications team are working to establish a better way to illustrate how the Dog Control Policy and Bylaw applies. Discussions held with Foxton Community Board 3 April 2017. Report to the 30 August 2017 meeting of Council.
17/9	1 Feb 2017	Review of Dog Control Regime – National Action Plan	<i>THAT Council appoint Councillors Campbell and Mitchell to a</i>	V Miller			Still no further information available at this time.

MONITORING REPORT							
HOROWHENUA DISTRICT COUNCIL							
Item No.	Meeting Date	Item Description	Resolved / Action	Responsible Officer	Date Action by	to Date Completed	Officer Comment
	26 April 2017		<p><i>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.</i></p> <p><i>THAT authority be given for the subcommittee to make the submission on behalf of Council, and a copy of that submission be brought to an appropriate meeting of Council for receipt and information purposes.</i></p> <p>Crs Campbell & Mitchell to be advised on timing and consultation process when confirmed.</p>				
16/189	1 Feb 2017	Draft Local Alcohol Policy	<i>THAT the Horowhenua District Council reaffirms it wishes to proceed with the implementation of a</i>	M Leyland			Consultation on draft LAP conducted February/March 2017, submissions

MONITORING REPORT							
HOROWHENUA DISTRICT COUNCIL							
Item No.	Meeting Date	Item Description	Resolved / Action	Responsible Officer	Date Action by	to Date Completed	Officer Comment
			<p><i>Local Alcohol Policy for the District as resolved by the previous Council.</i></p> <p><i>THAT Council resolves that the draft Local Alcohol Policy (LAP) as provided be used for consultation purposes using the Special Consultative Procedure as required by s79 of The Sale & Supply of Alcohol Act 2012.</i></p> <p><i>(Statement of Proposal)</i></p> <p><i>THAT Council resolve that the Summary of Information as provided is a fair representation of the major matters in the Statement of Proposal; is in a form determined by Council; indicates where the Statement of Proposal is available; and states the period within which persons interested in the proposal</i></p>				<p>closing 17 March 2017.</p> <p>Forty Five (45) submissions received and were heard/considered by the Hearings Committee on 31 May 2017.</p> <p>Report to the 19 July 2017 meeting of Council proposing that the draft LAP as amended be adopted as a provisional LAP.</p>

MONITORING REPORT							
HOROWHENUA DISTRICT COUNCIL							
Item No.	Meeting Date	Item Description	Resolved / Action	Responsible Officer	Date Action by	Date Completed	Officer Comment
			<p><i>may present their views to Council – s83AA Local Government Act 2002.</i></p> <p><i>THAT the hearing of submissions following consultation be heard by the Hearings Committee of Council, acting under delegation of Council, for a subsequent recommendation from the committee to Council.</i></p>				
17/7	1 Feb 2017	Policy on Dangerous and Insanitary Buildings 2017	<p><i>THAT the Horowhenua District Council resolves that the draft policy on Dangerous and Insanitary buildings as provided be used for consultation purposes using the Special Consultative Procedure as required by Section 132 of the Building Act 2002 (Statement of Proposal).</i></p> <p><i>THAT Council resolve</i></p>	V Miller			<p>Consultation on draft policy conducted February/March 2017, submissions closing 17 March 2017.</p> <p>Two (2) submissions received and were heard/considered by the Hearings Committee on 31 May 2017.</p> <p>Report to the 19 July</p>

MONITORING REPORT							
HOROWHENUA DISTRICT COUNCIL							
Item No.	Meeting Date	Item Description	Resolved / Action	Responsible Officer	Date Action by	to Date Completed	Officer Comment
			<p><i>that the Summary of Information attached as provided, is a fair representation of the major matters in the Statement of Proposal; is in a form determined by Council; indicates where the Statement of Proposal is available; and states the period within which persons interested in the proposal may present their views to Council – s83AA Local Government Act 2002.</i></p> <p><i>THAT the hearing of submissions following consultation be heard by the Hearings Committee of Council, acting under delegation of Council, for a subsequent recommendation from the committee to Council.</i></p>				2017 meeting of Council proposing that the draft policy as amended be adopted as an operative policy of Council.
17/97	15 March 2017	Draft Land Transport Bylaw 2017	<i>That the Horowhenua District Council use the</i>	K Peel			Submissions closed 24 April 2017.

MONITORING REPORT							
HOROWHENUA DISTRICT COUNCIL							
Item No.	Meeting Date	Item Description	Resolved / Action	Responsible Officer	Date Action by	to Date Completed	Officer Comment
			<i>special consultative procedure to consult on the draft Land Transport Bylaw 2017 and the hearing of submissions be undertaken by the Hearings Committee</i>				This was taken to the Hearings Committee on 28 June 2017. The Hearings Committee meeting adjourned awaiting some further work by officers. The work is ongoing at present.
17/102	15 March 2017	Adoption of Terms of Reference Community Forums	<i>THAT Horowhenua District Council seeks nominations for independent facilitators for the Community Forums.</i> <i>THAT the Mayor and Crs Wanden, Bishop, Mitchell and Gimblett establish a working party to review expressions of interest and report back to Council with recommendations at its April Council meeting.</i>	D Clapperton	On Track	Completed	The Strategy Committee recommendations for membership of both Forums is included in this Agenda.

MONITORING REPORT							
HOROWHENUA DISTRICT COUNCIL							
Item No.	Meeting Date	Item Description	Resolved / Action	Responsible Officer	Date to Action by	Date Completed	Officer Comment
17/73	15 March 2017	Fees and Charges 2017/18 : Food Act Premises and Resource Consenting (Planning)	<p><i>THAT the Horowhenua District Council resolves that the Food Act Fees and Resource Consent (Planning) Fees for the 2017/18 year, as presented, be used as the Statement of Proposal, and the Summary of Information to be consulted on using the special consultative procedure as set out in section 83 of the Local Government Act 2002.</i></p> <p><i>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.</i></p>	M Lepper			<p>Submissions closed 24 April 2017. Submissions considered by the Hearings Committee on 31 May 2017.</p> <p>Report to the 30 August 2017 meeting of Council to confirm fees and charges.</p>
17181	26 April 2017	Breach of Council's Code of Conduct	<i>THAT the Notice of Motion received be noted</i>	D Clapperton		Completed	Investigation completed. No

MONITORING REPORT HOROWHENUA DISTRICT COUNCIL							
Item No.	Meeting Date	Item Description	Resolved / Action	Responsible Officer	Date Action by	to Date Completed	Officer Comment
			<i>by Council and treated as a formal complaint under Council's Code of Conduct and the Chief Executive be instructed to follow the process for determination and investigation as established by the Code of Conduct</i> AND FURTHER <i>THAT the Chief Executive Officer be instructed to follow the process for the determination and investigation of complaints as set out in the Code of Conduct.</i>				material breach found. Matter is now closed.
17/146	26 April 2017	Draft Combined Foxton Reserves Management Plan	<i>THAT Council adopts the Draft Combined Foxton Reserves Management Plan and authorises Council Officers to consult on the draft document in accordance with the Reserves Act</i>	D McCorkindale			Consultation has been undertaken on the Draft Combined Foxton Reserves Management Plans. Submissions closed on 3 July 2017. The submissions are

MONITORING REPORT							
HOROWHENUA DISTRICT COUNCIL							
Item No.	Meeting Date	Item Description	Resolved / Action	Responsible Officer	Date Action by	to Date Completed	Officer Comment
			1977.				now being considered. A hearing has been held on 16 August 2017. Deliberations will take place before a final RMP is presented to Council for adoption later in 2017.
17/253	7 June 2017	Foxton Reservoir – Public Works Act	<p><i>THAT the Horowhenua District Council seeks permission from the Minister of Conservation using the Public Works Act to set aside an area of Foxton Recreational Reserve for the purpose of water treatment in order that a reservoir can be construction at Foxton Reserve, Seaview Gardens.</i></p> <p><i>THAT the Horowhenua District Council's Chief Executive be delegated full authority to carry out Council's responsibilities</i></p>	G O'Neill			The Department of Conservation has requested a Land Requirement Plan to support our application for a Public Works Act Transaction, to set aside a portion of the Foxton Recreation Reserve for the purpose of the construction of a new 500 m ³ reservoir. The Land Requirement Plan is currently being prepared and is

MONITORING REPORT							
HOROWHENUA DISTRICT COUNCIL							
Item No.	Meeting Date	Item Description	Resolved / Action	Responsible Officer	Date Action by	to Date Completed	Officer Comment
			<i>regarding the Public Works Act processes.</i>				anticipated to be provided to DoC mid-August 2017.

Chief Executive's Report to 30 August 2017

File No.: 17/303

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 17/303 Chief Executive's Report to 30 August 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 the Horowhenua District Council supports the signing by Mayor Feyen of the Local Government Leaders Climate Change Declaration 2017.
- 2.4 That Council acknowledges section 17A reviews will not be undertaken of the following activities prior to 8 August 2017 pursuant to section 17A(3)(b) of the Local Government Act 2002:
 - Community Support (Visitor Information)
 - Community Support (Economic Development)as the potential benefits of undertaking a review of these activities do not justify the cost of undertaking the review.
- 2.5 That the Chief Executive be authorised, on behalf of the Horowhenua District Council, to vote in favour of selling "Civic Assurance House" at a special general meeting of Civic Financial Services Ltd to be held on 5 October 2017 at 11:30 am.
- 2.6 That Council delegates the authority to obtain legal advice on Council's behalf to in-house Legal Counsel.

3. Chief Executive Updates

3.1 Te Awahou Nieuwe Stroom

Te Awahou Nieuwe Stroom fit out of the community hub and exhibition spaces is progressing really quickly. Te Papa Tongarewa has been monitoring climate conditions for a few weeks and we are due for the first report in early September.

Landscaping work is underway with initial concrete pours being completed. The areas around the Flax Stripper Gallery and Whare Manaaki will commence shortly. Signage for the whole complex is being developed to indicate and provide way finding to each activity on Flaxmill Reserve.

The artists that designed the five lighting pou for the landscape area all met in Auckland recently to discuss the material the lights will be constructed from.

3.2 Local Government Leaders Climate Change Declaration

Local Government New Zealand is seeking signatories to the Local Government Leaders Climate Change Declaration 2017 (see **attached**). Mayor Feyen has indicated his support for this initiative and is seeking elected members' endorsement of that support.

3.3 s17A Reviews

Under s17A of the Local Government Act 2002 (LGA 02), all local authorities are required to review the cost-effectiveness of current arrangements for meeting the needs of communities within their district or region for good-quality local infrastructure, local public services, and performance of regulatory functions. Local Authorities are required to complete their first s17A reviews by 8 August 2017 unless a statutory exception to review applies.

The purpose of this update is to make elected members aware of the activities which Officers have and have not reviewed.

The following activities have been reviewed pursuant to s17A LGA 02 (groupings indicate where activities have been reviewed together):

- Land Transport (Roads and Footpaths)
- Three Waters (Storm Water, Wastewater, and Water)
- Solid Waste (Landfill and Waste Transfer Stations, Roadside Refuse Collection, and Waste Minimisation & Recycling)
- Community Facilities and Services (Reserves & Beautification, Cemeteries, Halls, Public Toilets, and Sports Grounds)
- Community Facilities and Services (Swimming Pools, and Libraries) and Property (Commercial & Endowment, and Residential Housing)
- Community Support (Emergency Management & Rural Fire)
- Regulatory Services (District Planning Consenting, District Plan Policy, Building Consents, Building Policy, Environmental Health, Liquor Licensing, Dog Control, Parking Enforcement, Customer Services, and General Regulatory Services)

The following activities have not been reviewed on the basis that the potential benefits of undertaking a review of these activities do not justify the cost of undertaking the review which is an exception under section 17A(3)(b) of the LGA 02:

- Community Support (Visitor Information)
- Community Support (Economic Development).

3.4 Potential Sale of Civic Assurance House

Council holds shares valued at \$104,000, 110,689 Shares, which represents 0.98% of the total shareholding of Civic Financial Services Ltd.

Prior to 1 March 2017 the company was known as New Zealand Local Government Insurance Corporation Ltd and traded under the name of Civic Assurance. Its history goes back to 1941 when it was set up to provide Insurance for local government entities. This continued until the Christchurch earthquake when Civic's balance sheet could no longer sustain the prudential requirements of being an insurance company. Services administered by Civic Financial Services Ltd include the LAPP Mutual Fund and the SuperEasy and SuperEasy KiwiSaver Superannuation Schemes. It no longer provides normal Material Damages or Public Liability Insurance products, which was its original purpose. Council's principle reason for holding shares in the company was strategic, i.e. to ensure a competitive insurance market for local government. This can no longer be claimed and as such Council should look to reduce its investment in the company.

Part of the investment portfolio of the company is Civic Assurance House on Lambton Quay. As Civic is no longer offering insurance, it is able to return some of its capital to its shareholders. Selling what is now an underperforming Investment building is part of the strategy to release some cash to make a distribution back to shareholders. If the building is sold for the \$7.8-\$8m envisaged, Council should receive approximately \$100,000 distribution in repayment of shares reducing Council's shareholding accordingly.

Attached is the “Informal Notice of Meeting” and details of the proposal.

3.5 **Code of Conduct Complaint**

In April of this year the Council resolved that the following Code of Conduct complaint be investigated by myself as Chief Executive:

‘That Cr Ross Campbell breached the Code of Conduct of Horowhenua District Council by his actions of recording and posting a video on the Facebook site “Campbell for Miranui” on 12th April 2017 at 9.25 pm, and which was later shared to the site of “at the Nua”, in which he repeatedly lied about the HDC building reports, selectively disclosed in committee information, and denigrated other Councillors’.

Fairway Resolutions Limited was appointed to undertake a preliminary assessment of the alleged breach as per Appendix B of Council’s Code of Conduct (the code). That preliminary assessment has been undertaken and in summary Fairway Resolution Limited concluded that whilst the comments made by Councillor Campbell could be seen to have the effect of bringing the Council or a Councillor into disrepute they (Fairway Resolution Ltd) did not consider the complaint (or breach) to be material and therefore no further investigation is required.

Both the complainant and the respondent have been advised of Fairway Resolution Limited’s findings as required by the code.

3.6 **Economic Development Update**

- In 2016 our District experienced an exciting amount of growth. GDP, population, and job growth exceeded expectations. As a result, the Economic Development team commissioned SensePartners to recast the economic projections previously completed by NZIER in 2015. The SensePartners report contains more in-depth analysis of GDP, population and job growth over the next 50 years. Based on the outcomes of the analysis, by 2040 there will be more than 10,000 extra people residing in Horowhenua, resulting in an extra 5,100 households and 5,800 jobs. The report was presented to the Strategy Committee last week, where a recommendation was put forward for Council to adopt the new growth projections.
- Project Lift, the Quality Care and Lifestyles for Older Initiative, has made significant progress over the last month, with the Master Plan document being presented to both the Accelerate25 Lead Team (that’s the regional growth team) and HDC Strategy Committee. Project Lift is the product of years of collective effort in the Horowhenua, with the vision of making the District a hothouse for next-generation services, products and social practices that enhance the lifestyles and economic well-being of New Zealand’s older population. We are now waiting for feedback from Central Government to enable proposed next steps.
- Investment into our District has remained strong, with a number of significant projects underway. One such project is the establishment of a new purpose-built medical centre, which will bring a number of key services and specialists to Levin and Horowhenua. As Horowhenua’s economy continues to expand, it can be anticipated that further large scale projects like the medical centre will flow into our district.

3.7 **Update to Delegations Register**

Council has appointed in-house Legal Counsel this year. As Legal Counsel is (generally) the primary point of contact between Council staff and external solicitors, it is appropriate to

extend Legal Counsel's delegations to include the authority to obtain legal advice on Council's behalf.

Accordingly a resolution is sought to extend the Delegation Register to enable in-house Legal Counsel to obtain legal advice on Council's behalf.

Attachments



No.	Title	Page
A	Local Government Leaders Climate Change declaration - final June 2017	129
B	Civic Assurance - Information for Potential Sale of Civic Assurance House - Ian Brown - 30 June 2017	133

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	

Who's
putting local
issues on
the national
agenda?

**We are.
LGNZ.**

Local Government Leaders Climate Change Declaration

In 2015, Mayors and Chairs of New Zealand declared an urgent need for responsive leadership and a holistic approach to climate change. We, the Mayors and Chairs of 2017, wholeheartedly support that call for action.

Climate change presents significant opportunities, challenges and risks to communities throughout the world and in New Zealand. Local and regional government undertakes a wide range of activities that will be impacted by climate change and provides infrastructure and services useful in reducing greenhouse gas emissions and enhancing resilience.

We have come together, as a group of Mayors and Chairs representing local government from across New Zealand to:

1. acknowledge the importance and urgent need to address climate change for the benefit of current and future generations;
2. give our support to the New Zealand Government for developing and implementing, in collaboration with councils, communities and businesses, an ambitious transition plan toward a low carbon and resilient New Zealand;
3. encourage Government to be more ambitious with climate change mitigation measures;
4. outline key commitments our councils will take in responding to the opportunities and risks posed by climate change; and
5. recommend important guiding principles for responding to climate change.

We ask that the New Zealand Government make it a priority to develop and implement an ambitious transition plan for a low carbon and resilient New Zealand. We stress the benefits of early action to moderate the costs of adaptation to our communities. We are all too aware of challenges we face shoring up infrastructure and managing insurance costs. These are serious financial considerations for councils and their communities.

To underpin this plan, we ask that a holistic economic assessment is undertaken of New Zealand's vulnerability to the impacts of climate change and of the opportunities and benefits for responding. We believe that New Zealand has much at stake and much to gain by adopting strong leadership on climate change emission reduction targets.

We know that New Zealanders are highly inventive, capable and passionate about the environment. New Zealanders are proud of our green landscapes, healthy environment and our unique kiwi identity and way of life. Central and local government, working together with communities and business, can develop and implement ambitious strategies based on sound science, to protect our national inheritance and security.

Council commitments

For our part we commit to:

1. Develop and implement ambitious action plans that reduce greenhouse gas emissions and support resilience within our own councils and for our local communities. These plans will:
 - a. promote walking, cycling, public transport and other low carbon transport options;
 - b. work to improve the resource efficiency and health of homes, businesses and infrastructure in our district; and
 - c. support the use of renewable energy and uptake of electric vehicles.
2. Work with our communities to understand, prepare for and respond to the physical impacts of climate change.
3. Work with central government to deliver on national emission reduction targets and support resilience in our communities.

We believe these actions will result in widespread and substantial benefits for our communities such as; creating new jobs and business opportunities, creating a more competitive and future-proof economy, more efficient delivery of council services, improved public health, creating stronger more connected communities, supporting life-long learning, reducing air pollution and supporting local biodiversity. In short, it will help to make our communities great places to live, work, learn and visit for generations to come.

Guiding Principles

The following principles provide guidance for decision making on climate change. These principles are based on established legal¹ and moral obligations placed on Government when considering the current and future social, economic and environmental well-being of the communities they represent.

1. Precaution

There is clear and compelling evidence for the need to act now on climate change and to adopt a precautionary approach because of the irreversible nature and scale of risks involved. Together with the global community, we must eliminate the possibility of planetary warming beyond two degrees from pre-industrial levels. This could potentially threaten life on Earth (Article 2 of the UNFCCC). Actions need to be based on sound scientific evidence and resourced to deliver the necessary advances. Acting now will reduce future risks and costs associated with climate change.

2. Stewardship/Kaitiakitanga

Each person and organisation has a duty of care to safeguard the life-supporting capacity of our environment on which we all depend and to care for each other. Broad-based climate policies should enable all organisations and individuals to do all they feasibly can to reduce emissions and enhance resilience. Policies should be flexible to allow for locally and culturally appropriate responses.

¹ These Guiding Principles are established within the: Treaty of Waitangi, Resource Management Act 1991, Local Government Act 2002, Civil Defence and Emergency Management Act 2002, Oslo Principles 2014, Principles of Fundamental Justice and Human Rights.

3. Equity/Justice

It is a fundamental human right to inherit a habitable planet and live in a just society. The most vulnerable in our community are often disproportionately affected by change and natural hazards. Approaches need to consider those most affected and without a voice, including vulnerable members in our community, our Pacific neighbours and future generations.

4. Anticipation (thinking and acting long-term)

Long-term thinking, policies and actions are needed to ensure the reasonably foreseeable needs of current and future generations are met. A clear and consistent pathway toward a low carbon and resilient future needs to provide certainty for successive governments, businesses and communities to enable transformative decisions and investments to be made over time.

5. Understanding

Sound knowledge is the basis of informed decision making and participatory democracy. Using the best available information in education, community consultation, planning and decision making is vital. Growing understanding about the potential impacts of climate change, and the need for, and ways to respond, along with understanding the costs and benefits for acting, will be crucial to gain community support for the transformational approaches needed.

6. Co-operation

The nature and scale of climate change requires a global response and human solidarity. We have a shared responsibility and can not effectively respond alone. Building strong relationships between countries and across communities, organisations and scientific disciplines will be vital to share knowledge, drive innovation, and support social and economic progress in addressing climate change.

7. Resilience

Some of the impacts of climate change are now unavoidable. Enhancing the resilience and readiness of communities and businesses is needed so they can thrive in the face of changes. Protecting the safety of people and property is supported by sound planning and a good understanding of the risks and potential responses to avoid and mitigate risk.

THE FOLLOWING MAYORS SUPPORT THIS DECLARATION



Mayor Dave Cull
Dunedin City Council



Mayor Lianne Dalziel
Christchurch City Council



Mayor Grant Smith
Palmerston North City Council



Mayor Ray Wallace
Hutt City Council



Mayor Steve Chadwick
Rotorua Lakes Council



Mayor Wayne Guppy
Upper Hutt City Council



Mayor Don Cameron
Ruapehu District Council



Chris Laidlaw, Chair
Greater Wellington Regional Council


Mayor

Mayor Winston Gray
Kaikoura District Council



Mayor David Ayers
Waimakariri District Council



Mayor Gary Tong, JP
Southland District Council



Mayor Bill Dalton
Napier City Council



David Clapperton
Chief Executive
Horowhenua District Council
Private Bag 4002
LEVIN 5540

28 June 2017

Dear David

INFORMAL NOTICE OF MEETING

Information for Potential Sale of Civic Assurance House

In my letter of 20 March 2017 accompanying the Statement of Intent and Annual Report for Civic Financial Services Limited I mentioned that Civic was intending to hold a Special General Meeting in September for shareholders to vote on whether the Company should sell Civic Assurance House.

This meeting has now been scheduled to be held in the Company's Boardroom, Level 3, Civic Assurance House, 116 Lambton Quay, Wellington on Thursday 5th October 2017 commencing at 11:30 am. Formal notification and voting papers will be sent to you before the end of August.

This informal notice is to provide you with relevant information that will allow you sufficient time to assess the proposal and make an informed decision. The attached explanatory note provides you with relevant details on the building and the impact and process of the potential sale.

You are a valued shareholder of the Company; as such I encourage you to read through this information and cast your vote once you have received your voting papers.

Yours sincerely

Ian Brown
Chief Executive
DDI: 04-978-1263
Email: ian.brown@civicfs.co.nz



POTENTIAL SALE OF CIVIC ASSURANCE HOUSE

Your Board is putting forward a proposal to all shareholders of Civic Financial Services Limited ("Civic") to consider whether Civic should sell or retain ownership of Civic Assurance House at 114-118 Lambton Quay, Wellington.

You will be invited to vote on this at a Special General Meeting ("SGM") to be held in Wellington at 11:30am on Thursday 5 October 2017.

BACKGROUND

Building

In 1963 the directors of Municipalities Cooperative Insurance Company Limited, one of the companies that merged in 1989 to form Civic, agreed to erect a building in Lambton Quay. The Local Government Building, which was renamed Civic Assurance House in 2007, was completed in 1967. The building cost just over \$1 million to construct and today is valued at just under \$8 million.

Until recently Civic and a number of local government entities occupied the building but at present only two, being Civic and SOLGM, remain as tenants. The remainder of the current tenants include consultants, legal service providers, retail outlets, eateries and charitable organisations.

Operations

Your Board decided at the end of 2016 to withdraw Civic's application for a full insurance licence and not offer property insurance. This decision was not taken lightly, but in the current market Civic cannot write insurance profitably. However, Civic will be able to provide property insurance through Civic Property Pool (CPP) in the future if this is what the sector wants and market conditions favour doing so.

Civic continues to administer the local government SuperEasy KiwiSaver Scheme and the SuperEasy scheme and the four local government mutual pools: LAPP, Riskpool, CLP and CPP.

PROPOSAL

As at 31 December 2016 the net equity of Civic was \$17.2 million which includes a \$3.2 million net deferred tax asset.

As it will not be offering insurance, Civic is able to return some of its capital to shareholders. Your Board signalled in the 2017 Statement of Intent that it would ask shareholders whether they wished to retain ownership of Civic Assurance House or whether they wished to sell the building.

If shareholders supported a sale and a satisfactory price can be obtained, then the building will be sold and the sale price of the building net of selling costs will be distributed to shareholders.

Current Valuation

Civic Assurance House was valued at \$7.9 million on 31 December 2016. Two subsequent independent valuations have valued the building between \$7.8 - \$8.1 million and \$7.5 - \$8.0 million. These valuations take into account the age, state and earthquake rating (50% of NBS) of the building. The building currently has 85% occupancy with a weighted average lease term of two years. Obviously if the building had a greater occupancy it would be valued higher. We are however, with the current earthquake rating, having difficulty letting the vacant space.

Impact of Sale

Over the last five years Civic assurance House has generated an average net income of \$0.368 million per annum. In December 2011 the building was valued at \$6.9 million. In December 2016 the building was valued at \$7.9 million. The five year capital growth has therefore been 2.73% per annum. The five year return (income and capital) to 31 December 2016 for the building has been 7.96% per annum.

On the assumption Civic Assurance House was able to be sold for a value of \$7.8 million – \$8.0 million and allowing for estimated transaction costs of \$0.4 million the sale price could return a special fully imputed cash dividend of around 68 cents per share. Resident withholding tax will not be deducted from the dividend payment.

For Horowhenua District Council's holding of 110,689 shares that approximates to \$75,268.52 plus \$29,271.09 imputation credits. These imputation credits fully offset the amount of tax that the shareholders would otherwise be liable to pay on those dividends.

If shareholders support the sale and a special dividend is paid obviously both Civic's profit and possible future dividends to shareholders would reduce. The 2017 Statement of Intent projects that Civic will continue to produce a surplus if Civic Assurance House is sold and the net proceeds from the sale are distributed to shareholders.

If the property sale is supported by shareholders a two month tender process will be initiated. If a satisfactory price is obtained through this process there is expected to be a one month settlement period. Distribution of the net proceeds of the sale via a special dividend would be completed within two months of the settlement date.

Impact of Retention of Civic Assurance House

If Shareholders vote against the sale of Civic Assurance House, Civic would retain the property income stream (both operating and capital).

Civic would also investigate using a portion of Civic's capital to carry out earthquake strengthening of Civic Assurance House. This would only be undertaken if it was considered the cost would lead to greater occupancy, rental returns and capital growth.

File No.: 17/385

Manawatu-Wanganui Regional Disaster Relief Fund Trust

1. Purpose

To consider proposed changes to the Manawatu-Wanganui Regional Disaster Relief Fund Trust (DRFT) and to confirm Horizons Regional Council's representative under those proposed changes.

2. Recommendation

- 2.1 That Report 17/385 Manawatu-Wanganui Regional Disaster Relief Fund Trust be received.
- 2.2 That this decision is recognised as not significant in terms of S76 of the Local Government Act.
- 2.3 That the Horowhenua District Council acknowledges that the Manawatu-Wanganui Regional Disaster Relief Fund Trust will now be administered by Horizons Regional Council.
- 2.4 That the Horowhenua District Council confirms Mayor Feyen as its representative on the Manawatu-Wanganui Regional Disaster Relief Fund Trust Board.
- 2.5 That the Horowhenua District Council supports Cr Bruce Gordon's appointment as Chair of the Manawatu-Wanganui Regional Disaster Relief Fund Trust Board.

3. Background / Previous Council Decisions

- 3.1 The DRFT was first set up in March 2004 as a response to the February 2004 flood event. The purpose of the DRFT is as follows:
 - (a) To provide financial and any other relief or assistance to meet the welfare and other needs of people who have suffered any damage or loss following a significant natural or man-made disaster in the Manawatu-Wanganui Region or elsewhere in New Zealand.
 - (b) To seek public donations and raise funds.

4. Discussion

- 4.1 At a recent meeting of the Regional Chiefs the purpose and future management of the DRFT was discussed. It was acknowledged that Horizons Regional Council (HRC) is involved in every disaster in the region and that HRC is therefore well placed to engage the DRFT when the need arises.
- 4.2 It was also acknowledged that the DRFT has the ability to form a critical function attracting donations and assistance in the event of a disaster and it would be beneficial to have the Mayors/Chair represented on the DRFT in the event of a major disaster.
- 4.3 As a result of this discussion it was formally resolved that the Mayors/Chair, or their elected representative, be appointed as Trustees to the DRFT Board.
- 4.4 It should be noted that the Regional Chiefs' resolved to appoint Mayors/Chair or their delegates. However, the Constitution requires respective councils to appoint their Mayor/Chair or delegates. While the outcome sought remains the same, the process to achieve this will differ from that stated by the Regional Chiefs.

4.5 It was also agreed that HRC would administer the DRFT going forward.

4.6 The DRFT Trust Deed states that Trustees are appointed by the member councils. Therefore the decision to confirm the Mayors/Chair as Trustees needs to be approved by their respective council. Cr Bruce Gordon is the current representative for HRC on the DRFT so all that is needed from the Council is to re-confirm his appointment.

5. Options

Council can either pass or decline to pass the proposed recommendations.

5.1 Cost

Not applicable.

5.1.1 Rate Impact

There is no rate impact.

5.2 Community Wellbeing

This would promote Community Wellbeing in the event of a natural or man-made disaster.

5.3 Consenting Issues

There are no consenting issues.

5.4 LTP Integration

Not applicable.

6. Consultation

There is no requirement for community consultation.

7. Legal Considerations

The proposed resolutions address the legal requirements of the DRFT Trust Deed.

8. Financial Considerations

There are no financial considerations.

9. Other Considerations

There are no other considerations.

10. Next Steps

Should Council pass the proposed recommendations, HRC will be advised.

11. Supporting Information

Strategic Fit/Strategic Outcome – Not applicable
Decision Making - Not applicable

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.

12. Appendices

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A	Horizons Regional Council - Disaster Relief Fund Trust - Michael McCartney - 12 July 2017	140

Author(s)	David Clapperton Chief Executive	
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Approved by	David Clapperton Chief Executive	
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12 July 2017

David Clapperton
Horowhenua District Council
Private Bag 4002
Levin 5540

File ref: OMS 11 06
MJM:RPS



Private Bag 11025
Manawatu Mail Centre
Palmerston North 4442

P 06 952 2800
F 06 952 2929

www.horizons.govt.nz

Dear David

MANAWATU-WANGANUI REGIONAL DISASTER RELIEF FUND TRUST

We write to advise you of the changes taking place with regards to the Manawatu-Wanganui Regional Disaster Relief Fund Trust (DRFT).

On 7 March 2017 it was agreed at the Regional Chiefs meeting that the DRFT will now be administered by Horizons Regional Council and it was formally resolved that Mayors, or their elected representative, be appointed to the DRFT Board.

To achieve this within existing Trust rules, the appointment of the Mayor needs to be undertaken in line with rules 7.1-7.4 of the Trust Deed via a formal paper to Council.

For your convenience we have attached the following documents:

- Proposed Council paper for you to use as a starting point
- Proposed resolution
- DRFT Trust Deed; and
- Regional Chiefs meeting minutes excerpt.

Please include this council paper in your next available meeting.

If you have any queries relating to this request, please contact Ryan Standish on 0508 800 800 or ryan.standish@horizons.govt.nz.

Can you please forward the resolution to Ryan Standish once approved by your Council. Once all Councils have appointed their Mayors, Horizons will arrange an initial meeting of the new trust.

Yours sincerely

Michael McCartney
CHIEF EXECUTIVE

Encl



Kairanga

Marton

Palmerston North

Taihape

Taumarunui

Wanganui

Woodville

24hr Freephone 0508 800 800

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**MANAWATU-WANGANUI REGIONAL
DISASTER RELIEF FUND TRUST**

TRUST DEED

DATED 16 MARCH 2004

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“A”

THIS DEED made the 16th day of March 2004.

PARTIES Those persons described in the Schedule of Trustees forming part of this document who are for the purposes of this document the Trustees (“the Trustees”).

RECITALS

A Certain local authorities within the Manawatu-Wanganui Region namely Horizons Regional Council, Horowhenua District Council, Manawatu District Council, Palmerston North City Council, Rangitikei District Council, Ruapehu District Council, Tararua District Council and Wanganui District Council (“the Local Authorities”) wish to establish a fund (“the Fund”) for the primary purpose of meeting the welfare needs of people following a significant natural or man-made disaster in the Manawatu-Wanganui region or elsewhere in New Zealand.

B Those Local Authorities and the Trustees wish to establish a Charitable Trust (“the Trust”) to hold, promote and manage the Fund for the above primary purpose, the Fund comprising such money, property and investments which may have been acquired by the Local Authorities at the date this Deed is signed, together with any further money, property and investments which may from time to time be acquired by the Trustees for the purposes of the Trust.

C The parties have agreed to enter into this Deed to specify the purposes of the Trust and to provide for the management of the Fund.

THIS DEED NOW RECORDS AS FOLLOWS

1. Name

The name of the Trust shall be **THE MANAWATU-WANGANUI REGIONAL
DISASTER RELIEF FUND TRUST.**

2. Registered Office

The registered office of the Trust shall be at the offices of the Horizons Regional Council, 11-15 Victoria Avenue, Palmerston North, or at such other place that the Board of Trustees may decide.

3. Purposes

The purposes of the Trust are as follows:

- (a) To provide financial and any other relief or assistance to meet the welfare and other needs of people who have suffered any damage or loss following a significant natural or man-made disaster in the Manawatu-Wanganui Region or elsewhere in New Zealand.
- (b) To seek public donations and to raise funds.

4. Limitations

In carrying out the above purposes, the following limitations shall apply:

- (a) All financial and other relief or assistance shall be paid, given or granted to organisations for the purposes set out in Rule 3 only, and not to individuals. Those organisations include the Local Authorities and any other local

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authority or organisation which may be approved for this purpose by the Trustees.

- (b) All donations and other funds received in relation to a particular significant natural or man-made disaster will be applied to provide financial and any other relief or assistance in relation to that disaster to the extent that this is reasonably possible or practicable, however the Trustees shall be entitled to retain what the Trustees consider as an adequate administration fund for the Trust and in all circumstances shall ensure that the Fund is not reduced below a level of \$100.00.

5. Structure of the Trust

The Trust shall be administered by the Board of Trustees ("the Board").

6. Members of the Board

6.1 Number of Trustees

The Board shall consist of not less than five (5) and not more than eight (8) Trustees.

6.2 Membership of the Board

The Board, at the date of this Deed, comprises the Trustees described in the Schedule of Trustees. Each Trustee has been appointed by the local authority beside that respective Trustee's name in the Schedule of Trustees.

6.3 Term of Office

Each Trustee shall remain in office until such time as he or she resigns or otherwise ceases to hold office as provided in Rule 7.

7. Vacancies

7.1 Filling of Vacancies

Any vacancy of a Trustee shall at the option of the local authority who appointed the Trustee who has vacated office appoint another person to fill that vacancy. The Mayor or Chairperson of a local authority making an appointment may make the appointment on behalf of their respective local authority.

7.2 Resignation of Trustees

Any Trustee may resign from the Board by giving written notice to the Board and the resignation shall take effect as from the date stipulated in that notice, otherwise to take effect as from the date of that notice being served on the Board at its registered office, which ever date is the later.

7.3 Absence without leave

Any Trustee who fails to attend three consecutive meetings of the Board without the leave of the other Trustees shall be deemed to have vacated his or her position on the Board.

7.4 Removal of Trustees from office

Any Trustee may be removed from the Board if the local authority which appointed that Trustee so decides.

8. Proceedings of the Board

8.1 Ordinary Meetings

The Board shall hold ordinary meetings at such times and places as it determines. At least seven days notice of any ordinary meeting shall be given to the Trustees, and the notice shall indicate the general nature of the business to be considered at that meeting.

8.2 Special Meetings

A special meeting may also be called by the Secretary upon requisition of the Chairperson or not less than three Trustees, on 24 hours notice of such meeting shall be given to the Trustees, and the notice shall indicate the general nature of business to be considered at that meeting.

8.3 Annual General Meeting

The Board shall hold an Annual General Meeting which meeting may be combined with an Ordinary Meeting at which shall be approved:

- (a) the audited annual accounts of the Trust.
- (b) a report from the Chairperson or nominee of that Chairperson dealing with the affairs of the Board for the previous year.
- (c) the appointment of a Chairperson, Secretary and the Treasurer for the forthcoming year, in accordance with Rules 8.5 and 8.7.

The Annual General Meeting shall be held prior to 30th September in each year. At least seven days notice of an Annual General Meeting shall be given to the Trustees.

8.4 Notice of Meetings

Each notice shall specify the place, the day and the hour of the meeting. Notice shall be deemed to have been given to any Trustee if it has been posted or faxed to the last known address of the Trustee and shall then be deemed to have been received the day after the notice is posted or faxed. The accidental omission to give notice to any Trustee or the non-receipt by any Trustee of a notice shall not invalidate the meeting to be held.

8.5 Officers

The Board shall appoint a Secretary and a Treasurer, to be appointed at the Annual General Meeting in accordance with Rule 8.3. These offices may be combined. The Secretary and Treasurer need not be trustees.

8.6 Quorum

At any meeting of the Board there shall be a quorum if there is a majority of the Trustees present (excluding any vacancies) and no business shall be transacted unless a quorum is present. If a meeting is short of a quorum at its commencement, or falls short of a quorum, and if no quorum is present within 15 minutes, the meeting shall lapse.

8.7 Chairperson

At the Annual General Meeting the Board shall in accordance with Rule 8.3 appoint one of the Trustees as Chairperson. The Chairperson shall preside at all meetings of the Board at which he or she is present. In the absence of the Chairperson from any meeting the members present shall appoint one of their number to preside at that meeting.

8.8 Voting

All questions before the Board shall be decided by consensus. Where a consensus decision is unable to be reached on a matter it shall unless otherwise specified in this document be put as a motion to be decided by a majority of votes. Each Trustee present, including the Chairperson, shall have one vote. If the voting is tied the Chairperson shall have a second or casting vote.

8.9 Minutes

The Secretary shall keep minutes of all Board meetings which shall be available for inspection by Trustees at a reasonable time. A copy of all minutes of all Board meetings shall be furnished to any local authority named in the Schedule of Trustees if requested.

9. Powers

In addition to the powers implied by the general law of New Zealand or contained in the Trustee Act 1956, the powers which the Board may exercise in order to carry out its charitable purposes for which it has been constituted under clause 3 are as follows:

- (a) to control, administer, and manage and property, funds and affairs of the Trust; and
- (b) to use the funds of the Trust to provide financial and any other relief or assistance to meet the welfare and other needs of people following a significant natural or man-made disaster in the Manawatu-Wanganui Region or elsewhere in New Zealand; and
- (c) to use the funds of the Trust as the Board thinks necessary or proper in payment of the costs and expenses of the Board, including the employment or engagement of professional advisors, agents, officers and staff as appears necessary or expedient; and
- (d) subject to Rule 4(b) above, to invest surplus funds in any way permitted by law for the investment of trust funds and upon such terms as the Board thinks fit; and
- (e) to borrow or raise money from time to time (including by way of donations, sponsorships and community fund raising activities) with or without security and upon such terms as to priority and otherwise as the Board thinks fit; and
- (f) to do all things as may from time to time appear desirable to enable the Board to give effect to and to attain the charitable purposes of the Trust and to comply with the provisions of the Charitable Trusts Act 1957; and
- (g) to open and operate such bank accounts as may be necessary for running the affairs of the Trust; and
- (h) to enter into all negotiations, contracts and agreements in the name and on behalf of the Trust as the Trust Board thinks expedient for its purposes provided that such negotiations, contracts and agreements are not in conflict with the Trust's purposes; and

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- (i) to receive and give receipts and execute discharges for all gifts, legacies, bequests or other monies and to execute any trusts created for any of the purposes of the Trust or for furthering any such purposes.
- (j) to generally have the rights, powers and privileges of a natural person in the administration of the Trust.

10. Power to Delegate

10.1 Delegation

The Board may from time to time appoint any committee and may delegate in writing any of its powers and duties to any such committee or to any person, and the committee or person as the case may be, may without confirmation by the Board exercise or perform the delegated powers or duties in like manner and with the same effect as the Board could itself have exercised or performed them.

10.2 Delegatee Bound

Any committee or person to whom the Board has delegated powers or duties shall be bound by the terms of this Trust.

10.3 Delegation Revocable

Every such delegation shall be revocable at will, and no such delegation shall prevent the exercise of any power or the performance of any duty by the Board.

10.4 Delegatee Need Not be Board Member

It shall not be necessary that any person who is appointed to be a member of any such committee, or to whom any such delegation is made to be a trustee.

11. Employment

Under Rule 9(c) the Board may employ Trustees or any of them.

12. Income, benefit or advantage to be applied to charitable purposes

12.1 Application

Any income, benefit or advantage shall be applied for the charitable purposes of the Trust.

12.2 Influence

No Trustee or person or related entity associated with a Trustee shall derive any income, benefit or advantage from the Trust where they can materially influence the payment of the income, benefit or advantage except where that income, benefit or advantage is derived from:

- (a) services to the Trust rendered in the course of business charged at no greater rate than current market rates; or
- (b) interest on money lent at no greater rate than current market rates.

13. Accounts

13.1 True and fair accounts

The Board shall keep true and fair accounts of all monies received and expended for each financial year with the balance date of the 30th June in each year.

13.2 Audit

The Audited Accounts shall be available at the Annual General Meeting of the Trust and shall be presented to the Local Authorities by 30th September in each year.

13.3 Control of Funds

All monies received by the Trust shall be paid to the bank account of the Trust. All cheques or payments to be drawn upon the bank account of the Trust shall be signed by at least two Trustees approved by the Board for that purpose or one such Trustee and the Treasurer.

14. No Responsibility for Loss

No Trustee shall be responsible for any loss to the Trust unless the same is attributable to his or her or their own dishonesty or to the wilful commission or omission by him or her or them of any acts known to be a breach of trust.

15. Common Seal

The Trust shall have a Common Seal if registered which shall be kept in the custody of the Secretary, or such other officer as shall be appointed by the Board and shall be used only as directed by the Board. It shall be affixed to documents only in the presence of and accompanied by the signature of two Trustees with the prior approval of the Board.

16. Alteration to the Rules

16.1 The Board may, with the prior approval of the Local Authorities, add to, amend or change any of these Rules at a Special Meeting. Any amendment or change to the Rules shall require a resolution to be passed by three-quarters rounded up to the nearest whole number of the total number of Trustees.

16.2 No addition to or alteration or rescission of these Rules shall be approved if it affects the Charitable purposes (Recitals and Rule 3), the Influence Rule (12.2), this rule (16.2), or the winding up Rule (19) of this document without the prior consent of the Local Authorities and Inland Revenue which will need to be satisfied as to the maintenance of the charitable status of the Trust.

17. Incorporation

The Trust shall have the right to apply for incorporation under the provisions of the Charitable Trusts Act 1957 under the name The Manawatu-Wanganui Regional

Disaster Relief Fund Trust, or such other name as shall be approved by the Register of Incorporated Societies and the Trustees.

18 Trust Not to be a Council-Controlled Organisation

18.1 The Trust has been exempted by the Local Authorities from the requirements relating to council-controlled organisations pursuant to section 7(3) of the Local Government Act 2002

18.2 The exemption granted by the Local Authorities must be reviewed in accordance with the Local Government Act 2002 within three years of it being granted, and thereafter at intervals of not less than three years. This exemption may be revoked at any time by the Local Authorities or by any of them.

19. Winding Up

19.1 The Trust may be wound up if a resolution to wind up the Trust or to dissolve it has been passed by a three-quarters rounded up to the nearest whole number of the total number of Trustees and such winding up or dissolution is approved in writing by the Local Authorities.

19.2 Any such resolution after passing shall then be required to be approved by a similar majority at a meeting of the Board called not earlier than fourteen (14) days after such meeting for the specific purpose of confirming the Board's resolution for winding up however such second meeting shall not take place until after the winding up or dissolution of the Trust has been approved in writing by the Local Authorities.

19.3 In the event of the Trust being wound up the surplus assets and funds after payment of the Trust's liabilities including expenses of winding up shall not be paid or distributed among the Trustees or the Local Authorities but shall be paid and

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transferred to such person or body corporate for the furtherance of charitable purposes within New Zealand as the Trustees shall determine at the meeting when the resolution for winding up is duly confirmed.

19.4 In the event no such resolution as to the application of funds to any charitable purpose is passed by a majority of the Trustees then the surplus funds of the Trust shall be held for such other comparable charitable purpose as a Judge of the High Court of New Zealand on application of the Trustees shall determine.

20. Acceptance

The Trustees accept the above terms and conditions on the basis that all future Trustees will also be so bound.

Policy/Long/Reg Disaster Relief Fund Trust Deed V6

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SIGNED by CHRISTOPHER JOSEPH LESTER as)
Trustee in the presence of:



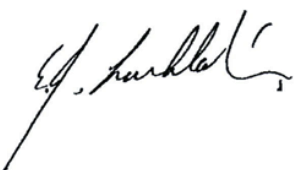
J. Barnett
COMMITTEE ADMINISTRATOR
38 Margaret St
Palmerston North

SIGNED by JOHN JOSEPH BOWLER as)
Trustee in the presence of:



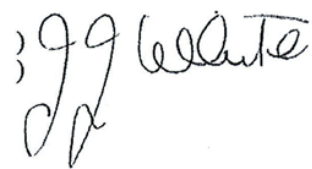
J. Barnett
COMMITTEE ADMINISTRATOR
38 Margaret St
Palmerston North

SIGNED by ERIC JOSEPH LINKLATER as)
Trustee in the presence of:



J. Barnett
COMMITTEE ADMINISTRATOR
38 Margaret St
Palmerston North

SIGNED by JACQUELINE JILL WHITE as)
Trustee in the presence of:



J. Barnett
COMMITTEE ADMINISTRATOR
38 Margaret St
Palmerston North

Policy/Long/Reg Disaster Relief Fund Trust Deed V6

- 15 -

~~MCKEANIE~~

SIGNED by DOUGLAS MCKEANIE as
Trustee in the presence of:

) 



Ian Barnett
COMMITTEE ADMINISTRATOR
38 Margaret St
Palmerston North

SIGNED by ROBERT SEYMOUR VINE as
Trustee in the presence of:

) 

Ian Barnett
COMMITTEE ADMINISTRATOR
38 Margaret St
Palmerston North

SIGNED by DAVID ALAN LEA as
Trustee in the presence of:

) 

Ian Barnett
COMMITTEE ADMINISTRATOR
38 Margaret St
Palmerston North

SIGNED by RAYMOND MARK STEVENS as
Trustee in the presence of:

) 

Ian Barnett
COMMITTEE ADMINISTRATOR
38 Margaret St
Palmerston North

REGIONAL CHIEFS MEETING MINUTES – EXCERPT ONLY

Minutes of the Regional Chiefs Meeting held on Tuesday, 7 March 2017 at Horizons Regional Council, 11-15 Victoria Avenue, Palmerston North, commencing at 1.16pm.

<p><i>Manawatu-Wanganui Regional Disaster Relief Fund Trust – Future Directions</i></p>	<p>Mr McCartney (Chief Executive, Horizons Regional Council). A paper was forwarded to the group prior to the meeting.</p> <ul style="list-style-type: none">- The purpose of the report was to gain direction for the future management and functioning of the Manawatu-Whanganui Regional Disaster Relief Fund Trust. <p>Questions/Comments raised by Regional Chiefs</p> <ul style="list-style-type: none">- It was agreed the Mayors should be on this trust and administered by the Regional Council.- Horizons are involved in every disaster.- How do Mayors make the communications profile big enough to get NZ funding? <p>Action: Horizons Administration to write and thank former Trustees on behalf of all Councils.</p> <p>Action: It was formally resolved that mayors, or their elected representative, be appointed to the Trust Board.</p>
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Te Awahou Nieuwe Stroom Project - Ministry for Culture and Heritage Grant

File No.: 17/363

1. Purpose

For Council to acknowledge and respond to the grant from the Ministry of Arts Culture and Heritage, Regional Heritage Fund towards Te Awahou Nieuwe Stroom.

2. Recommendation

- 2.1 That Report 17/363 on Te Awahou Nieuwe Stroom Project - Ministry for Culture and Heritage Grant 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 formally acknowledges the significance of the \$1,026,450.00 (exclusive of GST) grant towards the completion of the project in conjunction with partners Te Taitoa Maori o Te Awahou and The Dutch Connection Museum Trust.
- 2.4 That the Horowhenua District Council agrees to complete the capital project as described in the funding application, to which government is now contributing by means of the grant.
- 2.5 That the Horowhenua District Council agrees to fund on-going reasonable maintenance, operating and staff costs for the resulting exhibition and gallery spaces to demonstrate it intends to ensure these spaces will be utilised as described in the application.

3. Background/Previous Council Decisions

- 3.1 In September 2013 Council approved a business case recommending the purchase of the Mitre 10 building in Foxton. This was driven by a number of Council service delivery imperatives with the closure of the Council Service Centre in Foxton and the deteriorating state of the existing Foxton Library.
- 3.2 In February 2015 Council approved the development of the Te Awahou Nieuwe Stroom complex going to the Detailed Design phase; supported applications to Lotteries Significant Projects and Lotteries Community facilities funds as well as agreeing to consult on \$500,000 being granted from the Foxton Freeholding Account.
- 3.3 In 2016 Council agreed to proceed with construction, awarding the construction contract to Caldwell Builders Ltd in Foxton.
- 3.4 At the time it decided to proceed with the project, the Council and partners had received grants from: Lotteries Community Facilities (\$500,000); Lotteries Significant Projects (\$750,000); Lotteries Environment and Heritage WW1 (\$500,000); Eastern and Central Community Trust (\$170,000). Whilst these grants are significant the Council recognised that additional funding would be required.
- 3.5 On-going operational costs for Te Awahou Nieuwe Stroom are included in the Annual Plan 2017/2018.
- 3.6 With 703 m² of the building's total size of 2,297 m² being art exhibition space, comprising:
 - The Dutch Gallery 330 m²
 - The Maori Gallery 215 m²
 - The shared gallery 140 m²

- Galleries workshop $\frac{18 \text{ m}^2}{703 \text{ m}^2}$

an application was made to the Ministry of Culture and Heritage, Regional Culture and Heritage Fund for a grant of \$1,026,450.00.

- 3.7 A letter was received from the Minister for Arts, Culture and Heritage, Hon Maggie Barry, ONZM, advising that the amount applied for (\$1,026,450.00 (exclusive of GST)) had been granted with a public announcement being made in Foxton by Minister Barry and Minister Guy on 10 July 2017.

4. Issues for Consideration

4.1 The grant is subject to the following conditions:

- (i) Exhibition content, public libraries, information centres, and council community hubs do not qualify for RCHF funding under the Fund's purpose and criteria; therefore, the RCHF funds granted can only be used for those components of this capital redevelopment project which will create permanent exhibition areas for the Piriharakeke Generation Inspiration Centre, Oranjehof, New Zealand's National Dutch Museum, and the community art gallery space.
- (ii) Acceptance of the RCHF government funding is acceptance of the Council's obligation to ensure it continues to provide and operate either these, or future superior exhibition and gallery spaces, so that the community has continued access to its heritage and culture;
- (iii) The applicant must ensure it is financially able to proceed and complete the capital project, as described in the submitted RCHF application, without any expectation of returning to the RCHF for further funding to complete the project;
- (iv) The Horowhenua District Council will pass an appropriately worded resolution agreeing to underwrite the cost to complete the capital project as described in the funding application, to which government is now contributing by means of the grant;
- (v) The Horowhenua District Council will also pass an appropriately worded resolution agreeing to fund ongoing reasonable maintenance, and operating and staff costs for the resulting exhibition and gallery spaces to demonstrate it intends to ensure these spaces will be utilised as described in the application;
- (vi) The applicant must provide to the Ministry's grant monitoring adviser copies of the final tenders, estimates, and invoices detailing its expenditure on all the trades, services and equipment purchased to complete the Piriharakeke General Inspiration Centre, Oranjehof, New Zealand's National Dutch Museum, and community art gallery space.

4.2 The resolutions required in (iv) and (v) now need to be addressed.

Attachments

There are no attachments for this report.

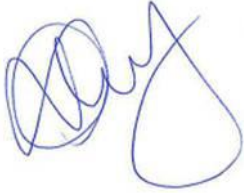

Confirmation of statutory compliance

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)	Cathy McCartney Strategic Projects Coordinator	
Approved by	David McCorkindale Senior Manager - Strategic Planning	

Documents Executed and Electronic Transactions Authorities Signed

File No.: 17/304

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 17/304 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) 199-201 Oxford Street, Levin (Lot 1 DP 58846, Certificate of Title WN55B/888)
Authority and Instruction Form – Surrender of Lease
Authority and Instruction Form – Lease Instrument
Lease Instrument with Winnie Coulter for a period of four consecutive terms of five years each, commencing 14 March 2016.
 - (b) Koputaroa Road Legalisation – Vesting of Land as Road
Certificate of Territorial Authority to Declaration of Land as Road
866 square metres part of Lot 1 DP 350389 shown as Section 2 on SO385054
105 square metres part of Lot 2 DP 350389 shown as Section 3 on SO385054
311 square metres part of subdivision 1 Section 2 Waimakaira and defined on DP WD968 and shown as Section 4 on SO385054
 - (c) Consent Form for Execution – Transfer existing leasehold interest for 13 Chaffey Street, Foxton Beach CT 542169 to Brendan Kevin O'Brien & Donna Mary O'Brien
 - (d) Freeholding 13 Chaffey Street, Foxton Beach
Transfer Instrument – Horowhenua District Council to Donna Mary O'Brien and Brendan Kevin O'Brien
Authority and Instruction Form – Transfer and Merger of Lease 542169, WN5B/316.

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:

- 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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File No.: 17/221

Gift of Lot 403 DP 401602 - Pinot Crescent Ohau

1. Purpose

To notify Council of the proposed gifting of "The Village Green" Lot 403 DP 401602 Pinot Crescent Ohau, by the Bishop Vineyard Owners Association (BVOA) and seek a resolution from Council to purchase the property on the terms and conditions within the Agreement for Sale and Purchase.

2. Executive Summary

Lot 403 DP 401602 Pinot Crescent Ohau is flat open space which is approximately 3,113m² in area. The site has no buildings. The BVOA have agreed to gift the land to council for \$1 so that it might be maintained as amenity open space. There is very little public space in the area.

3. Recommendation

- 3.1 That Report 17/221 Gifting of Lot 403 DP 401602 - Pinot Crescent Ohau 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 Chief Executive be given delegated authority to execute the Sale and Purchase Agreement for the purchase of Lot 5-403, DP 401602, Pinot Crescent, Ohau, for the sum of \$1.00.

4. Background / Previous Council Decisions

The Bishops Vineyard Owners Association Inc (BVOA) approached Council with the proposal to gift Lot 403 DP 401602 "The Village Green" to Council. There have been no previous reports or Council decisions in relation to this matter.

5. Discussion

- 5.1 "The Village Green" is adjacent to the existing vineyard, with views to both the Vineyard and Tararua Ranges. Should Council acquire the site it will provide a peaceful and reflective open amenity space area for the public to enjoy. An alternative recreational domain is available, however it is a 5-10minute walk, and adjacent to State Highway 1. Public Open Space is limited in the area and acquiring this land will provide an alternative recreational space
- 5.2 In addition to the road, a public walkway is already in place and accessible from Muhunoa East Road to enable safe walking and cycling. Council owns the roading infrastructure in Bishop's Vineyard.
- 5.3 Various discussions were held and terms and conditions considered, namely
 - That all legal costs associated with the legal transfer of this property were to be at the cost of the BVOA
 - BVOA to supply and install a commemorative plaque (or similar) be erected so that the public know that this land was a donation to the community for their enjoyment and wellbeing
 - Purchase price will be \$1

- All conditions relating to the management and maintenance of the land have been withdrawn

5.4 The BVOA consulted within their incorporated members they have agreed with the terms and conditions and decided that they wish to proceed with the gift of land to the community.

6. Options

Only one option is presented for discussion that being to accept the gifting of the land for the purpose of public amenity space in line with the terms and conditions contained within the Agreement for Sale and Purchase.

Should Council agree to the transfer the site it will be maintained under the existing grounds maintenance contract.

6.1 Cost

Cost to purchase the site has been set at \$1.00. Ongoing maintenance of the site (approximately \$1750.00) will be met from the existing operational budgets.

Option	Cost
Purchase of site	\$1.00
Ongoing maintenance	\$1,750.00

6.1.1 Rate Impact

NIL – maintenance cost will be met from the existing operational budget

6.2 Community Wellbeing

LTP refers to the Rationale for Activity & Community Outcomes.

“ A community of knowledge, culture and diversity where people are proud to live”

“ Safe, resilient and healthy communities”

6.3 Consenting Issues

There are no Consents required or consenting issues arising.

6.4 LTP Integration

There is no LTP programme related to the options or proposals in this report. There are no Special Consultative Processes required.

7. Consultation

The BVOA undertook their own internal consultation and agreed with proceeding as per the terms and conditions set out within the Agreement for Sale and Purchase.

8. Legal Considerations

There are no Legal Requirements or Statutory Obligations affecting options or proposals.

9. Financial Considerations

There is no financial impact.

10. Other Considerations

There are no other considerations

11. Next Steps

Agree to accept the terms within the Agreement for Sale and Purchase
Place Lot 403 DP 401602 (The Village Green) within the existing grounds maintenance programme.

12. Supporting Information

Strategic Fit/Strategic Outcome

The recommendations are in line with Council's LTP - Community Outcomes and within the Horowhenua District Open Space Strategy.

Decision Making

Decision is not significant and can be made outside of the LTP.

Consistency with Existing Policy

No existing strategy or policy is in place but this proposal is consistent with the Horowhenua District Open Space Strategy – Adopted 5 September 2012.

Funding

No funding is required, met out of existing Operational Expenditure Budgets.


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

There are no appendices for this report

Author(s)	Melissa Hanson Customer & Development Enabler	
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Approved by	Arthur Nelson Property and Parks Manager	
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Draft Policy - Easter Sunday Shop Trading Policy

1. Purpose

To propose that Council implements an Easter Sunday Shop Trading Policy, allowing trading throughout the Horowhenua District.

2. Executive Summary

2.1 The Shop Trading Hours Act 1990 was amended in 2016 to enable territorial authorities to create local policies to allow shop trading across their entire district or in limited areas on Easter Sunday.

2.2 A period of pre-consultation on Easter Sunday Shop Trading was undertaken in March/April 2017 designed to gather some initial thoughts of the community. These are discussed in clause 5.

3. Recommendation

3.1 That Report 17/160 Draft Policy - Easter Sunday Shop Trading Policy be received.

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

3.3 That Council resolves that it wishes to implement an Easter Sunday Shop Trading Policy that allows trading throughout the Horowhenua District area.

3.4 That Council resolves to consult on the draft policy attached as the Statement of Proposal (**Attachment A**), using the Special Consultative Procedure as required by s5B(1) of the Shop Trading Act 1990 (as amended by the Shop Trading Hours Amendment Act 2016).

3.5 That Council resolve that the Summary of Information attached as **Attachment B** is a fair representation of the major matters in the Statement of Proposal; is in a form determined by Council; indicates where the Statement of proposal is available; and states the period within which interested persons may present their views to Council – s83AA Local Government Act 2002.

3.6 That the hearing of submissions following consultation be heard by the Hearings Committee of Council acting under delegation of Council, for a subsequent recommendation from the committee to Council.

4. Background / Previous Council Decisions

4.1 There are no previous decisions by Council on this matter, however recent changes to legislation allows territorial authorities to introduce an Easter Sunday Shop Trading Policy for their district in conjunction with their community through the Special Consultative Procedure.

4.2 The following is the relevant extract from the legislation as it pertains to Easter Sunday Shop Trading Policies as inserted on 30 August 2016 by section 15 of the Shop Trading Amendment Act 2016:

- (1) A territorial authority may have a local Easter Sunday policy to permit shops to open on Easter Sunday in any areas comprising the whole of its district or any part or parts of its district.

- (2) A local Easter Sunday shop trading policy may not permit shops to open only for some purpose; permit only some types of shops to open; specify times shops may or may not open; include any other conditions as to the circumstances in which shops in the area may open.
- (3) A local Easter Sunday shop trading policy must include either or both, a map of the area and a clear description of the boundaries of the area so they are easily identifiable in practice.
- (4) A territorial authority must review the first local Easter Sunday shop trading policy adopted no later than 5 years after adopting the policy.

4.3 The legislation also addresses provisions relating to shop employees' right to refuse to work on Easter Sunday without any repercussions for their employment relationship.

4.4 As stated in clause 2.2 above, a pre-consultation survey was undertaken to gauge initial thoughts of the community on Easter Sunday Shop Trading. The survey was available both on-line through Survey Monkey as well as in hard copy format containing 6 questions. Our staff also hand delivered survey forms to a number of businesses. There were 169 responses, results as follows:

(1) Question 1. Which best describes you?

Retailer – 27 (16.07%)
Shopper – 121 (72.02%)
Worker in a Retail store – 20 (11.9%)
Skipped – 1

(2) Question 2. Should shops in the Horowhenua District be allowed to trade on Easter Sunday?

Yes – 74 (43.79%)
No – 95 (56.21%)

(3) Question 3. How would you be affected if shops could trade on Easter Sunday in the Horowhenua District?

I could open my shop and trade – 9 (5.36%)
My employer may ask me to work – 7 (4.17%)
I might go shopping – 47 (27.98%)
I will make a conscious choice not to shop, work or trade – 65 (38.69%)
It won't affect me at all – 32 (19.05%)
Other – 8 (4.76%)
Skipped – 1

(4) Question 4. If Easter Sunday trading was to be allowed should trading be allowed anywhere or only in defined areas?

Anywhere – 116 (74.84%)
Only in defined areas – 39 (25.16%)
Skipped - 14

(5) Question 5. Where do you live?

Tokomaru/Opiki – 2 (1.18%)
Shannon – 10 (5.92%)
Foxton – 13 (7.69%)
Foxton Beach – 3 (1.78%)
Waitarere Beach – 9 (5.33%)

Levin – 119 (70.41%)
Manakau – 2 (1.18%)
Ohau – 4 (2.37%)
Other – 7 (4.14%)

(6) Question 6. What is your age

17 or younger – 0 (0.00%)
18 to 39 – 45 (26.79%)
40 to 64 – 93 (55.36%)
65 or older – 30 (17.86%)
Skipped - 1.

Note : There were also a number of comments attached to Q2 (149); Q4 (49); and 67 respondents asked to be kept informed on this matter.

4.5 The number of responses during this pre-consultation was pleasing as was the fact that there were responses from throughout the district.

5. Discussion

- 5.1 Any decision on whether or not to adopt a policy that allows Easter Sunday Shop Trading, in part or whole of the District, has been placed in the hands of individual Council's by Central Government.
- 5.2 However Council must use the special consultative procedure when deciding whether to adopt a local Easter Sunday shop trading policy. This report is proposing that Council consult with the community on this matter using the draft policy proposing that Easter Sunday Shop trading be allowed throughout the district, and attached as **Attachment A**.

6. Options

- 6.1 There are two (2) options, namely:
- (1) Decide not to implement a local Easter Sunday shop trading policy, or
 - (2) Decide to consider implementing a local Easter Sunday shop trading policy and consult on the draft policy attached as **Attachment A** to this report – see recommendations 3.3 and 3.4.
- 6.2 The preferred option is Option 2, being to consult on the draft policy attached. Whilst there were differing views on whether shops should be allowed to open or not during the pre-consultation phase, the draft has been prepared on the basis that if there is an operative policy people have choices; if there is no operative policy there are no choices.

7.1 Cost

Costs associated with this matter will be covered from within existing operational budgets.

7.1.1 Rate Impact

There are no rate implications

7.2 Community Wellbeing

There are no negative impacts on Community Wellbeing arising.

7.3 Consenting Issues

There are no consents required or consenting issues arising

7.4 LTP Integration

There is no LTP programme related to this matter.

8. Consultation

The recommendations propose use of the special consultative procedure which is required to be followed in implementing this policy.

9. Legal Considerations

There is a legal requirement to use the special consultative procedure with this matter.

10. Financial Considerations

There is no financial impact.

11. Other Considerations

There are no other considerations at this point.

12. Next Steps

In the event the recommendations are adopted the next steps are as follows:

What	When
Consultation Commences	4 September 2017
Consultation Closes	5pm, 6 October 2017
Consideration of Submissions – Report preparation	Week commencing 16 October 2017
Hearings Committee - Hearing of Submissions	October 2017
Recommendation to Council to adopt/not adopt policy	To be Confirmed

There may be other steps after this, dependent upon subsequent decisions of Council.

13. Supporting Information

Strategic Fit/Strategic Outcome – Not Applicable
Decision Making – Not Applicable
Consistency with Existing Policy – Not Applicable
Funding – Not Applicable
<u>Confirmation of statutory compliance</u> In accordance with section 76 of the Local Government Act 2002, this report is approved as: <ol style="list-style-type: none">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.

14. Appendices

No.	Title	Page
A	Statement of Proposal - Local Easter Sunday Shop Trading Policy 2017 Agenda copy	172
B	Summary of Information - Easter Sunday Shop Trading Policy	177

Author(s)	Mike Lepper Customer and Regulatory Services Manager	
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Approved by	Nicki Brady Group Manager - Business Services	
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Statement of Proposal



Local Easter Sunday Shop Trading Policy 2017

CONTENTS

Description	Page
1. Introduction and Explanatory Material	3
2. Scope of Policy	3
3. Shop Trading Permitted	3
4. Shop Employees' Right to Refuse to Work	4
5. Adoption and Review	6
6. Have your Say	

HOROWHENUA DISTRICT COUNCIL LOCAL EASTER SUNDAY SHOP TRADING POLICY 2017

1. INTRODUCTION AND EXPLANATORY MATERIAL

- 1.1 The Shop Trading Hours Act 1990 (the Act) provides for restricted trading days on Anzac Day morning, Good Friday, Easter Sunday and Christmas Day. The Act allows shops selling certain types of goods (for example, dairies, service stations, pharmacies, takeaway bars, restaurants, cafes, souvenir stores and garden centres) to remain open on the restricted trading days.
- 1.2 The Act was amended by the Shop Trading Amendment Act 2016 enabling territorial authorities to create local policies to allow shop trading across their entire district or in limited areas on Easter Sunday.
- 1.3 Horowhenua District Council recognises the importance of the retail trade to our District, and specifically the trade associated with passing traffic on state highways.
- 1.4 This Policy applies to the whole of the Horowhenua District – see map **attached**.

2. SCOPE OF THE POLICY

- 2.1 For the purposes of this policy, the meaning of a shop is the same as defined in section 2 of the Act:
 - *a building, place, or part of a building or place, where goods are kept, sold, or offered for sale, by retail, and includes an auction mart, and a barrow, stall, or other subdivision of a market; but does not include:*
 - (a) *a private home where the owner or occupier's effects are being sold (by auction or otherwise); or*
 - (b) *a building or place where the only business carried on is that of selling by auction agricultural products, pastoral products, and livestock, or any of them; or*
 - (c) *a building or place where the only business carried on is that of selling goods to people who are dealers, and buy the goods to sell them again.*
- 2.2 Under the Act, a local Easter Sunday Shop Trading Policy may not –
 - (a) permit shops to open only for some purposes; or
 - (b) permit only some types of shops in the area to open; or
 - (c) specify times at which shops may or may not open; or
 - (d) include any other conditions as to the circumstances in which shops in the area may open.
- 2.3 This Policy does not apply to the sale or supply of alcohol. Alcohol sale and supply is regulated under the Sale and Supply of Alcohol Act 2012.

3. **SHOP TRADING PERMITTED**

Shop trading is permitted on Easter Sundays throughout the Horowhenua District (see map attached).

4. **SHOP EMPLOYEES' RIGHT TO REFUSE TO WORK**

All shop employees have the ability to refuse to work on Easter Sunday without providing a reason to their employer. There are "right to refuse" provisions in the Act which means that all employees will have the ability to refuse to work on Easter Sunday without any repercussions for their employment relationship.

5. **REVIEW**

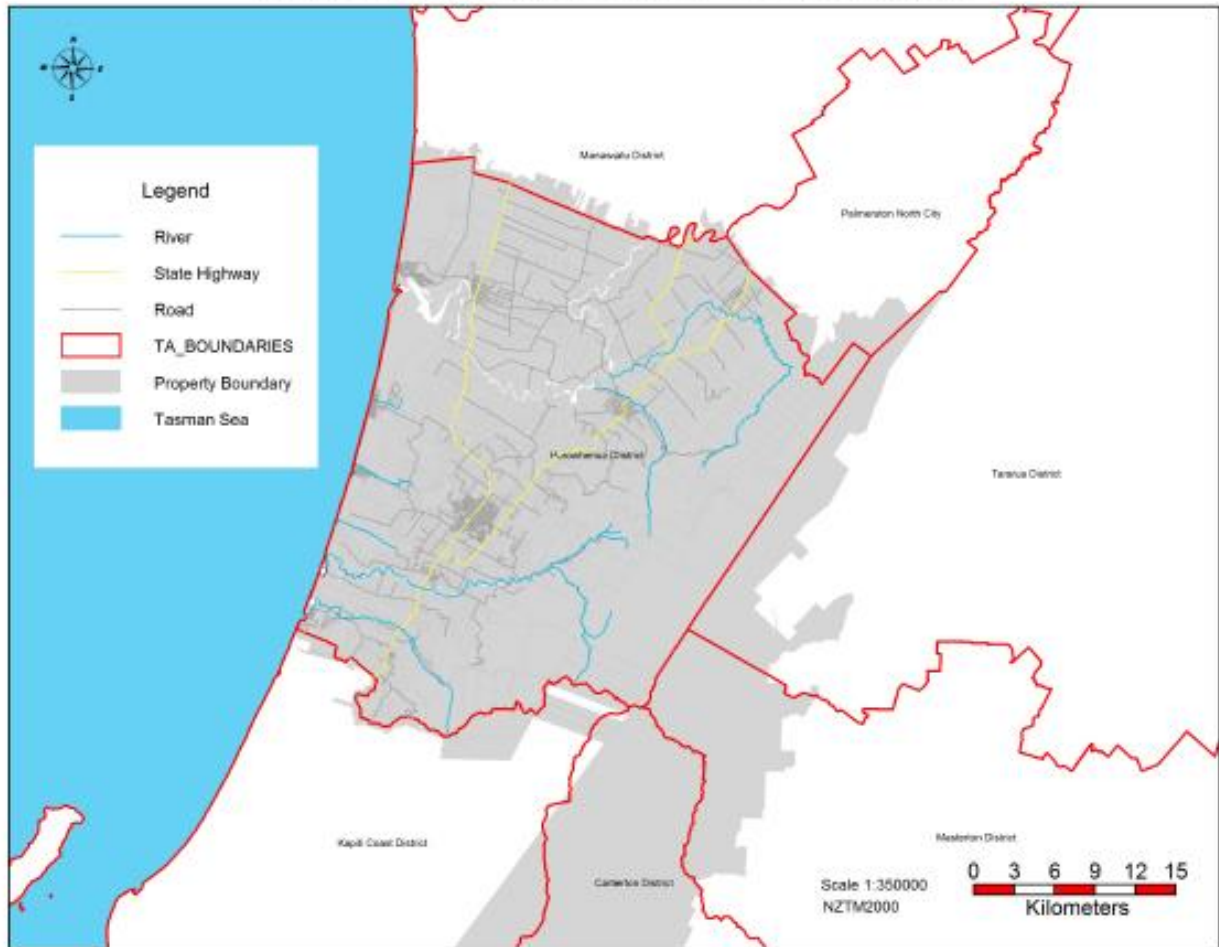
This policy will be reviewed within five (5) years of being adopted.

6. **HAVE YOUR SAY**

- Post to : Local Easter Sunday Shop Trading Policy 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 5pm on Friday 6 October 2017.

HOROWHENUA DISTRICT BOUNDARIES



Summary of Information



DRAFT EASTER SUNDAY SHOP TRADING POLICY

At a meeting of the Horowhenua District Council held on 30 August 2017, Council resolved to consult on this draft Policy using the Special Consultative Procedure as laid down in the Local Government Act 2002.

1. Proposal

Council is proposing to introduce an Easter Sunday Shop Trading Policy to apply throughout the Horowhenua District. This Policy will allow all shops in the district to open and trade on Easter Sunday should they wish to do so.

2. Submissions

Submissions on the proposal close at 5.00 pm on Friday 6 October 2017. All submissions should be addressed to:

Easter Sunday Shop Trading Policy
Horowhenua District Council
Private Bag 4002
Levin 5540

Submitters should advise whether they wish to be heard when submissions are considered. A meeting will be scheduled after the consultation period has closed. Submitters are advised that pursuant to the Local Government Act 2002 and subject to the Local Government Official Information and Meetings Act 1987, all submissions shall be made available to the public.

Submission forms and the Statement of Proposal are available at the Council Offices in Levin (126 Oxford Street, or Te Takere), Foxton (Clyde Street); or Shannon (Plimmer Terrace). Copies may also be obtained by telephoning Council's Customer Service Centre, Levin, on (06) 366 0999, and on Council's website www.horowhenua.govt.nz.

3. Form of Summary

The form and contents of this summary were approved by a resolution of Council on 30 August 2017.

Submission form to Draft Easter Sunday Shop Trading Policy

OFFICE USE ONLY

RM8 No:

Submission No:

Please print clearly using a black or dark blue pen

Your details

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

Name of Organisation (if applicable)

Postal address:

..... Post Code

Phone: A/H Mobile

Email:

Communication

Preferred method of communication: email post

Presentation

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

My submission(s)

Please complete your submission on the form overleaf. Please note that your submission will be part of a public agenda.

You can post your submission to: Easter Sunday Shop Trading Policy
Horowhenua District Council
Private Bag 4002
Levin 5540

OR drop it into Council at 126 Oxford Street, Levin; or Te Takere; your local library or Service Centre. Alternatively fax to (06) 366 0983 or email to: enquiries@horowhenua.govt.nz.

Submission forms can be completed on line or downloaded from www.horowhenua.govt.nz.

We need to receive your submission by 5.00 pm on Friday 6 October 2017.

Adoption of Food Act Premises and Resource Consenting Fees, 2017/18

File No.: 17/316

1. Purpose

The purpose of this Report is to seek a resolution of Council to adopt fees and charges in respect of Food Act Premises and Resource Consenting for the 2017/18 year.

2. Recommendation

- 2.1 That Report 17/316 Adoption of Food Act Premises and Resource Consenting Fees, 2017/18 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 schedule of fees and charges attached as **Attachment A** (Food Act Premises) and **Attachment B** (Resource Consenting) be adopted as operative fees and charges for the 2017/18 year, effective 31 August 2017.

3. Background/Previous Council Decisions

- 3.1 At the 15 March 2017 meeting Council resolved to consult on proposed fees and charges using the special consultative procedure.
- 3.2 One submission in respect of Resource Consenting fees was received and this was heard and considered by the Hearings Committee at a meeting on 31 May 2017.
- 3.3 The Hearing Committee have recommended to Council the adoption of fees and charges as attached, **Attachment A** (Food Act Premises) and Attachment B (**Resource Consenting**) – see recommendation 2.3.
- 3.4 The minutes of the Hearing Committee meeting of 31 May 2017 have been addressed earlier in this agenda.

4. Issues for Consideration

There are no issues requiring the consideration of Council other than the adoption of the fees and charges proposed that have been recommended by the Hearings Committee – due process has been followed in respect of the setting of these fees.

Attachments

No.	Title	Page
A	Food Act Fees & Charges 2017/18	183
B	Resource Consenting Fees & Charges 2017/18	184


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	
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Approved by	Nicki Brady Group Manager - Business Services	
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Food Act Fees & Charges 2017/18, effective 31 August 2017

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	N/A
Registering a business under a national programme	\$150.00 fixed fee	N/A
Renewing the registration of a Food Control Plan that is based on a MPI template	\$150.00 fixed fee	N/A
Renewing the registration of a business operating under a national programme	\$150.00 fixed fee	N/A
Amendment to registration	Charged at hourly rate of \$150.00 per hour	N/A
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	N/A
Verification of a National Programme	\$75.00 fixed fee (for up to 1 hour) then additional time is charged at \$150.00 per hour	N/A
Compliance and Monitoring	Charged at hourly rate of \$150.00 per hour	N/A
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

Resource Consenting Fees & Charges 2017/18

- (a). Fees and charges are set under the Resource Management Act 1991.
- (b). All fees and charges are GST inclusive and are effective from 31 August 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’. If the consent is withdrawn, a refund less the amount of time spent up until that point will be made.
- (g). Consents may incur additional charges relating to any required monitoring inspections.

4. FEES AND CHARGES

Description	Fee/Charge
Consent Applications	
Processing Fee	\$150.00 per hour
10 Day Fast Track Land Use Consents	\$1,500.00 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%

Dangerous and Insanitary Buildings Policy 2017 Adoption

File No.: 17/320

1. Purpose

To present to the Horowhenua District Council the Dangerous and Insanitary Buildings Policy 2017 for adoption, and that on adoption by Council the Insanitary and Dangerous provisions be removed from the Insanitary, Dangerous and Earthquake-Prone Buildings Policy 2006.

2. Recommendation

- 2.1 That Report 17/320 Dangerous and Insanitary Buildings Policy 2017 Adoption 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 Council adopts the Horowhenua District Council Dangerous and Insanitary Buildings Policy 2017 attached as **Attachment A**, as an operative policy of council effective 1 September 2017.
- 2.4 That Council resolves that the Insanitary and Dangerous provisions in the Insanitary, Dangerous and Earthquake-Prone Buildings Policy 2006, be removed effective 1 September 2017.

3. Background/Previous Council Decisions

- 3.1 The draft policy attached was consulted on using the Special Consultative Process. Two submissions were received, and the submissions were considered by the Hearings Committee acting under delegated authority of Council. The changes agreed by the Hearings Committee after the hearing and consideration of submissions are reflected in the changes as tracked.
- 3.2 The Hearings Committee considered submissions at a meeting held 31 May 2017 and now recommends the adoption of the Dangerous and Insanitary Buildings Policy 2017, as amended following consultation, as an operative policy of Council.

4. Issues for Consideration

In adopting the Dangerous and Insanitary Buildings Policy Council will ensure compliance with the requirements of the Building Act 2004.

Attachments

No.	Title	Page
A	DRAFT Dangerous and Insanitary Buildings Policy 2017 - Tracked Changes	189



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)	Vaimoana Miller Customer Experience Lead	
Approved by	Nicki Brady Group Manager - Business Services	

| [Copy incorporating Tracked Changes](#)



DRAFT

**POLICY ON DANGEROUS AND
INSANITARY BUILDINGS
2017**

Adopted :

RM8 No:

-2-

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2	Definitions	3
3	Policy Approach	4
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3.2	- Overall Approach	4
3.3	- Identifying Dangerous, Affected or Insanitary Buildings	4
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HOROWHENUA DISTRICT COUNCIL
**DANGEROUS AND INSANITARY BUILDINGS
POLICY 2017**

1. **Introduction and Background**

- 1.1 Section 131 of the Building Act 2004 ("the Act") requires territorial authorities ("TAs") to have a policy on dangerous and insanitary buildings. Additionally, Council is now also required to take into account affected buildings¹.
- 1.2 One of the key purposes of the Act, as set out in Section 3, is to ensure 'people who use buildings can do so safely and without endangering their health'. Section 4 details the principles to be applied in performing functions under the Act and specifically states that TAs must take these principles into account in the adoption and review of their dangerous and insanitary building policies.
- 1.3 This policy was originally adopted by the Horowhenua District Council ("Council") on 31 May 2006 in accordance with the requirements of the Building Act 2004.
- 1.4 The policy is required to state²: The approach that the Council will take in performing its functions under the Act; Council's priorities in performing those functions; and how the policy will apply to heritage buildings.
- 1.5 In reviewing, amending and adopting this policy, Council has followed the special consultative procedure set out in Section 83 of the Local Government Act 2002.
- 1.6 In many, but not all, cases whether a building is dangerous, affected or insanitary status will not be readily apparent. For that reason, any attempt to identify these buildings proactively is unlikely to be successful unless Council has considerable resources to undertake inspections and evaluations of buildings.
- 1.7 As a consequence, the most likely sources of information concerning dangerous, affected or insanitary buildings continues to be from building occupants, neighbours, or as the result of an inspection by the Police, the Fire Service or other agencies authorised to inspect buildings. Other sources of information will be known directly by Council, possibly following a significant weather event.
- 1.8 Relying on complaints to provide information concerning potentially dangerous or insanitary buildings continues to be the most practical way in which Council can identify both these buildings and affected buildings within the district and undertake its statutory responsibilities.

2. **Definitions**

The following definitions, contained in the Building Act 2004, will be used to determine whether a building is insanitary, dangerous or earthquake-prone:

- **Dangerous:** (s121(1)) – "A building is dangerous for the purposes of this Act if –
 - a. in the ordinary course of events (excluding the occurrence of an earthquake), the building is likely to cause –
 - (i) injury or death (whether by collapse or otherwise) to any persons in it or to persons on other property; or
 - (ii) damage to other property; or
 - b. in the event of fire, injury or death to any person in the building or to persons on other property is likely."
- **Insanitary:** (s123) "A building is insanitary for the purposes of this Act if the building

-4-

- a. is offensive or likely to be injurious to health because –
 - (i) of how it is situated or constructed; or
 - (ii) it is in a state of disrepair; or
 - b. has insufficient or defective provisions against moisture penetration so as to cause dampness in the building or in any adjoining building; or
 - c. does not have a supply of potable water that is adequate for its intended use; or
 - d. does not have sanitary facilities that are adequate for its intended use.”
- **Affected building:** (s121A) “The building is an affected building for the purposes of this Act if it is adjacent to, adjoining, or nearby –
 - a. a dangerous building as defined in Section 121; or
 - b. a dangerous dam within the meaning of Section 153.”

3. Policy Approach

3.1 Policy Principles

Provisions of the Act with regard to dangerous, affected or insanitary buildings reflect the government’s broader concern with the safety of the public in buildings, and with the health and safety of people occupying buildings that may be considered to be dangerous, affected or insanitary. However, Council recognises that public safety must be balanced against the other broader economic issues and in relation to other Council Policy.

3.2 Overall Approach

- (i) Sections 124 to 130 of the Act provide the authority necessary for TAs to take action on dangerous, affected or insanitary buildings and set out how this action is to be taken.
- (ii) Council will continue to encourage the public to discuss their development plans with Council and to obtain building consent for work Council deems is necessary prior to any work commencing. This is particularly important in order to avoid creating dangerous or insanitary conditions that could be injurious to the health of occupants, particularly children and the elderly, or where safety risks are likely to arise from a change in use.
- (iii) Council has in the past relied upon complaints from various sources to identify dangerous or insanitary buildings and will continue with this passive approach.

3.3 Identifying Dangerous, Affected or Insanitary Buildings

- (i) Council will:
 - Take a passive approach to identification of buildings.
 - Actively respond to and investigate all buildings complaints received.
 - Identify from these investigations any buildings that are dangerous, affected or insanitary.
 - For dangerous buildings, inform the owner(s) and occupier of the building to take action to reduce or remove the danger, as is required by Sections 124 and 125 of the Act, (and liaise with the New Zealand Fire Service when Council deems it is appropriate, in accordance with Section 121(2) of the Act).
 - For insanitary buildings, inform the owner(s) of the building to take action to prevent the building from remaining insanitary as is required by Sections 124 and 125 of the Act (and liaise with the Medical Officer of Health when required to assess whether the occupants may be neglected or inform).
- (ii) For affected buildings, inform the owner(s) of the building only when restricting entry to the building.

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3.4 Assessment Criteria

- (i) Council will assess dangerous, affected or insanitary buildings in accordance with the Act and established case law, as well as the building code.
- (ii) Council will:
 - o Investigate as to whether the building is occupied.
 - o Assess the use to which the building is put.
 - o Assess whether the dangerous or insanitary conditions pose a reasonable probability of danger to occupants or visitors, or to the health of any occupants of the building. Upon the determination that a building is dangerous assess whether the dangerous building poses a reasonable probability of danger to occupants or visitors of any adjacent, adjoining or nearby buildings.
- (iii) Considerations as to dangerous assessment where a building is either occupied or not may include:
 - o Structural collapse.
 - o Loose materials/connections.
 - o Overcrowding.
 - o Use which is not fit for purpose.
 - o Seeking advice from the New Zealand Fire Service³.
- (iv) Considerations as to insanitary assessment where a building is occupied may include:
 - o Adequate sanitary facilities for the use.
 - o Adequate drinking water.
 - o Separation of use for kitchen and other sanitary facilities.
 - o Likelihood of moisture penetration.
 - o Natural disaster.
 - o Defects in roof and walls/poor maintenance/occupant misuse.
 - o The degree to which the building is offensive to adjacent and nearby properties.
- (v) A building will be deemed to be an affected building if it is adjacent, adjoining or nearby a building which Council has assessed as being a dangerous building.

3.5 Taking Action

- (i) In accordance with Sections 124 and 125 of the Act the Council will:
 - o Advise and liaise with the owner(s) of the buildings identified as being dangerous, affected or insanitary.
 - o As a consequence of a building being identified as dangerous consider whether any buildings should be regarded as being an affected building for the purposes of the Act.
 - o May request a written report on the dangerous building from the New Zealand Fire Service.
- (ii) If found to be dangerous or insanitary:
 - o Attach written notice to the building requiring work to be carried out on the building, within a time stated in the notice being not less than ten (10) days, to reduce or remove the danger.

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- Give copies of the notice to the building owner, occupier, and every person who has an interest in the land, or is claiming an interest in the land, as well as the Heritage New Zealand Pouhere Taonga, if the building is a heritage building.
 - Contact the owner at the expiry of the time period set down in the notice in order to gain access to the building to ascertain whether the notice has been complied with.
 - Where the danger is the result of non-consented building work, Council will formally request the owner(s) to provide an explanation as to how the work occurred and who carried it out and under whose instructions; (and apply for a Certificate of Acceptance if applicable)
 - Pursue enforcement action under the Act if the requirements of the notice are not met within a reasonable period of time as well as any other non-compliance matters.
- (iii) Where Council has determined under Section 121A of the Act that a building is an "affected building" Council may do any or all of the following:
- Erect a hoarding or put up a fence around the building;
 - Attach a notice warning people not to approach the building;
 - Issue a written notice restricting entry to the affected building for particular purposes or to particular groups of people for a maximum period of thirty (30) days. Such notice may be reissued once for a further thirty (30) days.
- (iv) If the building is considered to be immediately dangerous or insanitary Council may:
- Cause any action to be taken to remove that danger or insanitary condition (this may include prohibiting persons using or occupying the building and demolition of all or part of the building); and
 - Take action to recover costs from the owner(s) if Council must undertake works to remove the danger or insanitary condition.
 - The owner(s) will also be informed that the amount recoverable by Council will become a charge on the land on which the building is situated.
- (v) All owners have a right of appeal as defined in the Act, which can include applying to the Department of Building and Housing for a determination under Section 177 of the Act.
- 3.6 Interaction between the Dangerous and Insanitary Buildings policy and related sections of the Act:
- (i) Section 41: Building consent not required in certain cases.
 - (ii) In cases where a building is assessed as being immediately dangerous or insanitary Council may not require prior building consent to be obtained for any building work required so as to remove the dangerous or insanitary condition immediately. However, where Council has issued a notice under Section 125(1) of the Act it must advise the owner of the building if a building consent will be required prior to the owner commencing any remedial works to the building.
 - (iii) Prior to the lodging of a building consent application for the work required under the notice it is imperative that building owners discuss any works with Council. In those circumstances where Council has not required a building consent to be issued prior to the commencement of the remedial works required by the notice, the building owner will still be required to apply for a certificate of compliance as required by the Act.
- 3.7 Record Keeping
- (i) Any buildings identified as being dangerous or insanitary will have a notation placed on the property file for the property on which the building is situated until the danger or insanitary condition is remedied.

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- (ii) A notation will be placed on the property file of an affected building until such time as the dangerous condition of the adjacent, adjoining or nearby building has been rectified.
- (iii) In addition, the following information will be placed on the Land Information Memorandum (LIM):
 - o Notice issued that the building is dangerous, insanitary or is an affected building.
 - o Copy of letter to owner(s), occupier and any other person that the building is dangerous, insanitary or is an affected building.
 - o Copy of the notice given under Section 124(1) that identifies the work to be carried out on the building and the timeframe given to reduce or remove the danger or insanitary condition.

3.8 Economic Impact of Policy

Due to the lower number of dangerous, affected or insanitary building encountered annually by Council, the economic impact of this policy is, at this date, considered to be low.

3.9 Access to Information

- (i) Information concerning dangerous, affected or insanitary buildings will be contained on the relevant LIM and Council records.
- (ii) In granting access to information concerning dangerous, affected or insanitary buildings, Council will confirm to the requirements of the Local Government Official Information and Meetings Act 1987 and Local Government Act 2002.

4. **Heritage Buildings**

4.1 No special dispensation will be given to heritage buildings under this policy. Council believes it is important that heritage buildings within the District do not pose a risk to the safety of occupants or other buildings. However, Council does not wish to see the intrinsic heritage value of such buildings adversely affected by structural improvement measures.

4.2 Heritage buildings (that is those buildings identified in the Horowhenua District Council Operative District Plan or by Heritage New Zealand Pouhere Taonga) will be assessed in the same way as other dangerous or insanitary buildings.

4.3 Where a heritage building has been identified as dangerous or insanitary, discussions will be held with owners of the building, Heritage New Zealand Pouhere Taonga and other stakeholders to identify a mutually acceptable way forward if possible. Special efforts will be made to meet heritage objectives specified in the Operative District Plan.

4.4 4.2 The fact that a building has heritage status does not mean that it can be left in a dangerous or insanitary condition. As per Section 125(2)(f) of the Act, a copy of any notice issued under Section 124 of the Act will be sent to Heritage New Zealand Pouhere Taonga where a heritage building has been identified as a dangerous, affected or insanitary building.

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5. **Priorities**

- 5.1 The Council will give priority to buildings where it has been determined that immediate action is necessary to fix dangerous or insanitary conditions. Immediate action will be required in those situations to fix those dangerous or insanitary conditions such as prohibiting occupation of the property, putting up a hoarding or fence or taking prosecution action where necessary.

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- 5.2 Buildings that are determined to be dangerous or insanitary, but not requiring immediate action to fix those dangerous or insanitary conditions, will be subject to the minimum timeframes to prevent the building from remaining dangerous or insanitary (not less than ten (10) days) as set in Section 124(1)(c) of the Act.

6. **Policy Review**

This policy will be reviewed on a 5 yearly basis from the date of adoption as required by section 132(4) of the Building Act 2004.

Notes

¹ Section 132(a) Building Act 2004 which came into force on 27 November 2013

² Section 131(2) of the Building Act 2004

³ Section 121(2)(a) of the Building Act 2004

DRAFT

File No.: 17/395

Amendment to Dog Control Policy & Bylaw 2015

1. Purpose

To propose amendments to Council's Dog Control Policy and Bylaw 2015.

2. Executive Summary

- 2.1 During the adoption of the Dog Control Policy and Bylaw 2015 a question was raised as to why there had been a change to areas where dogs were allowed/not allowed, and specifically at Waikawa Beach, between what was contained in the 2004 and the new 2015 Bylaw.
- 2.2 When Amendments were presented to Council in February (Report 16/38) it was decided that the report lay on the table to allow for consultation with the Foxton Community Board. This matter has now been addressed.

3. Recommendation

- 3.1 That Report 17/395 Amendment to Dog Control Policy & Bylaw 2015 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 schedule of amendments to the Dog Control Policy and Bylaw 2015, attached as Attachment A, be adopted effective 31 August 2017, and that these replace the current Schedules attached to the 2015 Dog Policy and Bylaw documents.

4. Background / Previous Council Decisions

- 4.1 The Dog Control Policy and Bylaw 2015 was adopted by Council at a meeting held on 5 August 2015.
- 4.2 The proposed changes to the bylaw were presented to the 1 February 2017 meeting of Council, where the Foxton Community Board requested the matter be brought to the Board regarding the changes in its area.
- 4.3 The proposed changes as they relate to the Foxton Community Board area were presented to the 3 April 2017 meeting of the Board where the changes were discussed and accepted.
- 4.4 Following the presentation to the FCB the matter is now back before Council.

5. Discussion

- 5.1 A number of amendments are being proposed to Schedule 1 of the Dog Control Policy 2015 and Schedule 1 and 2 of the Dog Bylaw 2015. Adoption of these changes will ensure both documents are accurate and consistent with other Council documents. Attachment A refers.
- 5.2 Generally when making, amending or revoking a bylaw the Special Consultation Procedure of the Local Government Act 2002 (LGA 2002) is triggered, however, it also allows for amendments to be made by simple resolution of Council – See Clause 7.1 and 7.2 of this Report.

- 5.3 Although there appear to be a number of amendments proposed, these changes seek to –
- (a) Primarily correct names of Council parks and reserves to ensure consistency across Council documents and information; and
 - (b) in one instance correct an earlier error; and
 - (c) have no impact on the integrity of the policy and bylaw as the changes are restricted to locations where dogs are allowed or not allowed which does not impact on the responsibilities outlined in the bylaw and policy;

Subsequently, it is recommended that Council should resolve the amendments by way of resolution and adopt the recommendations as state in Clause 3.

6. Options

That Council adopts the proposed amendments to the Dog Control Policy & Bylaw as recommended.

6.1 Cost

There are no costs associated with this matter.

6.1.1 Rate Impact

There will be no rate impact arising.

6.2 Community Wellbeing

There is no effect on Community Wellbeing matters associated with the proposed amendments.

6.3 Consenting Issues

There are no consents required or consenting issues arising.

6.4 LTP Integration

There is no LTP programme related to the options or proposals in this report and there are no special consultative processes required.

7. Consultation

- 7.1 Section 156 of the Local Government Act 2002 outlines consultation needs in respect of making a bylaw under that Act, or amending or revoking a bylaw made under that Act, that a local authority must comply with, sub section (1) stating –
- (a) Use the special consultative procedure (as modified by section 86) if
 - (i) The bylaw concerns a matter identified in the local authority's policy under 76AA 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; and
 - (b) In any case in which paragraph (a) does not apply, consult in a manner that gives effect to the requirements of section 82 (which outlines the Special Consultative Procedure).

- 7.2 Despite the information in clause 7.1 above, in accordance with section 156(2) local authority may, by resolution publicly notified –
- (a) make minor changes to, or correct errors in, a bylaw, but only if the changes or corrections do not affect –
 - (i) an existing right, interest, title, immunity, or duty of any person to whom the bylaw applies, or
 - (ii) an existing status or capacity of any person to whom the bylaw applies.
 - (b) convert an imperial weight or measure specified in a bylaw into its metric equivalent or near metric equivalent.

8. Legal Considerations

There are no Legal Requirements or Statutory Obligations affecting options or proposals.

9. Financial Considerations

There is no financial impact.

10. Other Considerations

There are no other considerations.

11. Next Steps

- 11.1 In the event the recommendations are adopted, the Dog Control Policy and Bylaw 2015 will be amended, the updated documents made available on our website, and public notice will be given.
- 11.2 Signage will be erected in the affected areas in consultation with the Parks and Property team.

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	Proposed amendments to the Schedules in the Dog Control Policy and Bylaw 2015	201

Author(s)	Vaimoana Miller Customer Experience Lead	
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Approved by	Nicki Brady Group Manager - Business Services	
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SCHEDULES

FIRST : AREAS WHERE DOGS ARE PROHIBITED

SECOND: ALLOWABLE AREAS - LEASHED AND UNLEASHED

THIRD : SCHEDULE OF INFRINGEMENT FEES AND OFFENCES

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SCHEDULE 1 Dog Control Bylaw 2015

DOG PROHIBITED AREAS

Description of Public Place

All land administered by the Department of Conservation (unless the dog owner has a permit from the Department of Conservation or there is Department of Conservation signage that identifies where a dog may be taken without a permit).

The area within three (3) metres of any children's playground whether or not the balance of the area is designated as a Dog Exercise Area or a Dog On-leash Area.

All sports fields, including bowling greens and the playing fields and their car parks.

(Note: Most current sports grounds are listed in the Schedule below. In some cases, dogs are allowed on parts of the grounds but only in the areas not including the playing fields, for the purposes and under the conditions specified in relation to a particular sports ground).

All public place areas when being used exclusively for a sporting event or other community use.

A. LEVIN TOWN (during shop trading hours)

The owner of any dog shall keep and prevent the same from being in that area of Levin Town defined as being the Oxford Street shopping area being all that public area including road, footpath, accessway, reserve, and shopping mall entrance between the Durham Street intersection with Oxford Street and Stanley Street intersection with Oxford Street, being more particularly known as Oxford Street, Levin.

PROVIDED HOWEVER that exception to this provision is given to:

- (a) Police dogs present in the area in connection with Police work, or Dog Search Team work.
- (b) Dogs present in the area in connection with their function as Disability Assist Dogs.
- (c) Dogs otherwise authorised for specified purposes.

B. SHANNON URBAN AREA (during shop trading hours)

- (i) Plimmer Terrace - Ballance Street to Grey Street.
- (ii) Ballance Street - Plimmer Terrace to Venn Street.

PROVIDED HOWEVER that exception to this provision is given to:

- (a) Police dogs present in the area in connection with Police work or Dog Search Team work.
- (b) Dogs present in the area in connection with their function as Disability Assist Dogs.
- (c) Dogs otherwise authorised for specified purposes.

C. FOXTON TOWN (during shop trading hours)

"Town" defined as being the Main Street.

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“SHOPPING AREA” being all that public area including road, footpath, accessway, reserve shopping mall between the Ravensworth Street intersection with Main Street and the Union Street intersection with Main Street (including Flaxmill Reserve), being more particularly known as Main Street, Foxton,

PROVIDED HOWEVER that exception to this provision is given to:

- (a) Police dogs present in the area in connection with Police work or Dog Search Team work.
- (b) Dogs present in the area in connection with their function as Disability Assist Dogs.
- (c) Dogs otherwise authorised for specified purposes.

D. RESERVES, PARKS AND OTHER AREAS (AT ALL TIMES)

SHANNON

Te Maire Park

FOXTON

Ihakara Gardens

FOXTON BEACH

Foxton Surf Beach (ramp to ramp) - during the period of Daylight Saving times.
Manawatu Rivermouth and Estuary Ramsar site.

WAITARERE

Waitarere Domain

Waitarere Beach (between flagged/patrolled area) - during the period of Daylight Saving times.

LEVIN

Parsons Avenue Reserve

Jubilee Park Play area

Levin Domain (Excluding Gladys Taylor Park)

Playford Park

Waiopēhu Reserve – off the track

Muaupoko Park (excluding Dog Obedience Area)

- Although Council is not responsible for this Park, it is shown as a banned area in accordance with the requirements of the Horowhenua Lake Domain Board Bylaw, which places restrictions on Dogs unless authorised by that board.

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SCHEDULE 2
Dog Control Bylaw 2015

AREAS WHERE DOGS ARE ALLOWED (LEASHED AND/OR UNLEASHED)		
	LEASHED	UNLEASHED
Tokomaru	<ol style="list-style-type: none"> 1. Residential streets (unless prohibited) 2. Horseshoe Bend Reserve (during daylight savings hours) 	<ol style="list-style-type: none"> 1. Tokomaru Domain 2. Horseshoe Bend Reserve outside daylight saving 3. Tokomaru Hall Greenspace
Shannon	<ol style="list-style-type: none"> 1. Residential streets (unless prohibited) 2. Shannon Urban prohibited area (after shop trading hours) 3. Shannon Cemetery 4. Hyde Park 5. Shannon Domain 	Moynihan Park
Foxton	<ol style="list-style-type: none"> 1. Residential streets (unless prohibited) 2. Foxton Town prohibited area (after shop trading hours) 3. Foxton Cemetery 4. Easton Park 5. Seaview Garden 6. Stuart Donnelly Park 	<ol style="list-style-type: none"> 1. Victoria Park 2. River Loop reserve
Foxton Beach	<ol style="list-style-type: none"> 1. Residential streets (unless prohibited) 2. Holben Parade 3. Cousins Avenue Reserve 4. Flagstaff Reserve 5. Sunset Walkway 	<ol style="list-style-type: none"> 1. Foxton Beach outside of ramp areas 2. Hennessey Street/Lowe Avenue grounds 3. Ferry Reserve 4. Hartley Street Reserve
Waitarere	<ol style="list-style-type: none"> 1. Residential streets (unless prohibited) 2. Esplanade Reserve 3. Hudson/Wairarawa Reserve 4. Holmwood Park 	Waitarere Beach outside of patrolled area
Hokio	Residential streets (unless prohibited)	Hokio Beach
Manakau	<ol style="list-style-type: none"> 1. Manakau Cemetery 2. Driscoll Reserve 3. Residential streets (unless prohibited) 4. Kuku Beach 	1. Manakau Domain
Levin	<ol style="list-style-type: none"> 1. Residential streets (unless prohibited) 2. Levin Town prohibited area (after shop trading hours) 3. Tiro Tiro Road Cemetery 4. Avenue Cemetery 5. Maire Park 6. Railway Reserve Levin 7. Morgan Crescent Reserve 8. Public Gardens – which includes Thompson House, Remembrance Park and Rose Gardens 9. Levin Adventure Park dog exercise area only 10. Information Kiosk (the Avenue) 11. Weraroa Domain 12. Waiopehu Reserve (on track) 13. Solway Park 14. Gladys Taylor Park 15. Levin Village Green 	<ol style="list-style-type: none"> 1. Kowhai Park 2. Argyle Avenue Reserve 3. Kimberley Reserve (excluding Camping area) 4. Gladstone Reserve 5. Kennedy Reserve 6. Green Avenue Reserve 7. Iona Park 8. Lincoln Place Reserve 9. MacArthur Street Reserve 10. Vincent Drive Reserve 11. Western Park (Rear)
Mangaore	1. Residential streets (unless prohibited)	Mangaore Village Reserve

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Ohau	1. Residential streets (unless prohibited)	1. Parikawau Reserve 2. Ohau Domain 3. Kirkcaldies Bridge Reserve
Waikawa	1. Residential streets (unless prohibited) 2. Hank Edwards Reserve 3. Waikawa Beach, north of the river mouth	1. Waikawa Beach, south of the river mouth

PROTECTED WILDLIFE IN PUBLIC PLACES		
Public Place	Protected Wildlife Present	Control
Manawatu Estuary Foreshore	Wrybill Turnstone Sharp-tailed Sandpiper Lesser Knot Curlew Sandpiper Red-necked Stint Banded Dotterel Variable Oystercatcher Bar Tailed Godwit Asiatic Whimbrel Least Golden Plover Greenshank Marsh Sandpiper Little Blue Penguins New Zealand Fur Seals	On a leash
Waikawa River mouth and Beach from Waikawa to Ohau and Ohau Estuary	Variable Oystercatcher Little Blue Penguins New Zealand Fur Seals	On a leash

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**SCHEDULE 3
Dog Control Bylaw 2015**

INFRINGEMENT FEES FOR OFFENCES AGAINST

**THE DOG CONTROL ACT 1996,
THE DOG CONTROL AMENDMENT ACT 2003; AND
THE HOROWHENUA DISTRICT COUNCIL BYLAW 2015**

Infringement Offences and Fees (Correct as at 2015)

Section	Brief description of offence	Infringement Fee (\$)
18	Wilful obstruction of Animal Control Officer or Ranger	750
19(2)	Failure or refusal to supply information or wilfully providing false particulars	750
19A(2)	Failure to supply information or wilfully providing false particulars about dog	750
20(5)	Failure to comply with any bylaw authorised by the section	300
23A(2)	Failure to undertake dog owner education programme or dog obedience course (or both)	300
24	Failure to comply with obligations of probationary owner	750
28(5)	Failure to comply with effects of disqualification	750
32(2)	Failure to comply with effects of classification of dog as dangerous dog	300
32(4)	Fraudulent sale or transfer of dangerous dog	500
33EC(1)	Failure to comply with effects of classification of dog as menacing dog	300
33F(3)	Failure to advise person of muzzle and leashing requirements	100
36A(6)	Failure to implant microchip transponder in dog	300
41	False statement relating to dog registration	750
41A	Falsely notifying death of dog	750
42	Failure to register dog	300
46(4)	Fraudulent procurement or attempt to procure replacement dog registration label or disc	500
48(3)	Failure to advise change of dog ownership	100
49(4)	Failure to advise change of address	100
51(1)	Removal, swapping, or counterfeiting of registration label or disc	500
52A	Failure to keep dog controlled or confined	200
53(1)	Failure to keep dog under control	200
54(2)	Failure to provide proper care and attention, to supply proper and sufficient sufficient food, water, and shelter, and to provide adequate exercise	300
54A	Failure to carry leash in public	100
55(7)	Failure to comply with barking dog abatement notice	200
62(4)	Allowing dog known to be dangerous to be at large unmuzzled or unleashed	300
62(5)	Failure to advise of muzzle and leashing requirements	100
72(2)	Releasing dog from custody	750

TRIM No: D15/55076

Dog Control Policy and Practices Annual Report 2016/17

File No.: 17/324

1. Purpose

To report Council on Dog Control Policy and Practice matters for the 2016/17 financial year as required by the Dog Control Act 1996.

2. Recommendation

- 2.1 That Report 17/324 Dog Control Policy and Practices Annual Report 2016/17 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 Council adopts the report attached as Attachment A, Dog Control Policy and Practices Annual Report 2016/17, and that public notice then be given to the Report and a copy be forwarded to the Secretary for Local Government as required by Legislation.

3. Background/Previous Council Decisions

- 3.1 Section 10A of the Dog Control Act 1996 requires territorial authorities to report each year on dog control matters.
- 3.2 Council is required to formally adopt a report; public notice must be given on the report; and a copy of the report is required to be sent to the Secretary for Local Government. The recommendations cover off this requirement.

4. Issues for Consideration

There are no issues or matters that warrant the particular attention of Council.

Attachments

No.	Title	Page
A	Dog Control Policy and Practices Annual Report 2016/17	209

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)	Vaimoana Miller Customer Experience Lead	
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Approved by	Nicki Brady Group Manager - Business Services	
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Dog Control Policy and Practices

Annual Report 2016-2017

This report is presented pursuant to section 10A of the Dog Control Act 1996 which requires territorial authorities to:

“Report on the administration of its Dog Control Policy... and its dog control practices.”

The Act further requires the report to include, in respect of each financial year, statistics relating to defined listed activities and furthermore to make public notification of the report and to provide a copy of the report to the Secretary for Local Government within one (1) month of its adoption by Council.

Introduction and Overview

Council delivers its Animal Control services in-house, with funding of the dog control component being a mixture of user pays (dog registration fees) and rates, currently set as 70-80% Private Good and 20-30% Public Good.

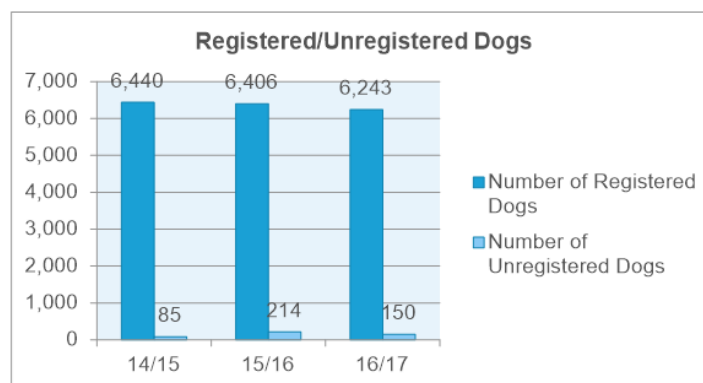
The Animal Control team is part of the Customer Experience team which is in the Customer and Regulatory Services Arm of the Customer & Community Services Group at Council. The Animal Control team comprises of two full time officers and two part time officers. Administrative support services are provided by the wider Customer Experience staff that work within the Customer Services call centre and cashiering services of Council.

The Dog Pound is situated on Council land off Mako Mako Road, Levin. The facility has kennelling for up to 28 dogs at any one time, housed within a large exercise yard. The Pound is open to the public between 12.30 pm to 1.30 pm, and 3.30pm to 4.00 pm, Mondays to Fridays, excluding public holidays.

A review of Council's Dog Control Policy and Bylaw was undertaken in June 2015 and following the public consultative process was subsequently adopted in August 2015.

Dog Numbers

The year started with a known 6,406 dogs on Council's Dog Database. At 30 June 2017 there are 6,093 registered dogs and 150 that remained unregistered; a total of 6,243 dogs. All dogs on record have been accounted for (either registered or infringement notice issued).



Dog Registration Fees

Council operates various categories for dog registration fee purposes. The fee structure used is designed to reflect the makeup of our community and to reward responsible ownership. The following fee structures apply:

Description

- New Zealand Kennel Club Status
- Racing Greyhound Stable
- De-sexed Pet (Urban)
- Entire Pet (Urban)
- Puppy (once only)
- Rural Pet
- Stock Dog
- Disability Assist
- Working
- Dangerous
- Superannuitant
- Selected Owner

Some dog owners, of course, did not register their dogs, and in these cases, where they came to our attention, infringement notices were issued. If the infringement notice was not paid, it was lodged with the Ministry of Justice for collection.

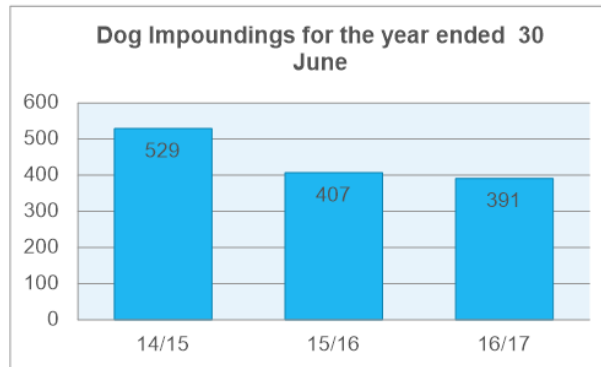
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Council also offers a time payment arrangement for owners who may not be able to pay their registration fees in full immediately.

Registration Notices for 2017/18 were posted to all current dog owners in our database and each included a dog information pamphlet called Paws for a moment 2017 (attached).

Impounded Dogs

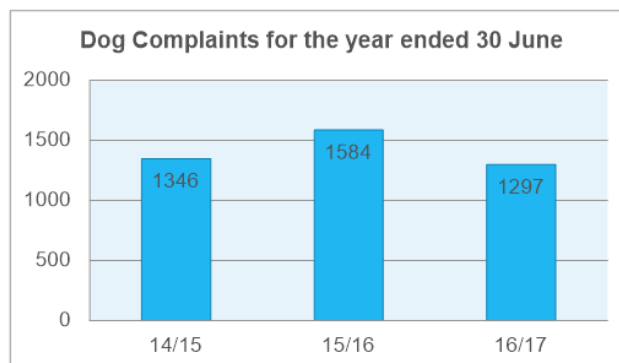
391 dogs were impounded during the year; a reduction of 3.9% from the previous year (2015/16), and 23% from 2014/15.



Complaints

All complaints received by Council are recorded on our Dog Database. These complaints are then investigated with the outcome advised to the complainant. There have been 1,297 complaints this year comprising:

Barking	428
Wandering	634
Attacks	115
Aggressive Behaviour	108
Stock Worrying	12



RM8: D17/79393

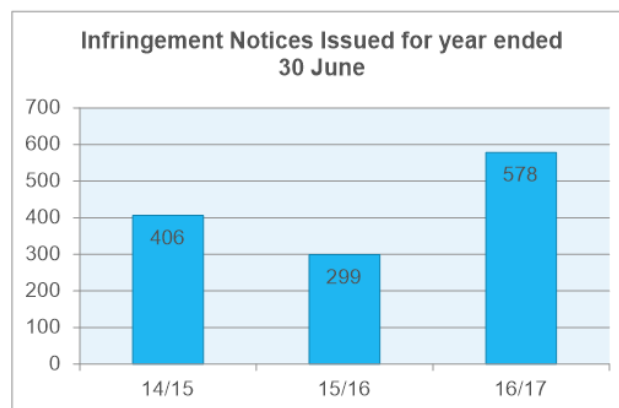
Infringements

Whilst Council Officers issue infringement notices to errant dog owners, this is normally the last resort as all else has failed.

578 infringements were issued this year, comprising:

False information about a dog	1
Failure to comply with effects of Dangerous/Menacing Dog Classification	4
Failure to Implant Microchip	8
Failure to Register	556
Failure to keep dog controlled/confined	9

And, 287 infringement notices were processed to the Courts for collection.



Prosecutions

There were no prosecutions pursued during the year.

Disqualified and Probationary Owners

Disqualified:

There was one disqualified owner in the District as at 30 June 2017.

Probationary:

There was one probationary dog owner in the District as at 30 June 2017.

Menacing and Dangerous Dogs

All owners of menacing and dangerous dogs are recorded on Council's Dog Database. Owners are written to at the time of the Dangerous or Menacing classification being applied, advising them of their legal responsibilities as the owner.

There were no appeals against the classifications.

RM8: D17/79393

Total Number Dangerous Dogs	14
Dangerous by Owner Conviction under s31(1)a)	0
Dangerous by Sworn Evidence s31(1)(b)	14
Dangerous by Owner Admittance s31(1)(c)	0
Total Number Menacing Dogs	204
Menacing s33A(1)(b)(i) i.e. by behaviour	62
Menacing by Breed Characteristics s33A(1)(b)(ii)	0
Menacing by Schedule 4 Breed, i.e. Pitbull s33C(1)	142

Location Breakdown of Dangerous/Menacing Dogs in the District		
Location	Dangerous	Menacing
Foxton	2	30
Foxton Beach	1	14
Levin	4	91
Levin Rural	5	27
Shannon	1	12
Waikawa Beach	0	1
Foxton/Himatangi Rural	0	11
Hokio Beach	0	4
Ohau Township	0	4
Manakau Township	0	1
Tokomaru Rural	1	3
Tokomaru Town	0	3
Waitarere Beach	0	6

After Hours Service

Animal Control Officers are rostered to provide an 'emergency' after hours service, 365 days of the year.

Response Needs

Some of the more interesting or unusual responses by our team were;

- Two white billy goats, both wearing blue collars went missing from a residential area in town.
- The capture and rehoming of pet rabbits that had bred uncontrollably and were helping themselves to the vegetable gardens of locals.
- Rescued a geese & swan during duck shooting season with the help of the bird sanctuary in Himatangi.
- A wild stag wandered down from the hills and into a neighbouring paddock needing Animal Control and local farmer assistance to remove.

RM8: D17/79393

File No.: 17/423

Additions to Resource Consenting (Planning) Schedule of Fees and Charges

1. Purpose

To propose two additions to the schedule of fees and charges in respect of Resource Consenting (Planning) for the 2017/18 year commencing 18 October 2017.

2. Executive Summary

- 2.1 Fees and charges in respect of Resource Consenting are required to be consulted on using the Special Consultative Procedure laid down in the Local Government Act 2002, in accordance with Section 36(2) of the Resource Management Act 1991.
- 2.2 Recent amendments to the Resource Management Act 1991 have created two new activities that require fees and charges. These activities are as follows:
 - Boundary activities
 - Marginal or temporary activities
- 2.3 As a consequence this report is to facilitate this requirement.

3. Recommendation

- 3.1 That Report 17/423 Additions to Resource Consenting (Planning) Schedule of Fees and Charges be received.
- 3.2 That this decision is recognised not significant in terms of S76 of the Local Government Act
- 3.3 That the Horowhenua District Council resolves that the additions to Resource Consent (Planning) Fees attached as **Attachment A**, for the 2017/18 year be used as the Statement of Proposal, and the Summary of Information attached as **Attachment B**, 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

- 4.1 Each year there is a requirement to consult on these fees as required by the relevant legislation.
- 4.2 Council consulted on Resource Consenting (Planning) fees and charges for the 2017/18 year in April 2017.

5. Discussion

- 5.1 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.

- 5.2 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.
- 5.3 The proposed fees attached as Attachment A have been developed in accordance with the above requirements.
- 5.4 The fees proposed should facilitate achievement of the funding policy.

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.

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	30 August 2017

Information – Recommendation 3.3 of this Report	
Submissions open	31 August 2017
Submissions close	5pm 29 September 2017
Officer consideration of Submissions	2 October 2017
Hearing of Submissions by Hearings Committee	To be confirmed
Report to Council and Council decision	11 October 2017

12. Supporting Information

Strategic Fit/Strategic Outcome – Not applicable
Decision Making – Not applicable
Consistency with Existing Policy – Not applicable
Funding – Not applicable
<u>Confirmation of statutory compliance</u>
In accordance with section 76 of the Local Government Act 2002, this report is approved as: <ul style="list-style-type: none"> 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
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B	Summary of Information - Additions to Resource Consenting (Planning) Schedule of Fees and Charges	221

Author(s)	Megan Leyland Compliance Lead	
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Approved by	Nicki Brady Group Manager - Business Services	
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Statement of Proposal



Additions to Resource Consenting (Planning) Schedule of Fees and Charges

HOROWHENUA DISTRICT COUNCIL ADDITIONS TO RESOURCE CONSENTING (PLANNING) SCHEDULE OF FEES AND CHARGES

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

Recent amendments to the Resource Management Act 1991 have created additional activities which require associated charges. These include:

- Boundary activities – Council must exempt 'boundary activities' from needing a resource consent if neighbour approval is provided.
- Marginal/temporary breaches – Council may exempt 'marginal or temporary' activities from needing resource consent.

These activities come into effect on 18 October 2017, and in order for Council to charge for their processing, fees need to be set. The fees are required to cover the reasonable costs of processing the applications.

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. **PROPOSED ADDITIONS TO SCHEDULE OF FEES AND CHARGES**

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

The fees are made in accordance with section 36 of the Resource Management Act 1991.

All fees and charges are GST inclusive and are effective from 18 October 2017.

Description	Fee/Charge
Boundary Activities	\$150 per hour or part thereof
Marginal or Temporary Activities	\$150 per hour or part thereof

4. **HAVE YOUR SAY**

- Post to : Additions to Resource Consenting (Planning) Schedule of Fees & Charges 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 29 September 2017.

SUMMARY OF INFORMATION

HOROWHENUA DISTRICT COUNCIL ADDITIONS TO RESOURCE CONSENTING (PLANNING) SCHEDULE OF FEES AND CHARGES

1. Reason

Recent amendments to the Resource Management Act 1991 have created two new activities that require fees and charges. These activities are as follows:

- Boundary activities
- Marginal or temporary activities

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

The Resource Management Act 1991, section 36, requires use of the Special Consultative Procedure.

2. Proposal

- a) A fee for boundary activities is added to the schedule of fees and charges
- b) A fee for marginal or temporary activities is added to the schedule of fees and charges

3. Submissions

Submitters should advise whether they wish to be heard at the Hearings Committee Meeting which will be scheduled after the consultation period has closed. Submitters are advised that pursuant to the Local Government Act 2002 and subject to the Local Government Official Information and Meetings Act 1987, all submissions shall be made available to the public.

Submission forms and the Statement of Proposal are available at the Council Offices in Levin (126 Oxford Street, or Te Takeretanga o Kura-hau-pō), Foxton (Clyde Street); or Shannon (Plimmer Terrace). Copies may also be obtained by telephoning Council's Customer Service Centre, Levin, on (06) 366 0999, and on Council's website www.horowhenua.govt.nz.

4. Form of Summary

The form and contents of this summary were approved by a resolution of Council on 30 August 2017.

Class 4 Gambling Venue Policy 2014 and New Zealand Racing Board (TAB) Venue Policy 2014 - Review

1. Purpose

The review of these policies is required to be undertaken every three years. This report is to facilitate that requirement.

2. Executive Summary

- 2.1 The Gambling Act 2003 requires that Council have a policy on Class 4 Gambling Venues, and the Racing Act 2003 (amended by Schedule 8 of the Gambling Act 2003) requires Council to have a New Zealand Racing Board (TAB) Venue policy.
- 2.2 Council's current policies are as follows:
- Class 4 Gambling Venue Policy – there is a 'sinking lid' (no more new 'pokie' gambling machines)
 - NZ Racing (TAB) Venue Policy – one new TAB venue can be established in the District.

3. Recommendation

- 3.1 That Report 17/386 Class 4 Gambling Venue Policy 2014 and New Zealand Racing Board (TAB) Venue Policy 2014 - Review be received.
- 3.2 That this decision is recognised as not significant in terms of S76 of the Local Government Act
- 3.3 That Council resolves that the Special Consultative Procedure as detailed in the Local Government Act 2002 be used for consultation purposes in the review of these policies, and
- (i) The Draft Gambling Class 4 Venue Policy 2017 and the Draft TAB Venue Policy 2017 attached as **Attachment A** be used as the Statement of Proposal, section 83(1)(a)(i) Local Government Act 2002; and
 - (ii) That the Summary of information attached as **Attachment B**, and as required by section 89 of the Local Government Act 2002, is a fair representation of the major matters in the Statement of Proposal; is in a form determined by Council; indicates where the Statement of Proposal may be inspected and a copy may be obtained; and states the period within which submissions on the proposal may be made.
- 3.4 That the hearing of submissions be undertaken by the Hearing Committee acting under delegated authority, for a subsequent recommendation to Council.

4. Background / Previous Council Decisions

- 4.1 Council initially adopted a combined policy on these matters on 17 March 2004, and the policy had a 'capped' number of Class 4 pokie machines that would be allowed in the District.
- 4.2 The 2004 policy was subsequently reviewed and a new policy adopted on 5 September 2007. This policy determined that a "sinking lid" approach would apply to control, and in time, reduce the number of Class 4 venues and TAB outlets in the District, as well as reducing the number of pokie machines through attrition.

- 4.3 The 2007 policy was reviewed again in 2011 and at this time two separate policies were implemented, one directly related to Class 4 Gambling and the other to TAB venues. The "sinking lid" approach was retained in respect of the Gambling Class 4 Venue Policy.
- 4.4 The Class 4 Gambling Class 4 Venue Policy and the TAB Venue Policy were reviewed in 2014 with one change made to the TAB Venue Policy, which was an agreement to allow one stand-alone venue to be established in the district.

5. Discussion

- 5.1 The recommendations in this report have been prepared on the basis of the status quo remaining, that there will be no new Class 4 venues established; that the 'sinking lid' approach to pokie machine numbers will be retained; and that one new standalone TAB venue can be established in the District.
- 5.2 This is the second review of the Gambling Class 4 Venue Policy since the Gambling (Gambling Harm Reduction) Amendment Act 2013 came into force, and consideration of a relocation policy is a mandatory requirement of this review. A relocation policy is a policy setting out if, and when, the territorial authority will grant consent in respect of a venue within its district where the venue is intended to replace an existing venue (within the district) to which a Class 4 venue licence applies. Under section 102(5b) of the Act, whenever a territorial authority is considering whether to include a relocation policy in its Class 4 Gambling Venue Policy it must include the social impact of gambling in high-deprivation communities within its district.
- 5.3 Council's current Gambling Class 4 Venue Policy, does allow the relocation of premises where a Class 4 Venue is forced to vacate its existing venue through no fault of its own, i.e., an act of God such as a fire. The intent is to clarify that consent will not be granted for any other form of relocation, therefore ensuring the integrity of the purpose of the current policy.
- 5.4 It should be noted that in respect of the NZ Racing (TAB) Venue Policy, the one new stand-alone TAB venue establishment is exactly that. Self-service of TAB outlets in establishments such as hotels are not part of this policy, although all current opportunities for sport and race betting have been considered.

6. Options

- 6.1 Generally territorial authorities adopt the following types of Class 4 Gambling Venue Policies
- No restriction – the market dictates,
 - A cap on the number of venues (which can be set either above or below current levels),
 - A cap on the number of machines (which can be set either above or below current levels),
 - A machine cap linked to the population base, ie, increases allowed if population increases,
 - A sinking lid policy - no more new machines or venues allowed (this is the Horowhenua District Council's current policy).
- 6.2 Any policy that Council will ultimately adopt as part of this review process may provide more, fewer, or equivalent gaming opportunities in the District. Each of these are options that were considered and are available to Council to consult on. It is, however, proposed that the option to be consulted on is the current policies as they relate to both TAB Venues and Class 4 Gambling Venues, and in the case of the Class 4 Gambling Venue Policy is to continue that of a 'Sinking Lid' policy to control venue and machine numbers and not allow relocations

other than those that are caused by an 'act of God'. Any superficial changes to the current policy should be considered as part of the hearing process.

- 6.3 In the event that Council does not wish to continue with its current policies it should resolve to refer the matter back to officers with a clear direction as to the type of policies they wish to implement.

6.4 Cost

Consultation and subsequent implementation of revised policies will be absorbed within current budgets.

6.4.1 Rate Impact

There will be no Rate impacts arising.

6.5 Community Wellbeing

- 6.5.1 Council and its community can influence the number of gambling venues and machines in the District which in turn support community wellbeing objectives.

- 6.5.2 The following information has been taken from the Department of Internal Affairs website in respect of the Horowhenua –

- a. For the period April 2017 to July 2017 the gaming machine proceeds in the Horowhenua were \$1,937,594.15 being 0.88% of the national total. For the period January 2017 to March 2017 the gaming machine proceeds in the Horowhenua were \$1,885,377.92 being 0.91% of the national total.
- b. As at 31 March 2014 -

Description	September 2004	March 2014	June 2017
Approved Class 4 venues	17	11	10
Approved Pokie machines	231	164	144
National % of Sites	0.9%	0.83%	0.85%
National % of machines	1.04%	0.95%	0.91%

6.6 Consenting Issues

There are no consenting issues relating to this matter, this is purely a review of existing policies.

6.7 LTP Integration

Not applicable to this matter.

7. Consultation

- 7.1 The review of these policies is required every 3 years under the requirements of the Gambling Act 2003, and consultation is required to be undertaken using the Special Consultative Procedure as laid down in the Local Government Act 2002.
- 7.2 For the purposes of consultation it is proposed that the current policies for both TAB Venues and Gambling Class 4 Venues, with minor manuscript amendments identified, and attached as Attachment A be used in conjunction with the Statement of Proposal, and Summary of Information attached as Attachment B.
- 7.3 Use of the Community Connection, Council website, and a direct mail out to other potentially affected parties will be used in the process.

8. Legal Considerations

- 8.1 Section 101 of the Gambling Act 2003 requires Council to have a policy on Class 4 Gambling Venues. Section 102 requires the policy to be reviewed every three (3) years.
- 8.2 Section 65D of the Racing Act 2003 requires Council to have a policy in respect of NZ Racing Board (TAB) Venues. Section 65E requires the policy to be reviewed every 3 years.
- 8.3 Both of these policies must be reviewed every three years. In adopting the recommendations this requirement will be met.

9. Financial Considerations

- 9.1 There is no financial impact

10. Other Considerations

- 10.1 There are no other considerations.

11. Next Steps

- 11.1 If the recommendations are adopted, consultation will commence, followed by the hearing of any submissions by the Hearing Committee of Council who will then provide a subsequent recommendation to Council.

12. Supporting Information

Strategic Fit/Strategic Outcome

The community can have influence in these matters. By use of the Special Consultative Procedure this opportunity will be made available.

Decision Making

The Special Consultative Procedure is required to be used as laid down in the Gambling Act 2003 in the review of these policies.

Consistency with Existing Policy

The proposed TAB Venue Policy and Class 4 Gambling Venue Policy are consistent with the 2014 policies.

Funding

There are no funding requirements in respect of this matter.

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

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Author(s)	Megan Leyland Compliance Lead	
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Approved by	Nicki Brady Group Manager - Business Services	
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Statement of Proposal

GAMBLING CLASS 4 VENUE POLICY 2017 and NEW ZEALAND RACING (TAB) VENUE POLICY 2017

Introduction

This Statement of Proposal has been prepared to fulfil the purposes of Section 83(1)(a) and Section 97(2)(a) of the Local Government Act 2002, and Section 102 of the Gambling Act 2003.

Background Information

- (a) The Gambling Act 2003 requires the Horowhenua District Council ("Council") to review its 2014 Policy on Class 4 Venues (Gambling Venue Policy) and the Racing Act 2003 requires the review of its New Zealand Racing Board (TAB) Policy. In reviewing these policies the Council is undertaking public consultation under Section 76 of the Local Government Act 2002, and having regard to the social impact of gambling within its district as required under the Gambling Act 2003.

The objective of the Council's Class 4 Gambling Venue Policy is:

- To control the growth of Class 4 gambling in the Horowhenua District.
- To contribute to the minimisation of harm caused by gambling, including problem gambling, in the Horowhenua District.

The objective of Council's NZ Racing (TAB) Venue Policy is:

- To provide effective governance arrangements for the racing industry, and
- To facilitate betting on galloping, harness and greyhound races, and other sporting events, and
- To promote the long-term viability of New Zealand racing.

Proposed Changes

- No changes are proposed to the policy on Class 4 Gambling Venues.
- No changes are proposed to the policy on the establishment of New Zealand Racing Board (TAB) Venues.
- The draft Class 4 Gambling Venue Policy and the draft TAB Venue Policy are included in the Statement of Proposal.

Reason for the Review

Review of these policies is required to be undertaken every three (3) years.

Under Section 102(5B), whenever a territorial authority is considering whether to include a relocation policy in its Class 4 Gambling Venue Policy, it must consider the social impact of gambling in high-deprivation communities within its district.



GAMBLING CLASS 4 VENUE POLICY 2017

1. INTRODUCTION

The Gambling Act 2003 required Horowhenua District Council to develop with its communities, and subsequently adopt, a policy on Class 4 gambling venues, i.e. pokie machine sites. The policy was adopted by Council on 17 March 2004.

This policy has not been reviewed as required by the Gambling Act 2003, and the Policy is limited to Class 4, non-casino, gambling machine (pokie) venues.

The Council has determined that a 'sinking lid' gambling venue policy will be used to control and, in time, reduce the number of Class 4 gaming machine venues in the District.

The 'sinking lid' policy will not permit the establishment of new Class 4 gaming machine venues and it will not permit gaming machine societies to increase the number of gaming machines in the District.

2. OBJECTIVES OF THE POLICY

The objectives of this policy are:

- To control gaming machine gambling in the Horowhenua District;
- To cap the number of gaming machines in the Horowhenua District;
- To cap the number of Class 4 gaming machine venues in the Horowhenua District;
- To reduce the number of gaming machines through attrition (this does not affect repair and/or replacement of existing gaming machines);
- To prevent and minimise the harm caused by gambling;
- To facilitate community involvement in decisions about gambling;
- To recognise there are negative social, economic and health impacts from problem gambling.

3. GAMING MACHINES AND GAMING VENUES

The following shall apply as the policy of the Horowhenua District Council:

- No additional Class 4 gaming machine venues are to be established in the Horowhenua District;
- All gaming machines as at the date of adoption of this policy may continue until such time as the venue does not hold a licence for gaming machines ;
- If a venue has not held a licence for gaming machine gambling within the last six (6) months, the District Council will not allow the re-establishment of a Class 4 gaming machine venue;
- Existing Class 4 venues may not increase the number of gaming machines that exist at the date of this policy.

4. **MERGED CLUBS**

Where clubs holding a Class 4 Gaming Venue licence decide to merge, the maximum number of gaming machines allowed will be thirty (30), or the sum of the machines operating in the merged clubs prior to the merger, whichever is the lesser.

5. **CLASS 4 VENUES - VACATION OF PREMISES – RELOCATION POLICY**

A Class 4 venue that is forced to vacate its existing venue through no fault of its own, or chooses to relocate (because the current venue is deemed to be earthquake-prone; the current lease has come to an end; the venue is required to move due to public works acquisition; or the venue wishes to relocate to a new or refurbished premises) will be granted a consent to continue its gaming activity in another venue or rebuilt premises for the same number of machines that they were licensed to operate subject to –

1. The current Class 4 venue operator is intending to and will be conducting Class 4 gambling at the new location,
2. The vacated site will not be able to be used by any other Class 4 operator to operate Class 4 Gambling,
3. The Class 4 operator and venue operator are the same as those cited in the venue agreement for the existing venue and the proposed new venue,
4. The Class 4 operator has been conducting class 4 gambling at the exiting venue within the last 4 weeks,
5. Any new Class 4 Venue, temporary or permanent, will not be located closer than 150 metres to schools, Early Childhood Centres, kindergartens, places of worship, and other community facilities,
6. Any new Class 4 Venue, temporary or permanent, must be located in the District where Class 4 venues are a permitted activity under the Horowhenua District Plan or where a resource consent to undertake the activity proposed is granted.

6. **ADOPTION, COMMENCEMENT AND REVIEW**

This policy was adopted at the duly notified Council meeting held on _____, and after completion of the special consultative procedure, and takes effect from _____.

This policy will be reviewed in conjunction with the TAB Venue Policy within three (3) years of being adopted by Council.



TAB VENUE POLICY 2017

1. INTRODUCTION

The Racing Act 2003 (amended by Schedule 8 of the Gambling Act 2003) requires that the Horowhenua District Council adopts a Board (hereinafter referred to as TAB) venue policy for the District in accordance with the special consultative procedure in s83 of the Local Government Act 2002.

The TAB Venue Policy must specify whether or not new TAB venues may be established in the District and, if so, where they may be located. In the development of its policy, Council must have regard to the social impact of gambling on the Horowhenua District communities.

2. OBJECTIVES OF THE POLICY

The purpose of the Racing Act 2003 is :

- a. To provide effective governance arrangements for the racing industry, and
- b. To facilitate betting on galloping, harness and greyhound races, and other sporting events, and
- c. To promote the long-term viability of New Zealand racing.

This policy has been prepared to take account of the purpose of the Racing Act 2003. The objective of the Horowhenua District Council's TAB Venue Policy is to provide for the continued opportunity to facilitate race and sports betting within the District in accordance with the purpose and intent of the Racing Act 2003. All current opportunities for sports or race betting within the District have been considered when setting this policy and include current Pub/social outlets and opportunities for telephone and internet gambling.

3. TAB VENUE CONDITIONS

A maximum of one (1) TAB Board Venue may be established in the Horowhenua District.

4. ADOPTION, COMMENCEMENT AND REVIEW

This policy was adopted at the duly notified Council meeting held on _____, and after completion of the special consultative procedure, and takes effect from _____.

This policy will be reviewed within three (3) years of being adopted by Council.

Summary of Information

DRAFT GAMBLING CLASS 4 VENUE POLICY 2017 and DRAFT NEW ZEALAND RACING (TAB) VENUE POLICY 2017

At a meeting of the Horowhenua District Council held on 30 August 2017, Council resolved to review these policies using the Special Consultative Procedure as laid down in the Local Government Act 2002.

1. Reason

The Gambling Act 2003 and the Racing Act 2003 requires these policies to be reviewed three (3) yearly. The current policies were adopted by Council on 5 November 2014.

2. Proposal

- (a) No changes are proposed to the TAB Venue Policy.
- (b) No changes are proposed to the Gambling Class 4 Venue Policy.

3. Submissions

Submissions on the proposal close at 5.00 pm on Monday 16 October 2017. All submissions should be addressed to:

Gambling Class 4 Venue and TAB Venue Policy Reviews
Horowhenua District Council
Private Bag 4002
Levin 5540

Submitters should advise whether they wish to be heard at the Hearings Committee Meeting which will be scheduled after the consultation period has closed. Submitters are advised that pursuant to the Local Government Act 2002 and subject to the Local Government Official Information and Meetings Act 1987, all submissions shall be made available to the public.

Submission forms and the Statement of Proposal are available at the Council Offices in Levin (126 Oxford Street, or Te Takeretanga o Kura-hau-pō), Foxton (Clyde Street); or Shannon (Plimmer Terrace). Copies may also be obtained by telephoning Council's Customer Service Centre, Levin, on (06) 366 0999, and on Council's website www.horowhenua.govt.nz.

4. Form of Summary

The form and contents of this summary were approved by a resolution of Council on 30 August 2017.

Draft Local Alcohol Policy Adoption

File No.: 17/321

1. Purpose

To present the Horowhenua District Council's Draft Local Alcohol Policy for adoption by Council as a Provisional Policy.

2. Recommendation

- 2.1 That Report 17/321 Draft Local Alcohol Policy Adoption 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 resolves to continue with the process of implementing a Local Alcohol Policy (LAP).
- 2.4 That Council adopts the **attached** draft policy as a Provisional Local Alcohol Policy effective 31 August 2017.

3. Background/Previous Council Decisions

- 3.1 The draft Local Alcohol Policy was consulted on using the Special Consultative Procedure (SCP) under the Local Government Act 2002 (Act) with submissions closing on 17 March 2017. A total of forty-five (45) submissions were received - Report 17/220.
- 3.2 The Hearings Committee considered submissions at a meeting held on 31 May 2017 and now recommends that adoption of the Draft Local Alcohol Policy attached (with tracked changes) as, as a Provisional Policy.
- 3.3 On adoption the Provisional Policy will be publicly notified and may be appealed by anyone who made a submission on the Draft LAP.

4. Issues for Consideration

- 4.1 The Hearings Committee took feedback from submitters on the Draft LAP into account and as a result there were some significant changes to the Policy. **Attached** please find the draft policy with tracked changes as suggested by the Hearings Committee.
- 4.2 All submissions received on the Draft LAP were in support of Council's decision to develop a LAP as it gives local communities more input into licensing decisions.
- 4.3 Council needs to consider whether it wants to implement a Local Alcohol Policy. If Council does not wish to implement a LAP this must be resolved and the process will stop.
- 4.4 If Council resolves to adopt the Draft LAP it will become a Provisional LAP (PLAP) and needs to be publicly notified. If no appeals are received within 30 days of the PLAP being publicly notified it will come into effect. If Alcohol and Regulatory Licensing Authority receives an appeal to the PLAP, the policy can't come into effect until all appeals have been resolved.
- 4.5 Given the level of interest and support for this matter, the adoption of the **attached** policy as the Provisional policy is supported – see recommendation 2.4.

Attachments

No.	Title	Page
A	Draft Local Alcohol Policy with tracked changes - Attachment B	239

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)	Megan Leyland Compliance Lead	
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Approved by	Nicki Brady Group Manager - Business Services	
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STATEMENT OF PROPOSAL



**LOCAL ALCOHOL
POLICY**



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HOROWHENUA DISTRICT COUNCIL
LOCAL ALCOHOL POLICY

1. INTRODUCTION AND EXPLANATORY MATERIAL

1.1 The Sale and Supply of Alcohol Act 2012 (the Act) has the following objectives:

- (a) that the sale, supply and consumption of alcohol should be undertaken safely and responsibly; and
- (b) the harm caused by the excessive or inappropriate consumption of alcohol should be minimised.

1.2 Alcohol related harm is defined very widely and includes any crime, damage, death, disease, disorderly behaviour, illness or injury, and harm to individuals or the community, either directly or indirectly caused by excessive or inappropriate alcohol consumption.

1.3 The Act allows territorial authorities to make a local alcohol policy (LAP). The LAP is a set of policies, made by the Council in consultation with its community, about the sale and supply of alcohol in its geographical area. Horowhenua District Council has decided to develop a LAP for its district and to set restrictions and conditions for licensed premises within the district.

1.4 Once the LAP comes into force, Council's District Licensing Committee (DLC) and the Alcohol Regulatory Licensing Authority (ARLA) must have regard to the policy when they make decisions on licence applications.

1.5 Once adopted, the LAP will enable the District Licensing Committee to: Through a LAP the community is able to:

- Limit the location of licensed premises in particular areas or near certain types of facilities, such as in specific neighbourhoods or near schools or churches;
- Limit the density of licensed premises by specifying whether new licences or types of licences should be issued in a particular areas;
- Impose conditions on groups of licences, such as a "one-way door" condition that would allow patrons to leave premises but not enter or re-enter after a certain time;
- Recommend discretionary conditions for licences;
- Restrict or extend the default maximum trading hours set in the Act, which are:
 - 8.00 am – 4.00 am for on-licences (such as hotels and restaurants)
 - 7.00 am - 11.00 pm for off-licences (such as bottle stores and supermarkets).

1.6 Where the LAP does set maximum trading hours, the District Licensing Committee has discretion to set the permitted trading hours as more restrictive than the maximum trading hours in the LAP.

1.7 The LAP can be more restrictive in its provisions relating to licensed premises, but cannot permit activities not allowed by the District Plan. The Horowhenua District Plan provides for entertainment activities (including licensed premises) within the commercial zone, or by resource consent.

1.8 Section 117 of the Act permits the District Licensing Committee and the Alcohol Regulatory Licensing Authority to issue any licence subject to "any reasonable conditions not inconsistent with this Act". The LAP includes policies to guide the District Licensing Committee and Alcohol Regulatory Licensing Authority as to the discretionary conditions that may be appropriate.

2. CRITERIA FOR CONSIDERING LICENSING APPLICATIONS

2.1 The purpose of the LAP is to provide local guidance to the Council's District Licensing Committee in deciding whether to issue or renew a licence.

2.2 Under section 105 of the Act, the DLC has to have regard to a range of matters in addition to any relevant local alcohol policy when considering a licence application. The types of matters include:

- the object of the Act;
- the suitability of the applicant;
- the design and layout of any proposed premises;

• ~~whether (in its opinion) the amenity and good order of the locality would be likely to be reduced, to more than a minor extent, by the effects of the licence~~ whether (in its opinion) the amenity and good order of the locality would be likely to be reduced, to more than a minor extent, by the effects of the issue of the licence;

• ~~whether (in its opinion) the amenity and good order of the locality are already so badly affected by the effects of the issue of existing licences that—~~

- ~~they would be unlikely to be reduced further (or would be likely to be reduced further to only a minor extent) by the effects of the issue of the licence, but~~
- ~~it is nevertheless desirable not to issue any further licences.~~

• ~~whether (in its opinion) the amenity and good order of the locality are already so badly affected by the effects of the issue of existing licences, but—~~
○ ~~it is nevertheless desirable not to issue any further licences.~~

2.3 The Act says that a licence may be refused or conditions applied if the issue of the licence, or the consequences of the issue of the licence, would be inconsistent with the LAP (section 108 and 109). Where a licence is renewed and it will be inconsistent with the provisions of the LAP, conditions may be imposed (section 133).

3. GOALS OF THIS LAP

The LAP provides direction for the DLC so that licensing decisions:

- contribute to Horowhenua being a safe and healthy District;
- reflect local communities' character and amenity and their values, preferences and needs;
- encourage licensed environments that foster positive, responsible drinking behaviour and minimise alcohol-related harm.

4. OBJECTIVES OF THE LAP

The objectives of the LAP are to provide a policy which:

- reflects the views of local communities as to the appropriate location, number, hours and conditions that should apply to licensed premises within their communities;
- provides certainty and clarity for applicants and the public as to whether a proposed license application will meet the criteria of the LAP;
- provides effective guidance for the decisions of the DLC and ARLA.

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5. DEFINITIONS

5.1 When reading this LAP, the following words and phrases have been used. For further details refer to the section of the Act referenced.

5.2 Types of Licences

- **on-licences** where the licensee can sell and supply alcohol for consumption on the premises and can let people consume alcohol there (see section 14 of the Act);
- **off-licences** where the licensee sells alcohol from a premises for consumption somewhere else (see section 17 of the Act);
- **club licences** where the licensee (e.g. a club) can sell and supply alcohol for consumption on the club premises to authorised customers (see section 21 of the Act); and
- **special licences** which can be either on-site or off-site special licences. With an on-site special, the licensee can sell or supply alcohol for consumption there to people attending an event described in it. With an off-site special, the licensee can sell the licensee's alcohol, for consumption somewhere else, to people attending an event described in it (see section 22 of the Act).

Notes:

Some premises hold more than one licence – for example, a tavern will hold an on-licence and may also hold an off-licence and be able to sell alcohol which is consumed off the premises.

The Act allows special licences to be issued for up to 12 months. Unlike other kinds of licence, special licences are not subject to the Act's default maximum hours so can apply up to 24 hours a day. Special licences are to allow the sale or supply of alcohol at events and are not intended to be a substitute for a "Club", "on" or "off" licence.

5.3 Other terms

bottle store means retail premises where ~~(generally speaking in the opinion of the DLC)~~ at least 85% of the annual sales revenue is expected to be earned from the sale of alcohol for consumption somewhere else (refer section 32(1) of the Act).

bar in relation to a hotel or tavern, means a part of the hotel or tavern used principally or exclusively for the sale or consumption of alcohol (refer section 5(1) of the Act).

café has the same meaning as restaurant in terms of the licence.

club means a body that –
(a) is a body corporate having as its object (or as one of its objects) participating in or promoting a sport or other recreational activity, otherwise than for gain; or
(b) is a body corporate whose object is not (or none of whose objects is) gain; or
(c) holds a permanent club charter (refer section 5(1) of the Act).

grocery store grocery store means a shop that –

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- (a) has the characteristics normally associated with shops of the kind commonly thought of as grocery shops; and
- (b) comprises premises where –
 - (i) a range of food products and other household items is sold; but
 - (ii) the principal business carried on is or will be the sale of food products (refer sections 5(1) and 33(1) of the Act).

hotel means premises used or intended to be used in the course of business principally for providing to the public –
(a) lodging; and
(b) alcohol, meals, and refreshments for consumption on the premises (refer section 5(1) of the Act).

night-club a place of entertainment open at night which normally provides music and space for dancing and may provide a show, e.g. of comedy or other 'acts'.

supermarket means supermarket premises with a floor area of at least 1,000 m² (including any separate departments set aside for such foodstuffs as fresh meat, fresh fruit and vegetables, and delicatessen items) (refer section 5(1) of the Act).

tavern means premises used or intended to be used in the course of business principally for providing alcohol and other refreshments to the public, but does not include an airport bar (refer section 5(1) of the Act).

6. OFF-LICENCES

6.1 Hours

The following maximum trading hours apply to all off-licensed premises in the Horowhenua District territorial area and includes all off-licence sales including over the counter sales:

Monday to Sunday 7.00 am to 10.00 pm.

6.2 Location

- (a) From the date this LAP comes into force no off-licences are to be issued for any premises unless that premises is already licensed; or is located on land zoned commercial or a Resource Consent has been granted by Council for its operation either before or after that date.
- (b) No new off-licences in respect of a bottle store shall be issued for any premises located within 100 metres of the legal site boundary of any school, early childcare facility, place of worship, Marae, health care facility, public park or reserve, urupa, cemetery, bus stop primarily used by minors, or other Off-Licence premises existing at the time the licence application is made.

Note: Renewal of a licence shall be unaffected should such a facility later establish at a site within 100 metres of the premises.

- (c) From the date this LAP comes into force there will be a temporary cap placed on the total number of off-licensed bottle and grocery store premises in each town or township in the district. The cap will remain in place for a period of 2 years, or until such a time as this policy is reviewed. The number of permitted licences for bottle

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~~stores and grocery stores for each area of the district will be determined by the number of operative licences for each of these types issued at the time this policy is enacted. This provision does not apply to supermarket premises.~~

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6.3 ~~Notice of Licence Application~~

~~Applicants for NEW or RENEWALS of an Off Licence are required to give notice to potentially affected parties within 100 metres of the legal site boundary of the premises. This requirement is additional to notifications required by the Act.~~

6.43 Discretionary Conditions

Conditions relating to the following matters may be appropriate for off licences:

- Supervised designation of all bottle stores to ensure unaccompanied minors do not enter bottle stores;
- Display of safe drinking messages/material;
- ~~Application of the principles of Crime Prevention Through Environmental Design.~~ Supermarkets, grocery stores and bottle stores will give effect to the principles of Crime Prevention Through Environmental Design ~~where they achieve with regards to~~ the following outcomes:

Lighting

- internal lighting inside the premises enables passive surveillance by staff and active surveillance by CCTV
- lighting allows customers to be seen as they enter the premises
- lighting allows staff to check IDs
- external areas such as car parks and loading bays are well lit, subject to the requirements of any resource consent or a district plan rule.

Internal Layout

- general points of sale are positioned near the main entrance.

CCTV

- CCTV is installed in suitable locations to monitor vulnerable areas (areas which are not easily or not continuously monitored by staff).

Staff

- customers are aware of the CCTV system.
- relevant staff understand how to operate the CCTV system.
- there are sufficient numbers of staff to ensure control of the premises during trading hours.

Advertising Signage

- the display of alcohol-related advertising signage will be considered as part of the effect on the amenity and good order of the locality during the application consideration process.

7. ON-LICENCES

7.1 Hours

The following maximum trading hours apply to all on-licensed premises in the Horowhenua District territorial area (other than hotel in-bedroom (mini-bar) sales):

Monday to Sunday 9.00 am to until 1.00 am the following day

The following hours apply to hotel in-bedroom (mini-bar) sales:

Monday to Sunday 24 hours per day.

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7.2 Locations

- (a) From the date this LAP comes into force no on-licences are to be issued for any premises unless that premises is already licensed; or is located on land zoned commercial or a Resource Consent has been granted by Council for its operation either before or after that date.
- (b) No new on-licences shall be issued for any premises located within 100 metres of the legal site boundary of any school, early childcare facility, place of worship, Marae, health care facility, public park or reserve, urupa, cemetery, bus stop primarily used by minors, school, early childcare facility, place of worship, or public park existing at the time the licence application is made.

Note: Renewal of a licence shall be unaffected should such a facility later establish at a site within 100 metres of the premises.

~~7.3 Notice of Licence Application~~

~~Applicants for NEW or RENEWALS of an On Licence are required to give notice to potentially affected parties within 100 metres of the legal site boundary of the premises. This requirement is additional to notifications required by the Act.~~

7.43 Discretionary Conditions

Conditions relating to the following matters may be considered generally appropriate for on-licensed premises such as night-clubs and late-night bars:

- 'One-way door' restrictions;
- The time entertainment finishes;
- Provision of additional security (staff) after 'x' hour, as determined by the DLC;
- The installation and operation of CCTV cameras on the exterior of, and within a premises;
- Provision of effective exterior lighting;
- Restrictions on the size of servings (e.g. 'doubles') and time of 'last orders';
- Management of patrons queuing to enter the licensed premises;
- Restriction on the use of outdoor areas after 'x' hour, as determined by the DLC;
- That where a licence is granted for the first time (first time meaning premises where the prospective licensee has never held a liquor licence previously or is operating a premises that has never been a licensed premises before), the trading hours may be more restrictive than the maximum trading hours contained in this LAP;
- Application of the principles of Crime Prevention Through Environmental Design;
- The display of advertising signage will be considered as part of the effect on the amenity and good order of the locality during the application consideration process.

The following conditions may be appropriate for on-licensed premises such as BYO restaurants:

- The holder of a manager's certificate to be on duty during busy periods, e.g. Thursday, Friday and Saturday nights;
- That where a licence is granted for the first time (first time meaning premises where the prospective licensee has never held a liquor licence previously or is operating a premises that has never been a licensed premises before), the trading hours are more restrictive than the maximum trading hours contained in this LAP.

8. SPECIAL LICENCES

8.1 Hours

The hours (opening and closing) and duration of a special licence are set at the discretion of the DLC for each event, having regard to the nature of the event or series of events. ~~The following maximum trading hours apply to all special licenses in the Horowhenua District territorial area:~~

~~Monday to Sunday — generally the closing time for any special licence shall not exceed 1am on any given day, however the DLC may consider extensions in exceptional circumstances.~~

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8.2 On and Off-site

Special licences may be issued both for off-site consumption (e.g. wine sales from a market stall) or for on-site consumption, e.g. at a community event or when a bar has a special licence to open earlier/close later for significant events. Generally for premises holding existing on-licences, the conditions of a special licence will specify a closing time no more than two hours later than permitted by their on-licence.

8.3 Discretionary Conditions

In addition to the discretionary conditions in Section 147 of the Act, the following conditions may be considered appropriate for special licences:

- Any special licence for a series of events should not be for a period exceeding 6 months, and the number of events is not to exceed 20.
- A 'One-way door' restriction to apply from a specified time.
- No glassware is to be taken outside the building or onto grass or artificial grass surfaces.
- Plastic containers or cans to be used for any event (except when it is being served and remains within the building).
- Areas to be clearly defined / cordoned off / demarcated where liquor is being sold/consumed outside of the building, e.g. beer tent. Where appropriate people are to remain within the defined area.
- The holder of a manager's certificate to be present when alcohol is available for sale, or the number of manager's certificate holders required may be specified.
- The maximum number of alcoholic drinks per sale transaction may be specified.
- A register to be maintained recording any incidents or issues of concern, and is to be available to Police or Licensing Inspector on request.

9. CLUB LICENCES

9.1 Hours

The following maximum trading hours apply to all club-licensed premises:

Monday to Sunday 9.00 am until 1.00 am the following day.

9.2 Discretionary Conditions

Conditions relating to the following matters may be appropriate for Club licensed premises depending on the size and nature of the club:

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- a requirement for the holder of a manager's certificate to be present when alcohol is available for sale during busy periods, e.g. more than 100 people are on the Club premises.

10. **POLICY REVIEW**

Pursuant to section 97 of the Act Council must review its LAP using the Special Consultative Procedure no later than six (6) years after it comes into force and no later than six (6) years after the most recent review of it was completed. The first review is to be conducted within 2 years of the operative date of this policy – see clause 6.2(c).

Draft

File No.: 17/332

Liquor Licensing Matters from 1 January 2017 until 30 June 2017

1. Purpose

To report, for information purposes, on matters relating to liquor licensing decisions for the period of 1 January 2017 until 30 June 2017.

2. Executive Summary

Decisions for applications that were uncontested were made by the Chairperson of the District Licensing Committee. Contested decisions were made by the District Licensing Committee.

3. Recommendation

- 3.1 That Report 17/332 Liquor Licensing Matters from 1 January 2017 until 30 June 2017 be received.
- 3.2 That this decision is recognised as not significant in terms of S76 of the Local Government Act.

4. Discussion

4.1 The following decisions are advised –

- a) Decisions made by Chairperson of the District Licensing Committee Under Delegated Authority of Council dated 4 December 2013, and in accordance with Section 191(2) of the Sale and Supply of Alcohol Act 2012 (Uncontested Applications).

(i) New On Licences	Premises	Location
Octopus Inc Limited	Manakau Hotel	Manakau
(ii) Renewed On Licences	Premises	Location
Mayfield Hotel Company Limited	The Post Office Hotel	Foxton
Manakau Hotel (2015) Limited	Manakau Hotel	Manakau
Martin O'Malley	O'Malleys Bar	Levin
Simply Balmy Limited	Simply Balmy	Foxton Beach
Yan Yi Nie	Golden Island Restaurant	Levin
Tomayto Tomahto Limited	Quarter Acre Café	Manakau
Sweet Pea Café Limited	Salt & Pepper Café	Levin
Anita Funnell	The Little White Rabbit	Foxton Beach
(iii) Renewed Off Licences	Premises	Location
Macmillan Supermarkets Limited	Shannon Four Square	Shannon
Best Supermarket Limited	Foxton New World	Foxton
(iv) Renewed Club Licences	Premises	Location
Levin Lawn Tennis & Squash Club Inc	Levin Lawn Tennis &	Levin

Squash Club

(v) Temporary Authorities	Premises	Location
Octopus Inc Limited	Manakau Hotel	Manakau

(vi) **New Manager's Certificates**

Renee Maria Jones
Charlotte Victoria Josephine Cook
Tracey Sandra Celia White
Aisling Evelyn Bohan
Desh Raj
Emily Adele Fritchley
Melissa Ann Sannazzaro
Dakin Neil Bramwell
Neil Lawrence L'estrage
Charmaine Maria Haeata
Jessica RipekaTaiatini

(vii) **Renewed Manager's Certificates**

Jordan Marc Steven Carr
Adele Patricia Parson
Suzannah Maria Rose Limbrick
Brett Allan Read
Janine Smart
John Haverkamp
Crystal Colette Fluerty
Jane Leslie Morris
Ivan McIntyre
Shannon Bessie Chambers
Lana Marlene Mahupuku
Kathryn Anne Ansell Leith
Martin Hans Wagner
Karla Marie Gardiner
Neil Cohen
Larry Stewart Ellison
Corey Andrew Foster
Cherryl Ann Blades
Gary Stewart Burns
Natasha Taratoa

(viii) **Special Licences**

	Number	Location
Levin Cosmopolitan Club	2396	LEVIN
Tokomaru R S A & Country Club Incorporated	2397	TOKOMARU
Horowhenua Woman's Evergreen Softball Club	2398	LEVIN
Levin Returned Services Assoc Inc	2399	LEVIN
Graham Bruce Dalziel	2400	LEVIN
Horowhenua District Council Social Club	2401	LEVIN
Shane David Parlato	2402	FOXTON BEACH

Beverley Isobel Poulton	2403	LEVIN RURAL
Manawatu Powerboat Club Inc	2404	LEVIN
Levin Club Inc	2405	LEVIN
Levin Contract Bridge Club Inc	2406	LEVIN
Levin Returned Services Assoc Inc	2407	LEVIN
Levin Club Inc	2408	LEVIN
Levin Returned Services Assoc Inc	2409	LEVIN
Manawatu Marine Boating Club	2410	FOXTON BEACH
Levin Performing Arts Society Incorporated	2411	LEVIN
Levin Little Theatre Society Inc	2412	LEVIN
Levin Returned Services Assoc Inc	2413	LEVIN
Levin Returned Services Assoc Inc	2414	LEVIN
Levin Returned Services Assoc Inc	2415	LEVIN
Foxton Returned Services Assn Inc	2416	FOXTON
Levin Club Inc	2417	LEVIN
Levin Club Inc	2418	LEVIN
Levin Cosmopolitan Club	2419	LEVIN
Kristy McGregor	2421	TOKOMARU RURAL
Opiki Young Farmers Club	2422	TOKOMARU RURAL
Levin Cosmopolitan Club	2423	LEVIN
Levin Cosmopolitan Club	2424	LEVIN
Levin Cosmopolitan Club	2425	LEVIN
Levin Cosmopolitan Club	2426	LEVIN
Levin Cosmopolitan Club	2427	LEVIN
Levin Cosmopolitan Club	2428	LEVIN
Levin Returned Services Assoc Inc	2429	LEVIN
Levin Returned Services Assoc Inc	2430	LEVIN
Levin Cosmopolitan Club	2431	LEVIN
Foxton Returned Services Assn Inc	2432	FOXTON
Levin Returned Services Assoc Inc	2433	LEVIN
Kellyanne McKay	2434	LEVIN
Levin Returned Services Assoc Inc	2435	LEVIN

b) Decisions made by the District Licensing Committee Under Delegated Authority of Council dated 4 December 2013, and in accordance with Section 191(2) of the Sale and Supply of Alcohol Act 2012 (Contested Applications).

Arianna Hospitality Limited	Temporary Authority	Declined
Taranpreet Singh	New Manager's Certificate	Declined
Arianna Hospitality Limited	New On Licence	Granted

5. Options

The report is purely for information purposes.

5.1 Cost

Not applicable to this report.

5.1.1.1 Rate Impact

Not applicable to this report.

5.2 Community Wellbeing

There are no community wellbeing matters requiring consideration.

5.3 Consenting Issues

Not applicable to this report.

5.4 LTP Integration

Not applicable to this report

6. Consultation

There are no consultation requirements; however decisions listed in 5.1 have been published on Council's website as required by section 211(5) of the Sale and Supply of Alcohol Act 2012 that states "*Every Territorial Authority must take all reasonably practicable steps to ensure that copies of all the decisions of its Licensing committee are public available*".

7. Legal Considerations

Applications have been determined in accordance with legislative requirements.

8. Financial Considerations

There are no financial considerations.

9. Other Considerations

There are no other considerations required.

10. Next Steps

Not applicable to 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.

11. Appendices

There are no appendices for this report

Author(s)	Megan Leyland Compliance Lead	
Approved by	Nicki Brady Group Manager - Business Services	

Annual Report - District Licensing Committee 2016 - 2017

File No.: 17/322

1. Purpose

To report to Council on the 2016/17 financial year as required by the Sale and Supply of Alcohol (Fees) Regulations 2013.

2. Recommendation

- 2.1 That Report 17/322 Annual Report - District Licensing Committee 2016 - 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.

3. Background/Previous Council Decisions

- 3.1 Regulation 19 of the Sale and Supply of Alcohol (Fees) regulations 2013, requires territorial authorities to report on the performance of the functions of its Licensing Committee under the Sale and Supply of Alcohol Act 2012.
- 3.2 Section 199 of the Sale and Supply of Alcohol Act 2012 requires territorial authorities to prepare and send to the alcohol regulatory and licensing authority (ARLA), a report of the proceedings and operations of its licensing committees during the year.
- 3.3 The attachments to this report satisfy the requirements of Regulation 19 of the Sale and Supply of Alcohol (Fees) regulations 2013 and Section 199 of the Sale and Supply of Alcohol Act 2012.

4. Issues for Consideration

There are no issues or matters that warrant the particular attention of Council.

Attachments

No.	Title	Page
A	ARLA Annual Return 30 June 2017	257
B	Annual Report - District Licensing Committee 2016/17	259

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)	Megan Leyland Compliance Lead	
Approved by	Nicki Brady Group Manager - Business Services	

TERRITORIAL AUTHORITY: Horowhenua District Council

ANNUAL RETURN FOR YEAR : 2016/17

On-licence, off-licence and club licence applications received:

Application Type	Number received in fee category: Very Low	Number received in fee category: Low	Number received in fee category: Medium	Number received in fee category: High	Number received in fee category: Very High
On-licence new		1	5		
On-licence variation			1		
On-licence renewal	2		5	1	1
Off-licence new			1		
Off-licence variation					
Off-licence renewal	1		3	1	1
Club licence new					
Club licence variation					
Club licence renewal	4				
Total number	7	1	15	2	2
Total Fee paid to ARLA (GST incl)	\$ 120.75	\$ 34.50	\$ 776.25	\$ 172.50	\$ 345.00

Annual fees for existing licences received:

Licence Type	Number received in fee category: Very Low	Number received in fee category: Low	Number received in fee category: Medium	Number received in fee category: High	Number received in fee category: Very High
On-licence	3		23	1	1
Off-licence	2		7	5	1
Club licence	15	5			
Total number	20	5	30	6	2
Total Fee paid to ARLA (GST incl)	\$ 345.00	\$ 172.50	\$ 1,552.50	\$ 517.50	\$ 345.00

Managers' certificate applications received:

	Number received
Manager's certificate new	42
Manager's certificate renewal	76
Total number	118
Total Fee paid to ARLA (GST incl)	\$ 3,392.50

Special licence applications received:

	Number received in category: Class 1	Number received in category: Class 2	Number received in category: Class 3
Special licence	2	23	56

Temporary authority applications received:

	Number received
Temporary authority	2

Permanent club charter payments received:

	Number received
Permanent club charter payments	

Total to be paid to ARLA	\$ 7,774.00
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2016 – 2017

ANNUAL REPORT

District Licensing

Committee

This report is presented pursuant to Regulation 19 of the Sale and Supply of Alcohol (Fees) Regulations 2013 which requires territorial authorities to:

Report on the income from fees payable in relation to, its costs

incurred in, -

(a) the performance of the functions of its licensing committee

under the Act; and

(b) the performance of the functions of its inspectors under the

Act; and

(c) undertaking enforcement activities under the Act.



Introductory Comment

The Horowhenua District Licencing Committee has had yet another busy year with five Full Hearings, one uncontested Temporary Authority, and a large number of unopposed applications.

The DLC has now developed into a knowledgeable skilled Group. The Committee still consists of all Public List Members who were appointed in 2013, with each member fully committed to the prevention of alcohol harm in our community. Equally members recognise the need for balance in any argument and approach their responsibilities with an open mind and with a view to achieving the correct outcome in all opposed applications. All members are always willing to upskill and have taken part in several training opportunities.

The DLC continues to work hard at maintaining collaborative relationships with partner agencies in the knowledge that our collective aim needs to be the reduction of alcohol harm in our Communities.

Ross Brannigan
Chairperson

District Licensing Committee Overview

The Horowhenua District Licensing Committee (DLC) was appointed in accordance with the requirements of the Sale and Supply of Alcohol Act 2012.

Members of the District Licensing Committee are:

Chairperson:	Councillor Ross Brannigan
Deputy Chairperson:	Councillor Neville Gimblett
Secretary:	Mike Lepper
Public Committee Members:	Phillip Comber
	Roger Perring
	Martyn Slade
	Craig Fleury
	Allen Little, JP, QSM

The public members of the committee have been appointed for a 5 year term, expiring on 17 December 2018.

Contacts for the Horowhenua District Licensing Committee

DLC Secretary- Mike Lepper – MichaelEL@horowhenua.govt.nz – DDI (06) 366 0992 – Cell 027442 9055



Workload

In the period from 1 July 2016 to 30 June 2017, the Horowhenua DLC received a total of 226 applications consisting of the following:

- 118 Certificates
- 27 Licences
- 81 Special Licences

All were decided by the Chairperson alone.

One Temporary Authority application was decided by way of a quorum by two committee members and the chairperson.

During the reporting period the Horowhenua District Licensing Committee has held five hearings:

- 2 New Manager's Certificate Applications – both were declined
- 1 Temporary Authority Application – declined
- 2 New On-Licence Applications – both were granted

DLC Initiatives

- The District Licensing Committee encourages committee members who are not sitting on the panel to come to hearings and sit in the public gallery during hearings. This has been taken up by the other members at the hearings we have had.
- The committee has reviewed the cases after the hearings and before the decision is made so that the sitting committee can discuss and raise any concerns or questions they have with each other before they decide.
- The committee has a willingness to view premises that have oppositions to them so they can understand what is being explained to them.
- Agreements have been made with a number of local community based groups to lower the fee category for special licence applications.

Local Alcohol Policy

The draft local alcohol policy went out for public consultation in March 2017. Council received 45 submissions on the draft Local Alcohol Policy (LAP). Submissions were heard by the Hearings Committee at a hearing on 31 May 2017. The Hearings Committee took feedback from submitters into account and as a result made some changes to the policy.

The draft policy will be presented to Council at an Ordinary Meeting on 30 August 2017 for Council to decide whether to adopt the draft LAP as a Provisional LAP.

Current Legislation

It is believed that there is an anomaly in the legislation in that Temporary Authorities that are unopposed have to be heard by a quorum of 3 people. It is believed that as the DLC Chairperson has the power to decide on unopposed Licences new and renewals, unopposed certificates new and renewals and special licences they should be able to



also decided unopposed Temporary Authorities. This is a matter that has been raised previously and we would strongly support any moves to address this matter.

Other Matters

The good things we have noticed so far are.

- The flexibility around the chairperson having the designation from council to consider and lower the fees by one category if needed.
- The willingness for partner agencies to work together.
- Generally the willingness of licensees to adapt to the New Act.

Enforcement Activities

In conjunction with partner agencies of Police and Public Health, one controlled purchase operations was conducted in December 2016. Seventeen premises were tested with no sales.

Licensing Inspector

Council employs a one inspector. Ms Lisa Roiri left the role of Licensing Inspector at the end of January 2017. Ms Kathryn Pulley, Environmental Health Officer, served as Acting Inspector from the end of January 2017 until mid June 2017. Mrs Amy Maere commenced employment as Council's new Inspector on 19 June 2017.

Income

Horowhenua District Council received \$117,475 in revenue from fees payable in relation to its activities under the Act. A total of \$7,774.00 in fees were paid to ARLA.

Fee Type	Income (GST inclusive)
On/Off/Club Licence Applications	\$34,571.00
On/Off/Club Licence Annual Fees	\$42,343.00
Managers Certificates	\$30,360.00
Temporary Authorities	\$2,076.90
Special Licences	\$8,124.75
TOTAL INCOME	\$117,475.65

Costs

The Horowhenua District Council incurred costs of \$84,545.83 in performing its activities under the Act. Costs were incurred in the following categories:

Cost Type	Expenditure (excluding GST)
DLC Committee functions	\$25,931.00
Inspectorial Functions	\$58,614.83
Enforcement Functions	\$0.00

Resource Consenting (Planning) Matters Considered Under Delegated Authority

File No.: 17/305

1. Purpose

To present details of decisions made under delegated authority in respect of Resource Consenting (Planning) Matters.

2. Recommendation

- 2.1 That Report 17/305 Resource Consenting (Planning) 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. Issues for Consideration

The following decisions were made under delegated authority:

- (i) Subdivision and Land Use Consents Approved:

Subdivision Resource Consents Approved – 23/05/17 to 16/08/17

Approved Date	File Ref	Applicant	Address
29/05/2017	502/2017/27	The Roman Catholic Bishop of The Diocese of Palmerston North	30 Cook Street, Foxton
07/06/2017	502/2017/28	Marcia Bowler	300 Newth Road, Foxton
09/06/2017	502/2017/29	Avenue Hall & Trotter Limited	9 Hall Street, Foxton
12/06/2017	502/2017/30	Stephanie Thomas	31 Marine Parade South, Foxton Beach
13/06/2017	502/2017/31	Kevin Strawbridge	28 Riveredge Terrace, Levin Rural
20/06/2017	502/2017/33	Philip Webb	52 State Highway 1, Levin
16/06/2017	502/2017/34	Christopher Sayer	22 Carex Grove, Foxton
04/07/2017	SUB/2017/26	Steven Charles Barton	13 Essex Street, Levin
05/07/2017	SUB/2017/21	M J Davie Builder Limited	142 Bath Street, Levin
05/07/2017	SUB/2017/36	Malcolm George Wood	236-260 Okuku Road, Tokomaru
26/07/2017	SUB/2017/38	Total Property Strategies Limited	130 Tokomaru East Road, Tokomaru
27/07/2017	SUB/2017/37	Terence John Kortegast	11 Rimu Street, Levin
27/07/2017	SUB/2017/39	Innovative Coolstores Limited	Roe Street, Levin
28/07/2017	SUB/2017/41	B E Burnell & M K Burnell	106B Gladstone Road, Levin
09/08/2017	SUB/2017/42	Eleanor Lois Lawry	23 Weld Street, Levin
15/08/2017	SUB/2017/44	Brian Raymond Davis	211 Koputaroa Road, Levin Rural

Land Use Resource Consents Approved – 23/05/17 to 30/06/17

Approved Date	File Ref	Applicant	Address
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24/05/2017	501/2017/29	Roger Signal	24 Seabury Avenue, Foxton Beach
13/06/2017	501/2017/33	John Benton	26 Rua Avenue, Waitarere Beach
30/05/2017	501/2017/34	Emerge Architectural Design	12 Highland View Drive, Tokomaru Rural
12/06/2017	501/2017/35	Richard Barnes	1362 State Highway 57 Levin-Shannon Tokomaru Rural
12/06/2017	501/2017/36	Bruce Watson	846 Hokio Beach Road, Hokio Beach
16/06/2017	501/2017/37	Quin Buildings Direct	142-160 Moutere Road, Levin Rural
09/06/2017	501/2017/38	Peter Potaka	19 Oxnam Place, Foxton Beach
22/06/2017	501/2017/40	Penelope Barrett	231 North Manakau Road, Levin Rural
29/06/2017	501/2017/42	Bernard Scott	91A MacArthur Street, Levin
04/07/2017	LUC2017/32	J M Mclvor & P Mclvor	7A East Road, Shannon
05/07/2017	LUC2017/39	Scott Daniel Fraser	490-514 State Highway 56, Opiki
11/07/2017	LUC2017/41	John Cribb	7 Kauri Street, Levin
31/07/2017	LUC2017/45	GD Homes Limited	130 Tiro Tiro Road, Levin
02/08/2017	LUC2017/46	Totalspan Manawatu	16 Robinson Street, Foxton
09/08/2017	LUC2017/44	Fowler Homes Manawatu Limited	6 Marine Parade, Foxton Beach
11/08/2017	LUC2017/47	J J Pearce & C A Robertson	35 Manga Pirau Street, Waikawa Beach
14/08/2017	LUC2017/54	V A Bryant & F A Lallier	30 Mountain View Drive, Levin Rural

(ii) Road Names Approved

None during the reporting 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:

- 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)	Mike Lepper Customer and Regulatory Services Manager	
Approved by	Nicki Brady Group Manager - Business 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:

C1 Proceedings of the Hearings Committee 31 May 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
.		s48(1)(d) The exclusion of the public from the part of the meeting is necessary to enable the local authority to deliberate in private on its decision or recommendation.

C2 Proceedings of the Finance, Audit & Risk Subcommittee 28 June 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 Proceedings of the Finance, Audit & Risk Subcommittee 9 August 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. s7(2)(f)(ii) - The withholding of the information is necessary to maintain the effective conduct of public affairs through the protection of such members, officers, employees and persons from improper pressure or harassment.	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.