



AGENDA

ORDINARY MEETING

FOXTON COMMUNITY BOARD

19 JULY 2010

NOTICE IS HEREBY GIVEN that a meeting of the Foxton Community Board of the Horowhenua District Council will be held in the Chambers, Foxton Service Centre, Main Street, Foxton, on Monday, 19 July 2010 commencing at 6.30 p.m.

Members of the Foxton Community Board are:

Mr B P Vertongen QSM (Chair)
Ms N J Ellwood
Mr N G Gimblett
Mr J A Murdoch
Mr D J Roache
Cr D A Allan (HDC appointed representative)
Cr A M Hunt (HDC appointed representative)

Reporting Officer: D G Ward (Chief Executive Officer)
Meeting Secretary: Mrs K J Corkill (Meeting Secretary)

Business will be according to the attached Agenda.

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AGENDA

3 MAY 2010

ORDER OF BUSINESS:

1. Apologies
2. Public Speaking Rights
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. Members' Conflict 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. Horizons Regional Council
At 6.30pm Regional Councillor Lynne Bailey will be in attendance to update the Board on any issues relating to Horizons Regional Council and the Foxton Community Board area.
6. Levin Pistol Club
At 6.45pm Mike Barker from the Levin Pistol Club will be in attendance to give the Board a presentation on proposed use of Target Reserve.
7. Confirmation of Minutes - Ordinary Meeting 3 May 2010 (Minute Items 465-470)

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REPORTS

Item-473 Monitoring Report Foxton Community Board to 19 July 2010

File No 4210

To: The Chairperson and Members
Foxton Community Board

From: Chief Executive Officer

Date: 19 July 2010

1. Purpose

- a. To provide an update on the Foxton Community Board Monitoring Report to 19 July 2010.

2. Recommendation

- a. That Report 4210 be received.
- b. That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

	Name and title of signatories	Signature
Prepared by	D G Ward Chief Executive Officer	
<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">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.		

3. Attachments

- a. Foxton Community Board Monitoring Report to 19 July 2010
-

**MONITORING REPORT
FOXTON COMMUNITY BOARD**

Meeting Date	Item No.	Item Description	Resolved	Responsible Officer	Date to Action by	Date Completed	Officer Comment
9 Feb 2009	Item 401	Foxton Multi-Purpose Facility	<p><i>“THAT the FCB supports further investigation and discussion with the Foxton/Foxton Beach residents for the development of a multi-purpose facility including, but not exclusively, the Dutch Museum, Maori arts and craft gallery, library, visitor information centre, environmental education centre (including Manawatu Estuary).”</i></p> <p><i>“THAT should the Foxton Community Board support the concept of a multi-purpose facility the Foxton Public Amenities Project Steering Group be reconstituted to discuss the concept, with key stakeholders invited to participate in discussions.”</i></p>	D M Clapperton		Completed	Te Awahou Nieuwe Stroom Trust now formed to take the project forward to the next stages. Foxton Community Board, through Council as proposed Settlor to Trust Deed, will be kept informed of progress.
30 Nov 2009	Item 445	Chief Executive Officer's Report to 30 November 2009	<p><i>“THAT a workshop be held with Community Board Members, the Chief Executive Officer and relevant Council staff to look at the process that had taken place over the past two years in relation to the Recycling Centre Upgrades.”</i></p>	D G Ward	31 August 2010		Staff have completed a draft report on this matter. Further discussion is taking place with a range of parties. The final report will be presented to the Community Board's meeting of 30 August 2010.

**MONITORING REPORT
FOXTON COMMUNITY BOARD**

Meeting Date	Item No.	Item Description	Resolved	Responsible Officer	Date to Action by	Date Completed	Officer Comment
8 Feb 2010	Item 452	Chief Executive Officer's Report to 8 February 2010 Page 17 3a. <u>Foxton Youth Council Committee</u>	<i>"THAT the Chief Executive Officer facilitate a meeting of the Foxton Youth Council's Committee and the Horowhenua Youth Voice with a view to establishing a youth programme for the benefit of the Horowhenua District with a report to come back on the outcome."</i>	D Ward		Ongoing	
		Pinewood Motor Camp	<i>"THAT Messrs Vertongen, Roache and Murdoch meet with relevant Council staff to progress the Pinewood Motor Camp development."</i>			Ongoing	This matter is discussed further in the Chief Executive Officer's report on today's agenda.
		Holben Reserve	<i>"THAT the Board undertakes a review of the proposed landscape plan for Holben Reserve with a view to incorporating any changes and required investment into Council's next LTCCP."</i>			Ongoing	This matter is discussed further in the Chief Executive Officer's report on today's agenda.
22 Mar 2010	Item 460	Foxton Pools - General Report	<i>"THAT the Foxton Swimming Pool be included on the Monitoring Report, including the results of discussions held between staff and stakeholders."</i>	D Tate		30 August 2010	A report on operational matters for this facility for the 2010/2011 season will be presented to the Board meeting on 30 August 2010.

**MONITORING REPORT
FOXTON COMMUNITY BOARD**

Meeting Date	Item No.	Item Description	Resolved	Responsible Officer	Date to Action by	Date Completed	Officer Comment
22 Mar 2010	Item 462	Chief Executive Officer's Report to 22 March 2010	<i>"THAT Mrs Paton's submission in relation to the Foxtton effluent consent analytical reports be received." "THAT an Officer report be brought back to the Foxtton Community Board responding to Mrs Paton's submission and its recommendations and outlining Council's legal responsibilities and possible ramifications as they relate to compliance with the Foxtton effluent consent."</i>	D Ward		Completed	
3 May 2010	Item 465	Foxtton Community Board Monitoring Report to 3 May 2010	<i>"THAT the Foxtton Committee Board includes the provision of the playground in the Forbes Road Subdivision in its submission to Council's Draft Annual Plan 2010/11."</i>			Completed	
3 May 2010	Item 466	Proceedings Foxtton Code of Conduct Subcommittee 25 March 2010 and 19 April 2010	<i>"THAT the Foxtton Community Board receive the minutes of the Foxtton Code of Conduct Subcommittee meeting held on 25 March 2010 and 19 April 2010."</i>			Completed	
3 May 2010	Item 467	Foxtton Code of Conduct Subcommittee Receipt of Report from the reconvened	<i>"THAT the Foxtton Community Board accept the recommendation from the Foxtton Code of Conduct Subcommittee that Mr Vertongen's indiscretion on this</i>			Completed	

**MONITORING REPORT
FOXTON COMMUNITY BOARD**

Meeting Date	Item No.	Item Description	Resolved	Responsible Officer	Date to Action by	Date Completed	Officer Comment
		meeting of 3 May 2010	<i>occasion be the subject of censure by the Board, but that no further action be taken." "THAT the members of the Foxton Code of Conduct Subcommittee be thanked for the thoroughness of their investigation."</i>				
3 May 2010	Item 470	Resource Consents Issued	<i>"THAT the list of land use and subdivision resource consents be received.</i>			Completed	

Item-474 Draft Foxton Townscape Plan

File No 4241

To: The Chairperson and Members
Foxton Community Board

From: Strategic & Corporate Services Manager

Date: 19 July 2010

1. Executive Summary

a. Purpose of the report

The purpose of this report is to present to the Foxton Community Board a draft Foxton Townscape Plan.

2. Recommendation

- a. That Report 4241 be received.
- b. That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.
- c. That the Foxton Community Board accepts (with amendments) the draft Foxton Townscape Plan for public consultation.

3. Context

a. Background

In 2008 Council adopted the Horowhenua Development Plan, looking ahead, planning how to manage the development of the Horowhenua over the next 20 years and beyond.

There were a range of actions identified to implement the Development Plan. Some of those actions were deemed more immediate, e.g. rezoning as per District Plan Change 20, and others required more in-depth work before decisions can be made on how to proceed.

The Development Plan actions were prioritised and will be implemented based on available resources.

One of the actions from the Development Plan was:

To prepare a Concept Plan for Foxton to address:

- the current suite of proposals for the centre, including Dutch museum, library, river walk. and other improvements, to ensure these work collectively to the town's best interest;
- the interest of the community in the future direction of the place by a consultative process;
- the opportunities to develop a significantly more attractive visitor destination;
- the heritage values of the place and the appropriate basis for maintaining and enhancing those values;
- the relationship of the town centre to State Highway 1 to significantly enhance the visual and physical connections between the two to encourage people to visit;
- the need for a viable strategy for implementation that enables private and public interests to develop within the framework of the concept over time and as resources allow and new initiatives occur.

A project to prepare a draft Foxton Town Plan was instigated mid-2009.

b. Consultation

The Foxton Town Plan has been developed through a process of consultation with the community. This has included several meetings with the Foxton Community Board, a public presentation meeting (December 2009), a workshop day with key stakeholders (April 2010), and the public display of posters that showed the ideas from December 2009. There has also been technical input provided by NZTA (with respect to the State Highway) and Council officers. The feedback from the consultation has assisted to refine the concept and the initiatives reflect the feedback comments. The key points are detailed in the draft Foxton Townscape Plan (**attached**).

c. Implementation Plan

To assist in the proposed consultation process, an Implementation Plan has been included which identified the initiatives, the responsibility for delivery actions, as well as timing and indicative cost range. It is intended that this implementation plan will be taken up by Council as the coordination and key gatekeepers for the projects.

d. Should the Foxton Community Board agree to accept the draft Foxton Town Plan for consultation, a six (6) week consultation period will commence 1 August 2010.

4. Conclusions

- a. The preferred option(s)

The preferred option is that the Foxton Community Board accepts the draft Foxton Town Plan for consultation allowing the community to provide feedback before the Community Board considers a final Foxton Town Plan.

	Name and title of signatories	Signature
Prepared by	D M Clapperton Strategic & Corporate Services Manager	
<u>Confirmation of statutory compliance</u> 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.		
Approved by	D G Ward Chief Executive Officer	

5. Attachments

- a. Draft Foxton Townscape Plan
(This Plan accompanies the agenda).

Item-475 Annual Plan Submission Update

File No 4239

**To: The Chairperson and Members
Foxton Community Board**

From: Chief Executive Officer

Date: 19 July 2010

1. Purpose

- a. This report is prepared to allow the Community Board the opportunity to discuss Council resolutions specific to those items raised in the Board's submission to Council's Draft 2010/2011 Annual Plan.
- b. Further, the report will also examine the status of those items previously identified as Priority Projects by the Board in discussions up to and including the Board's meeting of 8 February 2010.

2. Recommendation

- a. That Report 4239 be received.
- b. That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

3. Background

- a. In its submission to Council's Draft 2010/2011 Annual Plan, the Community Board identified those matters identified below. Council's resolutions specific to these items (where applicable) follow each heading in italics:

Forbes Road Playground

Council did not pass a resolution on this matter, simply acknowledging that the Freeholding Account is administered by the Community Board.

Foxton Community Board Targeted Rate

"That the Council's proposal to adopt a targeted rate for the Foxton Community Board was not carried."

Cemetery Upgrade

"THAT Officers prepare and present a report to the Foxton Community Board on opportunities to extend the life of the existing cemetery and that the report give consideration to bringing forward funding of \$100,000.00 for the development of new land at Foxton Cemetery from years 2013/14 to 2012/13 and also the option for the provision of a toilet at Foxton Cemetery."

Foxton Memorial Hall

"That Council reinstates an amount of \$34,000.00 into 2010/11 for interior refurbishment of the Memorial Hall, and that Officers find this funding from existing property funds."

Foxton Health Centre

"That the matter of a targeted rate for a health centre in Foxton and provision of a health centre be taken back to the Foxton Community Board for further consideration."

Tower Lights

This matter was not specifically addressed by a Council resolution, however, it was noted for further discussion by staff.

The Board may consider requesting that this item is included in the Monitoring Report.

Pinewood Motor Camp

Again, no specific resolution of Council on this matter, and again I would suggest that the matter be included on the Monitoring Report in support of the very good work currently being undertaken between staff and Board Members.

Recycling Centres

Noted that the Board supports the Council's recycling policy and looks forward to the review of the policy.

Dune Management

Similar to the two items identified above for which no resolution was passed. Staff continue to provide background information on this matter for further consideration by the Board. My suggestion is that this matter be incorporated onto the Monitoring Report.

Te Awahou Project

The Board support for this project was noted by Council

Half Pipe Project

"That funding of \$30,000.00 sourced from the Foxton Beach Freeholding Account is committed to the construction of a concrete half pipe at Holben Reserve."

- b. At its meeting of 8 February 2010 the Board considered my report in which I identified those six items that had been identified as priorities for the Board at a series of previous public meetings. To refresh our memories these items are:
- Recycling Stations
 - Te Awahou Project
 - Foxton Health Centre
 - Pinewood Motor Camp
 - Holben Reserve Landscape Plan
 - River Loop Development

In many instances good progress is being made on these items

- c. At tonight's meeting we have the opportunity to reaffirm the priority of those projects identified by the Board, to understand the work that is being currently undertaken, the expectations of the Board for progressing each matter and an appropriate timeframe.
- d. The Board may also wish to give consideration to the manner in which it communicates the priority of these items to the people of Foxton and Foxton Beach. This may be in the form of specific activity, or project, newsletters or facilitated public meetings.

	Name and title of signatories	Signature
Prepared by	D G Ward Chief Executive Officer	
<u>Confirmation of statutory compliance</u>		
<p>In accordance with section 76 of the Local Government Act 2002, this report is approved as:</p> <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. 		

Item-476 Council Resolutions relating to Foxton Community Board

File No 4212

**To: The Chairperson and Members
Foxton Community Board**

From: Chief Executive Officer

Date: 19 July 2010

1. Purpose

- a. To inform the Board of resolutions that the Horowhenua District Council passed at its meetings on 5 May 2010 and 7 July 2010.

2. Recommendation

- a. That Report 4212 be received.
b. That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

3. Issues for Consideration

a. Ordinary Meeting 5 May 2010

Item 1895 - Foxton Beach Coastal Sand Dune Management

"THAT Council re commit Capex and maintenance funding (via the LTCCP process) to the ongoing conservation and management of Coastal "reserve" dunes, with particular emphasis placed on those dune fields adjacent to residential properties."

"THAT Council liaise with the affected landowners over the issues."

"THAT officers, in conjunction with the Foxton Community Board, meet to discuss solutions."

"THAT officers consider a statement to property owners identifying Council's position."

"THAT the Chief Executive Officer explores the interpretation of the tort of the private nuisance."

"THAT officers explore an appropriate walkway on the top of the dunes."

b. Ordinary Meeting 7 July 2010

Item 1919 - Proposed Granting of Freedom Charter Foxton - Update

"THAT Council pass the following resolution to comprise part of the Charter Documents as well as being submitted to the Colonel Commandant, Royal New Zealand Army Logistic Regiment for the final approval required by the Chief of Army:

"THAT in appreciation of the honourable traditions of the 21st Supply Company of 2nd Logistic Battalion and in recognition of its long association with the town of FOXTON from the District of HOROWHENUA, the Council confer upon 21 Supply Company, the rights, privilege, and honour of marching through the streets of FOXTON on all ceremonial

occasions with bayonets fixed, drums beating, and colours flying; that the Corporate Seal be affixed to the necessary Deed of Grant and that the name of 21 Supply Company be inscribed on a panel within the Foxton Memorial Hall.”

Item 1925 - Proposal to Stop Part of Field Street, Foxton

“THAT in view of the fact that no objections were received to the stopping of part of the proposed Field Street, Foxton extension the Horowhenua District Council hereby resolves that the part of Field Street, Foxton, described as Lot 3 DP 57409 is now stopped.”

“THAT the required Public Notice of part of Field Street, Foxton, being stopped be advertised.”

Item 1926 - Speed Control at Schools

“THAT procedures are initiated for the application of variable speed limits in the vicinity of the schools on Weraroa Road – Horowhenua College and St Joseph’s and Ladys Mile – Robinson Street Foxton – Manawatu College and Foxton.”

	Name and title of signatories	Signature
Prepared by	D G Ward Chief Executive Officer	
<u>Confirmation of statutory compliance</u>		
<p>In accordance with section 76 of the Local Government Act 2002, this report is approved as:</p> <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. 		

Item-477 Chief Executive Officer's Report to 19 July 2010

File No 4213

**To: The Chairperson and Members
Foxton Community Board**

From: Chief Executive Officer

Date: 19 July 2010

1. Purpose

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

2. Recommendation

- a. That Report 4213 be received.
- b. That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

3. Issues for Consideration

a. Taylor Street Works

In their submission to Council's Draft 2010/2011 Annual Plan Mr & Mrs Paton submit that the traffic exiting Taylor Street onto Seabury Avenue (and the traffic in the opposite direction) has increased with the development of Foxton Beach and that therefore the section between Seabury and Pratt should be upgraded.

It was suggested that this matter was identified by the Community Board when it had discussions five years ago on proposals for upgrading Andrews and Queen Street.

I have reviewed the minutes of the meeting where this matter was discussed, however, this is no specific reference to Taylor Street either in the Officer's report or in the minutes to the meeting.

In their response to this issue Council staff have concurred that an upgrade is desirable. Traffic islands and roundabouts are not recommended, but seal widening, kerb and channel on both sides and a footpath on the eastern side as well as traffic control at the Seabury Avenue intersection are considered to be appropriate. There is, however, no funding available in the 2010/2011 budget for this project.

It is recommended that the Board request staff to prepare a feasibility study on this matter for inclusion in Council's Draft 2011/2012 Annual Plan.

b. Foxton Beach Freeholding Fund

At the Board meeting of 3 May 2010 I advised that we would regularly report the status and movements within the Foxton Beach Freeholding Account on a quarterly basis. The following table details those transactions which have occurred within the Foxton Beach Freeholding Account from 1 July 2009 through to 31 May 2010.

	\$
Opening Balance	716.4
Add Income	
Interest	50.1
Sale to Electricity Company	14.8
Sale of 56 Pratt Avenue	82.6
Sale of 56 Shortt Street	120.0
Sale of Forbes Road Section	84.4
Rental Income	111.2

	1179.5
Less Administration Costs	-74.4
Subdivision Maintenance	-42.4
Holben Reserve	-22.3
Subdivision development	-81.9

Balance at 31 May 2010	958.5
Project Commitments	
Motor Camp Development	-300.0
Half pipe at Foxton Beach	-25.0
Holben Parade Reserve	-20.0
Playground at Forbes Road	-30.0
Subdivision Maintenance	-50.0
Further items for consideration	
Contribution to Te Awahou Project	
Infrastructural projects	

Council staff are currently preparing Council's 2010 Annual Report. In conjunction with this exercise a final balance detailing available funds within the Foxton Beach Freeholding Account will be distributed to Board Members.

c. Proposed Granting of Freedom Charter to 21 Supply Company

The Board discussed this matter at its meeting of 18 May 2009 and resolved "*THAT the Foxton Community Board recommends to the Horowhenua District Council that the acknowledgement of 21 Supply Company's long involvement with Foxton by way of the granting of a Freedom Charter be further pursued.*"

In the ensuing time period there have been a number of discussions between Council staff and the Royal New Zealand Army Logistic Battalion, the outcome to which culminated in the **attached** report being adopted by Council at its meeting of 7 July 2010.

At the Council meeting of 7 July 2010 there was a request from Board Member Roache that the proposed date of 8 December 2010 be brought forward to coincide with the Spring Fling Celebrations as a acknowledgement of the New Zealand Army presence at that event. Staff will indeed discuss this request with the Army, however, at this point we acknowledge it has taken some considerable time to actually arrange the December date.

d. Pecuniary Interest

For information, Community Board members will have received a copy of the Office of the Auditor-General's publication entitled "Local Authorities (Members Interest) Act". Anybody requiring further information on this matter is encouraged to direct their questions to myself.

e. Pinewood Motor Camp

The Business Plan review has commenced. A graduate student has been employed for approximately one month to undertake research.

Peter Shore, Les Jensen (Motor Camp Manager) and Tony Murdoch (FCB) attended the NZ Holiday Parks Conference in Rotorua in June 2010. **Attached** is a report which Board Member Murdoch will speak to at this evening's meeting.

Project Work To Date

- The forming and sealing of the internal driveways is underway, and weather permitting the sealing may be complete by the time the Board reads this.
- Identification of potential/additional camp sites is underway. The Board will be advised as this matter progresses.
- A specification is being produced for re-lining the showers, and quotes will be available by mid July 2010.
- The design for the Board Walk and the Retaining Wall (including the Engineers calculations) is now complete.
- A draft landscape and design concept plan has been developed for the camp (shown previously to the Board) and will be refined after the Business Plan has been developed and agreed on.
- Staff have undertaken 3 progress meetings and 1 onsite meeting with the Board Subcommittee. A second site meeting is planned for on or about 17/18 July 2010.

f. Holben Reserve

The Facilities Asset Manager (FAM) will be undertaking a review of the Holben Reserve (Te Wharangi) Landscape Plan with the Foxton Community Board, and reflecting any required or desired changes into the forthcoming LTCCP review.

The FAM will begin this process in cooperation with the Board (at an agreed date) once the Motor Camp Business Plan has been completed. It is highly probable that capital funding will be required to update the Landscape Plan once the primary work has been complete. No funding will be required for the draft work, and the FAM will do the redrawing required.

g. Foxton Beach Coastal Sand Dune Management

At its meeting of 5 May 2010 Council passed the following resolutions:

“THAT Council re commit Capex and maintenance funding (via the LTCCP process) to the ongoing conservation and management of Coastal “reserve” dunes, with particular emphasis placed on those dune fields adjacent to residential properties.”

“THAT Council liaise with the affected landowners over the issues.”

“THAT officers, in conjunction with the Foxton Community Board, meet to discuss solutions.”

“THAT officers consider a statement to property owners identifying Council’s position.”

“THAT the Chief Executive Officer explores the interpretation of the tort of the private nuisance.”

“THAT officers explore an appropriate walkway on the top of the dunes.

The following are comments from Council Officers:

- Funding : \$43,271 has been provided in the annual plan for sand dune reclamation, reshaping and revegetation work. This work is expected to commence once a consent has been granted from Horizons Regional Council. Officers have already started the consent process and will be meeting Horizons staff onsite Friday 9 July 2010 to start finalizing plans for this work.
- Landowner Liaison : Officers have begun liaising with some of the affected property owners, and will arrange more meetings over the next several months.
- Board Liaison :No meetings (about possible solutions) have been arranged with the Board as yet. The Foxton Beach Coastal Management Plan and the consent we are seeking will dictate much of what we are required to do. However the Board's involvement will be fundamental to helping the locals understand the process involved and the outcomes we will be hoping for.
- Correspondence with Property Owners :Officers are yet to write to residents outlining the position of Council in respect to the dunes, each party's responsibilities, and their care and maintenance.
- Legal Advice : Foxton Beach Coastal Sand Dune Management
During discussion at the Council meeting of 5 May 2010 on this subject questions were raised with regard to interpretation of the phrase “The Tort of Private Nuisance”.
In the staff report reference was made to the legal obligation on Council. The report stated that liability (if any) would be based on the Tort of Private Nuisance and would arise where a landowner is aware of a nuisance and fails to take reasonable steps to abate it. The law requires the landowner to make reasonable efforts to abate or control the nuisance.
In a legal opinion provided to Council on this matter the Tort of Private Nuisance (in its legal sense) involves an activity or state of affairs that causes a substantial and unreasonable interference with a neighbours use and enjoyment of its land, even though the nuisance arises from natural causes.
The legal opinion received by Council then talks about standards of reasonableness and concludes, from the writer’s observation of Marine Parade, that Council is doing all that can be reasonably expected of it to manage the problem. The legal opinion concludes with a suggestion that the people who have bought or built at Marine Parade should be encouraged to participate in the process.
- Public Walkway Development : Officers have prepared a very rough concept plan of where a public walkway could go but this could be a sensitive matter with beach front home owners, and it is suggested that a consultation process is followed that provides genuine opportunity for discussion and collaboration.

h. Maintenance Works

Attached to this report is a schedule prepared by staff detailing those maintenance works proposed to be undertaken (or current works in progress) in the Foxton and Foxton Beach areas.

	Name and title of signatories	Signature
Prepared by	D G Ward Chief Executive Officer	
<u>Confirmation of statutory compliance</u>		
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.		

4. Attachments

- a. Report to Council on Proposed Granting of Freedom Charter Foxton
- b. Report from Tony Murdoch on attendance at the Parks Conference
- c. Foxton Board Proposed Maintenance and Current Works in Progress

ATTACHMENT A

Report to Council on Proposed Granting of Freedom Charter Foxton

Subject: Master Meeting Standard - Foxton Community Board 19 July 2010

File No 4235

To: His Worship the Mayor and Councillors
Horowhenua District Council

From: Strategic and Corporate Services Manager

Date: 7 July 2010

Purpose

To update the Council on the progress made in advancing the proposal to grant a Freedom Charter to 21 Supply Company in recognition of its long involvement with Foxton.

Recommendation

That Report 4235 be received.

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

That Council pass the following resolution to comprise part of the Charter Documents as well as being submitted to the Colonel Commandant, Royal New Zealand Army Logistic Regiment for the final approval required by the Chief of Army:

“THAT in appreciation of the honourable traditions of the 21st Supply Company of 2nd Logistic Battalion and in recognition of its long association with the town of FOXTON from the District of HOROWHENUA, the Council confer upon 21 Supply Company, the rights, privilege, and honour of marching through the streets of FOXTON on all ceremonial occasions with bayonets fixed, drums beating, and colours flying; that the Corporate Seal be affixed to the necessary Deed of Grant and that the name of 21 Supply Company be inscribed on a panel within the Foxton Memorial Hall.”

Issues for Consideration

Since this proposal was approved both by the Foxton Community Board and Council behind the scenes discussions have been held with the Commanding Officer of 21 Supply Company on its advancement.

At a meeting held between Major Tony Downey (21 Supply Co) and Messrs Clapperton and Cole on 16 June 2010, initial planning for the Charter Presentation Parade set down for the 8 December 2010 was commenced. As part of this process a formal resolution is required from Council which in turn will form part of the actual Charter Document that will be presented at the Charter Presentation Ceremony.

The form of Charter will more or less be as follows:

WHEREAS the Mayor, Councillors, and Citizens of the Horowhenua District being sensible of the honourable record of traditions of 21 Supply Company of 2nd Logistic Battalion and being desirous of recognising, cementing, and fostering the intimate association which is now and has for so long been enjoyed between the Town of FOXTON and 21 Supply Company in which so many of its citizens have been proud to serve.

NOW THEREFORE the Mayor and Councillors of the District of Horowhenua on behalf of the Foxton Community do hereby confer upon the said 21 Supply Company of 2nd Logistic Battalion, RNZALR the right and privilege without further permission being obtained of marching (when such processions are approved) with drums beating, band playing, colours flying, bayonets fixed, and swords drawn, through the streets of the town of FOXTON.

AND

DO HEREBY accept the honour of viewing 21 Supply Company or part thereof, once in each year for the purpose of an inspection by His/Her worship the Mayor.

AND

Do HEREBY accept the further honour of having an officer of the said 21 Supply Company in uniform in attendance upon His/Her Worship the Mayor and/or Board Chairperson on important occasions.

The Common Seal of the Body)
 Corporate called the Mayor,)
 Councillors', and Inhabitants of)
 the Horowhenua District was)Mayor
 hereto affixed pursuant to a)
 resolution of the said Council made)Board Chairperson
 on behalf of the Community of Foxton)
 this .. day of 2010)Chief Executive Officer
 in the presence of –

	Name and title of signatories	Signature
Prepared by	D M Clapperton Strategic and Corporate Services Manager	
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.		

ATTACHMENT B

Notes from Presentations at the Holiday Accommodation Parks Conference

The following notes were taken from presentations given at the Holiday Accommodation Parks Conference in Rotorua; attended by: Tony Murdoch (F.C.B member); Les Jensen (Camp Manager) & Peter Shore (HDC Facilities Asset Manager).

Key outcomes

- **Future:** At an annual rate of 4% the holiday park sector is set for continual growth. Both domestic and international visitor nights spent are predicted to increase as holiday parks are favoured over other forms of accommodation.
- Emerging trends in the holiday park sector are seen as opportunities and can be used for growth strategies
- **Branding:** 95% of Holiday Accommodation Parks (HAPNZ) members are now recognised as 'holiday parks'. A change in branding has come about from an increased level of standards offered through holiday parks products, services and facilities.
- Holiday parks are budgeting 3-5% of their gross turnover for marketing. Many are using Individual web pages as a way of targeting markets.
- **Eco tourism:** Eco-friendly and sustainability themes are becoming popular in holiday parks. An aim to align their values with the 'clean green NZ' image has become important for visitors, particularly the international market as they are more aware of the impact they have while holidaying.
- **Offered facilities:** There has been a notable change in products, services and facilities offered in holiday parks. These include internet facilities and a wider range of accommodation types for various market demands.
- **Markets:** Both domestic and international visitors are choosing different modes of travel. There has been an increase in rentals by international visitors and an increase in private ownership by domestic consumers for Motor Caravan's.
- Domestic visitors are more inclined to use existing facilities (cabins), whereas international prefer to bring their own camping equipment.

The key outcomes summarised above have allowed us to acknowledge some important factors to consider for this project. Many of the same messages have been grouped in the following topic areas.

A change in Products, Services & Facilities

- Look at adopting a range of products and services that others have found beneficial to their holiday park. Visitors show greater interest over both peak and shoulder seasons if a broader range of facilities exist. Acknowledging this will help our holiday park be on par with others.
- We are heavily family orientated; therefore need to take advantage of this and cater to their needs. Additional to the parks surrounding, a change to implement family friendly products and services is a possibility.
- The domestic market make up the majority in this sector; however there is a steady increase of international visitors too. Both markets have different preferences, where domestic have a higher demand for existing facilities (cabins), international visitors prefer bringing their own (camping equipment).
- An Increase in en-suite units, self contained units and backpacker beds comes about from the change in accommodation types offered in holiday parks.
- Internet facilities such as kiosks and Wi-Fi (wireless) have become increasingly adopted nationwide. Internet is significantly recognised for its uses and in turn is impacting on the holiday park sector. Travellers (mainly international) use the internet to book

accommodation before they depart. A recent move into last minute booking for convenience and cost saving measures means travellers book closer to the date.

- Installing efficient recycling facilities to holiday parks is another initiative that reflects eco-friendly holiday parks.
- Popular products & services implemented since 2005
 - TV lounge and recreational Halls; pool tables etc
 - Facilities for outside use – cooking areas for both preparation and BBQ
 - internet facilities
 - Gear hire: Bikes, Kayaks, Badminton, and Volleyball

Opportunities

- The need to consider being assessed by Qualmark. Certified rating from a nationally recognised brand will open various avenues. There is a higher tendency for visitors to choose holiday parks based on their rating and visitors walk away more satisfied. This will come at a cost, though future benefits have been acknowledged.
- The Qualmark rating opens the ability to connect with associations/booking systems which help promote holiday parks i.e. AA, Wotif, Holiday park associations, Jasons – this will come at a cost also, however can be considered a marketing initiative
- Updating existing facilities/grounds to coincide with emerging trends of the industry and demands of the various markets.
- Acknowledging the importance of previous markets and attempt in regaining interest on their behalf. For example; the Manawhenua Motor Caravan association who partake in rallies within the region. Suggestions in achieving this involve: offering reasonable discounts; ensuring we have capable facilities (dumping stations/pets allowed); updating adverts on New Zealand Motor Caravan Association (NZMCA).
- Our holiday park is more about the camp itself but also about connecting the greater opportunities outside. This includes those adjacent and within the region. We can look at attractions and activities (current/future) which appeal to visitors and in turn reflect and benefit the community.
- One off events such as the Rugby World Cup 2011. Projected figures show that visitors will be requiring various forms of accommodation. There will be activity from both domestic and international consumers of which a significant amount are predicted to use Motor Caravans during this period.

Threats

- Competition from other forms of accommodation; motels, B&B, rental, friends etc.
- Opportunity costs
- Issues surrounding freedom-camping
- Private sector

Achieving an outcome

Emerging trends like those mentioned above will be analysed and matched with the current position our holiday park. From this we can gain an insight which will help project a series of options best suited to the intended outcomes of this project. This will be done by observing and having consideration for the following;

- Identifying current markets
- Identifying market potential
- Establishing niche opportunities
- Assessing surrounding environment
- Harnessing potential opportunities
- Assessing the risk involved in not taking action
- Understanding the nature of trends and their aid in improvement

ATTACHMENT C

Foxton Board Proposed Maintenance and Current Works in Progress

Roading Reseals planned for the 2010/2011 financial year

Road Name	Area	Start Name	End Name	Pavement Type
Andrews Street	Foxton Beach	Mathis Place	To cul de sac past Queen Street	Thin Surfaced Flexible
Bond Street	Foxton Beach	Fabrin Street	Dewe Terrace	Thin Surfaced Flexible
Holben Parade	Foxton Beach	Nash Parade	Signal Road	Thin Surfaced Flexible
Foxton Shannon Road	Foxton	Town Boundary	Hickford Road	Seal Widening
MILLED & A/C PAVED				
MAIN STREET	FOXTON	CLYDE STREET	WHARF STREET	Asphaltic Concrete

Footpaths

There are no footpath renewals planned for the Foxton area during the 2010/2011 financial year.

Parks and Property

Foxton Hall Entrance Ways - Work is underway on the upgrading of the entrance of Foxton Hall from Main Street. This work involves creating a more direct and open access into the Hall, rather than the current split arrangement. The work is planned to be completed by the end of July 2010.

Flagstaff Reserve will have 16 Pohutukawa trees planted alongside the lime walkway through the centre of the reserve.

Water Supply

Water take consent for the new Foxton bore has been lodged with Horizons.

The final bore completion works are underway. All electrical work is complete, final pipework installation and fencing is currently underway. The bore pump will be installed early August with the bore ready to be turned on when the consent is issued.

Wastewater

Investigation work continues on the long term options for disposal of Foxton Wastewater effluent.

A contract for the renewal of the sewer on Johnston Street between Francis and Whyte Street has been awarded. Works are scheduled to start during August 2010.

Solid Waste

Staff have prepared a draft report on the operation impact that kerbside recycling has had on the operation of recycling centres on Ladys Mile and at Foxton Beach. The final report with recommendations on the future operation and location of these facilities will be presented to Board's meeting on 30 August 2010.

Item-478 Resource Consents Issued**File No 4214****To: The Chairperson and Members
Horowhenua District Council****From: Environmental Services Manager****Date: 19 July 2010**

1. Purpose

- a. To receive the listing of land use and subdivision resource consent applications approved under delegated authority.

2. Recommendation

- a. That Report 4214 be received.
b. That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.
c. That the list of land use and subdivision resource consents be received.

**Subdivision Resource Consents Granted Under Delegated Authority
23/04/10 to 08/07/10**

Date	File Ref	Subdivider	Address
29-Apr-10	SUB/2938	Coastal Classics Limited (Cara Pietersma)	6 Andrews Street, Foxton Beach
10-May-10	SUB/2937	Colin Cook & Paul Pearce	29 Roore Street, Foxton Beach
4-Jun-10	SUB/2955	McDonnell Property Managers Limited	80 Motuiti Road, Foxton/Himatangi Rural

**Land Use Resource Consents Granted Under Delegated Authority
23/04/10 to 08/07/10**

Date	File Ref	Applicant	Address
23-Apr-10	LUC/2926	Mitchpine Products Limited	929 State Highway 1, Foxton Rural
26-May-10	LUC/2943	Robert Walker & Derek Dilks	28 Dewe Terrace, Foxton Beach
3-Jun-10	LUC/2945	Glen & Colleen Hitchcock	137-139 Seabury Avenue, Foxton Beach
3-Jun-10	LUC/2954	Francis & Shiree Hamlin	11 Low Avenue, Foxton Beach
16-Jun-10	LUC/2952	Neil & Margaret Collis	28 Hulke Street, Foxton
30-Jun-10	LUC/2930	Colin Porter & Angeline McLeod	14 Thynne Street, Foxton

3. Issues for Consideration

a. Below is a summary of all Resource Consents issued under delegated authority since January 2008 in the Foxton area:

	Jan/Feb 2008	March 2008	May 2008	June/July 2008	Aug/Sept 2008	Oct 2008	Nov/ Dec 2008	Total for 2008
Land Use	3	1	3	8	1	2	0	18
Sub-division	7	4	2	8	3	1	1	26

	Jan/Feb 2009	March/ April 2009	May/ June 2009	July/ August 2009	Sept 2009	Oct 2009	Total for 2009
Land Use	2	1	4	2	4	4	17
Subdivision	2	0	0	1	0	4	7

	Jan/Feb 2010	March 2010	April/May 2010	Total for 2010
Land Use	6	2	6	14
Subdivision	1	1	1	3

	Name and title of signatories	Signature
Prepared by	T Thomas Environmental Services Manager	
<u>Confirmation of statutory compliance</u>		
<p>In accordance with section 76 of the Local Government Act 2002, this report is approved as:</p> <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. 		

MOTION TO EXCLUDE THE PUBLIC

"THAT the Foxton Community Board 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.

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 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."

Confirmation of Minutes Ordinary Meeting 3 May 2010 (Minute Items 471-472)
Item 479 In Committee Foxton Community Board Monitoring Report 19 July 2010
Item 480- In Committee Minutes
Item 481- Council Property Holdings

Reason for Confidentiality

These reports are **CONFIDENTIAL** in accordance with Section 48(1) of the Local Government Official Information and Meetings Act 1987, which permits the meeting to be closed to the public for business relating to the following grounds: -

48(1a) That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

Subject to sections 6, 7 and 17 of the Local Government Official Information Act 1987, the withholding of the information is necessary to:

7(2a) Protect the privacy of natural persons, including that of deceased natural persons.

7(2f) Maintain the effective conduct of public affairs through-
(ii) The protection of such members, officers, employees, and persons from improper pressure or harassment.