



AGENDA

ORDINARY MEETING

HOROWHENUA DISTRICT COUNCIL

1 JULY 2009

NOTICE IS HEREBY GIVEN that a meeting of the Horowhenua District Council will be held in the Horowhenua District Council Chambers, 126-148 Oxford Street, Levin, on Wednesday, 1 July 2009 commencing at 4.15 p.m.

Members of the Horowhenua District Council are:

His Worship the Mayor, Mr B J Duffy (Chair)
Cr D A Allan
Cr D J Colling
Cr G G Good
Cr L E McMeeken
Cr A M Hunt
Cr B F Judd
Cr P K Keenan
Cr N D H Murray
Cr A D Rush
Cr R N Shaw

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

Business will be according to the attached Agenda.

AGENDA

1 JULY 2009

ORDER OF BUSINESS:

APOLOGIES

ANNOUNCEMENTS

CONFIRMATION OF MINUTES

Ordinary Meeting 6 May 2009 (Minute Items 1692-1708)

MATTERS ARISING

Meeting 26 June 2009 (Minute Items 1723-1724)

MATTERS ARISING

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PROCEEDINGS OF COMMITTEES

Item-1725 Proceedings Foxton Community Board 18 May 2009

File No 3939

To: His Worship the Mayor and Councillors
Horowhenua District Council

From: Strategic and Corporate Services Manager

Date: 1 July 2009

1. Purpose

- a. To present to the Horowhenua District Council the minutes of the Foxton Community Board meeting held on 18 May 2009.

2. Recommendation

- a. That Report 3939 be received.
- b. That the Horowhenua District Council **receive** the minutes of the Foxton Community Board meeting held on 18 May 2009.

3. Issues for Consideration

- a. The following items considered by the Foxton Community Board meeting held on 18 May 2009 will require further consideration by the Horowhenua District Council and will be included on a future Council agenda:
 - (i) Item 413 - Proposed Granting of Freedom Charter
"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."

Prepared

D M Clapperton
Strategic and Corporate Services Manager

4. Attachments

- a. Minutes of the Foxton Community Board meeting held on 18 May 2009.
-

**MINUTES OF THE ORDINARY MEETING OF THE HOROWHENUA DISTRICT COUNCIL'S
FOXTON COMMUNITY BOARD HELD IN THE CHAMBERS, MAIN STREET, FOXTON ON
MONDAY, 18 MAY 2009 COMMENCING AT 6:30 PM**

PRESENT

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)

IN ATTENDANCE

Mr D G Ward (Chief Executive Officer)
Mr D M Clapperton (Strategic & Corporate Services Manager)
Mr M Tregonning (Property Officer)
Mr R R Nicholson (until 7.00 pm)
Mr P J T Shore (Facilities Assets Manager)(from 6.57 pm)
Mrs K J Corkill (Meeting Secretary)

ALSO IN ATTENDANCE

His Worship the Mayor, B J Duffy
Regional Councillor L Bailey (from 6.35 pm)
Ms C Carlyle (Support Officer)

MEDIA IN ATTENDANCE

Ms B Torrie ("Evening Standard")
Ms S Gillies ("Horowhenua Mail")(from 6.55 pm)

PUBLIC IN ATTENDANCE

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

APOLOGIES

There were no apologies recorded.

ANNOUNCEMENTS

Community Constable Chris Barclay, New Zealand Police

Community Constable Chris Barclay, New Zealand Police attending at 6.30pm to update the Board on Police issues.

Horizons Regional Council - Regional Councillor Lynne Bailey

Regional Councillor Lynne Bailey attending at 6.45pm to update the Board on any issues relating to Horizons Regional Council and the Foxton Community Board area.

The Chair advised that he wished to raise a property matter during the In Committee portion of the meeting.

CONFIRMATION OF MINUTES

Ordinary Meeting 23 March 2009 (Minute Items 404-409)

Resolved

(Allan / Roache)

"THAT the minutes of the Ordinary Meeting held on 23 March 2009, as submitted, be confirmed as a true and correct record."

MATTERS ARISING

- Item 406 Page 4 - Cr Hunt noted that Mr Rex Haimona had in fact attended to exercise his speaking rights but had waited outside the meeting.
Page 6 - Mr Ward undertook to circulate the requested breakdown of operating costs and revenue for the Pinewood Motor Camp for the last three years to Community Board Members by the end of the week.

As Community Constable Chris Barclay and Regional Councillor Bailey were not yet in attendance, the meeting continued with the next Agenda items.

RESOURCE MANAGEMENT

Item-412 Resource Consents Issued

File No 3919

Purpose

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

Resolved

(Roache / Allan)

"THAT Report 3919 be received."

Resolved

(Roache / Allan)

"THAT the list of Land Use and Subdivision Resource Consents be received."

Foxton Subdivision Resource Consents Granted Under Delegated Authority 13/03/09 to 07/05/09

| <i>Date</i> | <i>File Ref</i> | <i>Subdivider</i> | <i>Address</i> |
|--------------------|------------------------|----------------------------|-----------------------|
| | | <i>None in Foxton area</i> | |

**Foxton Land Use Resource Consents Granted Under Delegated Authority
13/03/09 to 07/05/09**

| Date | File Ref | Applicant | Address |
|-------------|-----------------|-----------------------------------|--|
| 27/03/09 | LUC/2753 | Allan & Gillian Cuthbertson | 264 Motuiti Road, Foxton/Himatangi Rural |
| 3/04/09 | LUC/2748 | Trevor & Mina Teal | 14A Robbie Street, Foxton Beach |
| 28/04/09 | LUC/2758 | Brian & Wendy Thistoll | 91 Seabury Avenue, Foxton Beach |
| 04/05/09 | LUC/2741 | Heidi Lutz (Emerald Hills Ltd) | 31 Palmer Road, Foxton Beach Rural" |

REPORTS

Item-413 Proposed Granting of Freedom Charter

File No 3924

Purpose

To inform the Foxton Community Board of initial community support to the granting of a Freedom Charter to 21 Supply Company based at Linton Military Camp and to advance discussions on the acknowledgement of their long involvement with the Foxton Community.

Resolved

(Roache / Gimblett)

"THAT Report 3924 be received."

Mr Clapperton spoke to this report acknowledging the work done by Mr Dennis Cole, Council's Special Projects Officer, in undertaking the research and compiling the report on this matter. He noted that this was a procedural matter with a protocol to be followed and did not he did not believe that Recommendation d. was in fact required.

The contribution to the community by 21 Supply Company over many years was acknowledged by the Chair and Cr Hunt, with the proposal being very much supported.

Resolved

(Roache / Hunt)

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

"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."

Horizons Regional Council

Regional Councillor Bailey was welcomed to the table. In her update, Reg Cr Bailey covered:

- Horizons LTCCP
This closed on Friday 8 May 2009. Hearing dates were 25, 27 and 28 May 2009, followed by deliberations. Adoption of the LTCCP was due by 30 June 2009. Reg Cr Bailey said this was a “no frills’ LTCCP which acknowledged the tough economic times.
- Flood & Drainage Scheme Annual General Meetings
Twenty one individual AGMs were held through the Region during April 2009, with a number being in the Horowhenua. Whilst turnout was low overall, those not entirely happy also had the opportunity to make further submissions to the LTCCP, where any issue would be considered by full Council.
- Foxton Beach Storm Surge Protection Works
This was close to completion, with remaining works likely to take until the end of May to complete. A number of positive comments had been received about the standard of the work, the professionalism of the contractors and the appearance of the storm-surge wall and banks.

A copy of Reg Cr Bailey’s comments is **attached** to the official minutes.

Cr Hunt commended Horizons on the handling of the whole Storm Surge matter, which had been done professionally and positively, with the community feeling much safer as a result.

Item-414 Foxton Waste Water Disposal Sites : Shortlisting

File No 3918

Purpose of the report

Foxton Community Board will recommend to Horowhenua District Council a short list of sites to be further investigated further and to be evaluated for the purpose of disposal of effluent from the Foxton Waste Water Treatment Plant.

Resolved

(Roache / Gimblett)

“THAT Report 3918 on Foxton Waste Water Disposal Sites - Shortlisting be received.”

Mr Nicholson spoke to this report, noted that this work originated from last year’s resource consent hearing. For Council’s next application it was required to investigate a number of sites.

Council started with a visit to each site and undertook a desktop assessment by staff and consultants. The assessment sheets were sent to all neighbours asking for their observations. The consultant’s report had the assessments updated to include the comments received.

If the Board and Council accepted the recommendation, all individual submissions would be upheld and five of the six sites mentioned in the petition would be discarded.

The shortlist includes:

- the immediate neighbour of the treatment plant with whom we have been negotiating;
- wetland adjacent to the site that would tie in nicely with what the Save Our River Trust is trying to do;

- One full scale option for land disposal under complete Council control. This would be the “Rolls Royce” option about which judgements about the realities of costs and benefits of lesser options could be made.

Council needed the three sites mentioned to stay in the mix, but officers saw no need to include any more than these three sites.

The next phase would be soil investigations that would determine feasibility of each site and lead on to estimates of cost. Then there would be further consultation before decisions were made.

After clarification on which three lots were identified, and concerns raised about viability, cost and location in relation to lot 10, it was:

Moved: Roache

Seconded: Murdoch

“That the shortlisted sites be:

- A wetland on the left bank of the Foxton Loop in the vicinity of the WWTP
- Land adjacent to the WWTP on Matararapa Island.”

Mr Nicholson expressed concern about the removal of Lot 10 from the mix as that was the only site over which Council had complete control. It could cause issues further down the track with Council running the risk of not being able to meet its obligations. He confirmed that other site options that arose would continue to be investigated and considered as the process progressed.

After further discussion on the issues raised, the previous motion was not supported and it was:

Resolved

(Hunt / Gimblett)

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

“THAT the shortlisted sites be

- *A wetland on the left bank of the Foxton Loop in the vicinity of the WWTP*
- *Land adjacent to the WWTP on Matararapa Island*
- *The inland portion of the reserve land north of Cousins Avenue, Foxton Beach.”*

CARRIED

Mr Roache recorded his vote against the motion.

Mr Nicholson reiterated that he would get more information on the three proposed sites and any others that came up. This would be a long process, perhaps three or more years, and there would be plenty of opportunity for further input before a final decision was reached.

Item-415 Council Resolutions relating to Foxton Community Board

File No 3920

Purpose

To inform the Board of resolutions that the Horowhenua District Council passed at its meetings on 1 April 2009 and 6 May 2009.

Resolved

(Roache / Allan)

“THAT Report 3920 be received.”

The Chief Executive Officer noted that the resolution for Item 1696 had been lost and should therefore be disregarded.

Item-416 Chief Executive Officer's Report

File No 3921

Purpose

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

Resolved

(Allan / Roache)

“THAT Report 3921 be received.”

The Chief Executive Officer addressed the Issues for Consideration in the Report, with further comments as required.

3a. Foxton Riverloop Playground

Cr Hunt queried if the equipment proposed also had a component for pre-school children as the inclusion of this had been part of the understanding with the community following a petition from Mrs Cook.

Mr Shore was not able to confirm a pre-school component, but understood to check with Council's Parks Assets Officer, Doug Tate; whilst Mr Vertongen said he had seen the plans and had confirmed with Mr Tate that there was a pre-school element in the design.

Issues were also raised about the impact on the playground if the proposed Multi Purpose Facility went ahead. Mr Clapperton noted competing issues in the area, with work also being undertaken on the River Loop. He confirmed that Boffa Miskell was very conscious of the linkages in the area and, whilst he did not think there would be an issue, he would check with them.

The Chair raised his concerns about excavation being proposed with his feeling being that, because of flooding issues, it would be better to be building the area up rather than excavating.

Because of the safety concerns in relation to the site, with any delay not being seen as critical, it was:

Resolved

(Allan / Hunt)

“THAT consideration of the proposed programme of works for the Foxton River Loop Playground be held over to the next Foxton Community Board Meeting (20 July 2009).”

It was requested that:

- previous resolutions in relation to this matter be checked;
- further information be provided on whether the proposed playground would have a component suitable for pre-schoolers; and
- any safety issues with regard to possible flooding of the site.

NOTED

3c. Usage of Foxton Pool for the 2008/2009 Season

The Pool staff was commended for the innovative ideas they had come up with the boost pool usage, with the “Fun Days” particularly noted.

3d. Foxton Beach Freeholding Account Submissions

Approximately 12 submissions had been received so far, most of which had been generally supportive. Submissions closed at the end of next week and it was anticipated there would be more submissions received by closing date.

The Chair suggested there would be a need for a further public meeting before the policy was adopted as this had been promised to the community.

It was noted that whilst this was being consulted on as part of the LTCCP process, it was separate but concurrent consultation and there would be no time pressures when it came to adoption.

3e. Remuneration for Community Board Members

Mr Ward thanked Community Board Members for taking the time to meet with representatives from the Hay Group. A review would take place in 2010/2011 around the time of the Annual Plan, particularly to take into account the workload that would accompany the District Plan Review.

Resolved

(Roache / Murdoch)

“THAT the Foxton Community Board acknowledges the elected member remuneration proposed for the 2009/2010 financial year.”

3f. Busy Bee Dairy and Rainbow Dairy Traffic Issues

Depending upon the response to the plans provided to the owner, work on the solution to the traffic issues at the Rainbow Dairy could begin within the next 3-4 weeks. Transit were quite happy with what was being proposed.

With regard to Board Members sighting the plans, the CEO suggested it would not be usual for these to come to the Board, particularly if the property owner was happy. However, he would circulate the plans for Board Members information.

3g. Forbes Road Subdivision Status

It was noted that the requested workshop to consider marketing strategies, etc, for this subdivision would be held at a future date.

NOTED

3h. Update on Foxton Amenities Project

Mr Clapperton advised:

- that the second meeting of potential stakeholders would be held next Sunday, 24 May 2009;
- possible design concepts would be presented, looking at what might be included in the complex and the amount of space that may be required;
- concept drawings for the particular site identified were being drawn up to test the feasibility of that location;
- the meeting would consider such things as design, governance, ownership, consents, suitability of the site;
- geotech work had been done on the site and it was looking good;
- discussions had been held with Horizons about what the issues of the site may be;
- any consent process would need the involvement of both Horizons and HDC;
- the whole concept was very visionary;
- there was very positive buy in for the concept from the community, although there were still some concerns;
- the Library Trust was very supportive of the process;
- DOC had only been engaged recently but were keen to listen to what was proposed;
- other groups, such as the Manawatu Estuary Trust, were also involved in the process.

The risk of flooding at the proposed site was raised as a concern. Mr Clapperton commented that the geotechnical work had been in relation to the sub-strata and its suitability as a building platform rather than flooding issues, which would still need to be considered. Consents would be required from Horizons and Council had Horizons' guidelines and would be working directly with Horizons' officers on all issues.

3i. Recycling Station Design

Mr Ward circulated copies of the proposed design and costings for the Recycling Station at Foxton (copies of which are **attached** to the official minutes). After discussion on design and cost, Mr Ward suggested an amendment to the recommendation (removing the words "approve the proposed final design for the Foxton Recycling Centre and...") so the matter could be progressed.

Resolved

(Vertongen / Hunt)

"THAT the Foxton Community Board request that the Chief Executive Officer to initiate a process that will allow this project to be commenced within the current financial year."

3j. Review of Manawatu River and Tributaries Navigation and Safety Bylaws 2004

The Chair noted that the River Loop was not mentioned anywhere in these Bylaws. He noted the speed limit should not exceed 5 knots, suggesting that every boat that

negotiated that area was infringing on that restriction. There were safety issues and it was felt that this limit should be lifted to accommodate river conditions.

Mr Ward said he would refer these concerns back to Mr Thomas and, in the interests of time, would circulate any response to Board members by e-mail so Council's submission could be signed off by the closing date of 29 May 2009.

Cr Hunt commented favourably on the fact that there were regulations in terms of the water area and suggested that use of jet skis at the river mouth also be taken into consideration as well as protection of the bird life at the RAMSAR site.

Reg Cr Bailey extended an invitation for representation from the Foxton Community Board to attend the hearing on this matter on 2 June 2009 at 7.00 pm at Horizons. She urged the Community Board to make a formal submission. Reg Cr Burnell was the Chair of the User Group and she felt attendance at the meeting would be very valuable.

Item-417 Foxton Community Board Monitoring Report to 18 May 2009

File No 3922

Purpose

To provide an update on the Foxton Community Board Monitoring Report to 18 May 2009.

Resolved

(Allan / Ellwood)

"THAT Report 3922 be received."

Page 77 Item 405 Foxton Beach Freeholding Account

It was requested that this item remain on the Monitoring Report with an updated clause that there be a public meeting held following the closing of submissions.

MOTION TO EXCLUDE THE PUBLIC

Resolved

(Allan / Roache)

"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 23 March 2009 In Committee (Minute Items 410-411)

Item 418 - Property Issues

Item 419 - In Committee Foxton Community Board Monitoring Report to 18 May 2009

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

7(2b) Protect information where the making available of the information-
(i) Would disclose a trade secret; or
(ii) Would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.

7(2i) Enable any local authority holding the information to carry out, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

7(2j) Prevent the disclosure or use of official information for improper gain or improper advantage.”

Resolved

(Allan / Hunt)

"THAT His Worship the Mayor be requested to remain in the meeting to take advantage of his knowledge in relation to Agenda items."

MEETING CLOSURE

There being no further business the meeting concluded at 8.15 pm.

CONFIRMED this day of

.....
Chairperson

REPORTS

Item-1726 Monitoring Report Horowhenua District Council to 1 July 2009

File No 3941

To: His Worship the Mayor and Councillors
Horowhenua District Council

From: Chief Executive Officer

Date: 1 July 2009

1. Purpose

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

2. Recommendation

- a. That Report 3941 be received.

Prepared

D G Ward
Chief Executive Officer

3. Attachments

- a. Monitoring Report to 1 July 2009

**MONITORING REPORT
HOROWHENUA DISTRICT COUNCIL**

| Meeting Date | Item No. | Item Description | Resolved | Responsible Officer | Date to Action by | Date Completed | Officer Comment |
|---------------------|-----------------|------------------------------|--|----------------------------|--------------------------|-----------------------|---|
| 28.11.02 21.8.02 | 2802 2918 | Hokio School Water Supply | 1) <i>Committee recommended to Council that this issue be negotiated with new Hokio A Trustees when they take up their appointments</i> 2) <i>Supply of water continue meantime</i> | D Ward | August 2009 | | The Chief Executive is still attempting to arrange an appropriate meeting time with the current Trustees of Hokio A Trust to discuss this and other related matters. We have also been in discussion with a fellow local authority with regard to their outstanding rates from these properties. If we fail in our ability to make contact with Hokio A Trustees in a reasonable period of time, we will not hesitate to pursue legal options. |
| 7.3.07 | 1182 | 63 Johnston Street, Foxton | <i>That the Council offer for sale to the adjoining owner at current market value.</i> | D Ward | August 2009 | | The Chief Executive and the prospective purchaser are currently negotiating an acceptable price for this property. |

| | | | | | | | |
|------------|-----------|---|---|----------------|---------------|-----------|---|
| 4 Feb 2009 | Item 1655 | Chief Executive Officer's Report to 4 February 2009 | <i>"THAT officers provide a report to Council on the viability of employing smaller contractors to maintain Parks and Reserves across the District."</i> | W Crockett | November 2009 | | A draft procurement strategy has been developed for the maintenance contracts. |
| 1 Apr 2009 | Item 1690 | Multi-Purpose Facility in Foxton | <i>"THAT Report 3893 on a multi-purpose facility in Foxton be received." "THAT the Joint Recommendation from Tangata Whenua in the Foxton Area and the Dutch Connection Museum Trust be received and the requirements in the recommendation noted."</i> | D M Clapperton | 30 June 2009 | | Project Steering Group established to prepare feasibility study and recommendation on proposed Foxton Multi-purpose facility by 30 July 2009. |
| 1 Apr 2009 | Item 1680 | Foxton Beach Freeholding Account - Strategy and Policy Document | <i>"THAT Report 3889 be received."</i> | D M Clapperton | 30 June 2009 | | Hearing of submissions will occur in Foxton on 6 July 2009. |
| 1 Apr 2009 | Item 1681 | Horowhenua Library Trust - Draft Statement of Intent 2009-2010 | <i>"THAT Council receives the draft Statement of Intent 2009/2010 from the Horowhenua Library Trust."</i> | D M Clapperton | 30 June 2009 | | Revised SOI received by Council from HLT. Was considered at meeting held on 26 June 2009. |
| 6 May 2009 | Item 1692 | Proceedings Kapiti Horowhenua Joint Regional Economic | <i>"THAT the Horowhenua District Council receive the minutes of the Kapiti Horowhenua Joint Regional Economic</i> | D M Clapperton | | Completed | |

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| | | Development Forum 4 March 2009 | <i>Development Forum held on 4 March 2009.</i> | | | | |
| 6 May 2009 | Item 1693 | Proceedings Hearing Committee 24 March 2009 | <p><i>“THAT the Horowhenua District Council receive the minutes of the Hearing Committee meeting held on 24 March 2009.</i></p> <p><i>“THAT the Horowhenua District Council resolve amendments to the Horowhenua District Council Traffic and Parking bylaw 2007 Parking Restrictions schedule, as recommended by the Hearing Committee</i></p> | M E Lepper | | Completed | |
| 6 May 2009 | Item 1694 | Proceedings Hearing Committee 2 April 2009 | <i>“THAT the Horowhenua District Council receive the minutes of the Hearing Committee meeting held on 2 April 2009.”</i> | P Shore | | Completed | |
| 6 May 2009 | Item 1695 | Proceedings Audit Subcommittee 17 April 2009 | <i>“THAT the Horowhenua District Council receive the minutes of the Audit Subcommittee meeting held on 17 April 2009.”</i> | D G Ward | | Completed | |
| 6 May 2009 | Item 1696 | Monitoring Report Horowhenua District Council to 6 May 2009 | <i>“THAT Report 3900 be received.”</i> | D G Ward | | Completed | |

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|------------|-----------|--|---|--------------|--|-----------|--|
| 6 May 2009 | Item 1697 | Community Assets Group 2009/10 Proposed Fees and Charges | <i>"THAT Council adopt the following proposed schedule of fees and charges for the Community Assets Group and allow ratepayers and residents to provide submissions on the proposed changes</i> | W Crockett | | Completed | |
| 6 May 2009 | Item 1698 | Moutoa Hall and Moutoa Recreation Reserve | <i>"THAT the Horowhenua District Council hereby proposes that the purpose of the Moutoa Reserve be changed from "Recreation" to "Local Purpose (Hall) Reserve" pursuant to Sec 24(1)(b) of the Reserves Act 1977 so to allow Council to accommodate activities of the Moutoa Hall Society Incorporated on the said reserve. <u>AND FURTHER</u> THAT Public Notice of the proposal, pursuant to Sec 24(2)(b) of the Reserves Act 1977 be given."</i> | M Tregonning | | | Statutory requirements to advertise intended use of this property have now been completed and have (at time of writing) been supportive of our proposal. |
| 6 May 2009 | Item 1699 | Application for funding - Levin Town Entrance Signs | <i>" THAT Council resolve to "apply for funding of \$11,151.12 (excluding GST) from the Horowhenua Community Trust for the upgrading of the Levin Entrance Signs"."</i> | D G Ward | | Completed | |

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| 6 May 2009 | Item 1700 | Alterations to Parking Restrictions - Civic Building Area | <i>"THAT Council resolve the following amendment to Schedule 2 of the Horowhenua District Council Traffic and Parking Bylaw 2004 -</i> | M E Lepper | | Completed | |
| 6 May 2009 | Item 1701 | Sale and Supply of Liquor and Liquor Enforcement Bill | <i>"THAT the officer support for the Local Government submission to the Justice and Electoral Committee in the matter of Sale and Supply of Liquor and Liquor Enforcement Bill, as provided, be confirmed."</i> | T Thomas | | Completed | |
| 6 May 2009 | Item 1702 | Strathmore Park Subdivision - Proposed Road Names | <i>"THAT the new road name for the Strathmore Park Subdivision (being a subdivision of Lot 1 DP 349466), as contained in Horowhenua District Council file number RS 1219 and illustrated on the Scheme Plan, be:</i> <ul style="list-style-type: none"> • <i>Islay Close for the street that goes off Williams Road."</i> | P Vorster | | Completed | |
| 6 May 2009 | Item 1703 | Minor Amendments to the Horowhenua District Plan | <i>"THAT the Council resolve that officers be authorised to make the following amendments and make updated copies of the Horowhenua District Plan available at the Public libraries and Council CS Centres:</i> | T Thomas | | Completed | |

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|------------|-----------|--|--|----------------|--|---|--|
| 6 May 2009 | Item 1704 | Liquor Licensing Matters from 21 January 2009 to 22 April 2009 | <i>"THAT the following Licences and Managers' Certificates, which have been granted or renewed under delegation, be ratified:</i> | D Hayward | | Completed | |
| 6 May 2009 | Item 1705 | Chief Executive Officer's Report to 6 May 2009 | <i>"THAT the submissions by officers in regard to proposed amendments of the Resource Management Act and Building Act be confirmed." "THAT Council acknowledges that Crs Shaw and Judd sit on the staff committee to review the current status of Maintenance Contracts." "THAT Council Remuneration for the 2009/2010 year continue to be distributed as for the 2008/2009 year."</i> | D G Ward | | Completed Completed Completed | |
| 6 May 2009 | Item 1706 | Documents Executed Under Seal and Electronic Transactions Authorities Signed | <i>"THAT the Horowhenua District Council ratify the affixing of the Common Seal of the Horowhenua District Council to the said documents and to the signing of Electronic Transactions as scheduled:</i> | D M Clapperton | | Completed | |

| | | | | | | | |
|------------|-----------|--|--|----------|--|-----------|--|
| 6 May 2009 | Item 1707 | Resource Consents Considered Under Delegated Authority | <i>“THAT the Land Use and Subdivision Resource Consents be received as listed:</i> | T Thomas | | Completed | |
| 6 May 2009 | Item 1708 | Survey Plans Approved by Delegated Authority Pursuant to Section 223 | <i>“THAT the following subdivisions approved under delegated authority and s223 of the Resource Management Act be noted:</i> | T Thomas | | Completed | |

Item-1727 Appointment of Commissioner for Resource Consent Hearings

File No 3953

To: His Worship the Mayor and Councillors
Horowhenua District Council
From: Environment and Regulatory Services Manager
Date: 1 July 2009

1. Executive Summary

a. Purpose of the report

To add one name to the list of the Councils approved commissioners for the purpose of resource management hearings.

b. Key issues

In October 2008 the Council approved a list of accredited commissioners from which the Chair of the Hearing Committee together with the Environment and Regulatory Services Manager could nominate one or more commissioners to act with full delegated authority on behalf of the council under circumstances specified in that report (Attachment A).

Officers have reviewed that list and believe that it would be appropriate to add one more name to that list, this person having been overlooked in the first instance.

2. Recommendation

- a. That Report 3953 on Appointment of Commissioner for Resource Consent Hearings 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 name of Paul Thomas be added to the list of approved Commissioners approved by the Council at its meeting of the 1st October 2008.

3. Context

a. Background

Paul Thomas is one of the Directors of Environmental Management Services Limited (together with Christine Foster) and is well known to planning staff having been one of the architects of the present District Plan and having acted as a commissioner for this Council previously (prior to accreditation requirements).

Officers have checked and can confirm that he is currently accredited and has accreditation to act as a chair of hearing as well.

| | Name and title of signatories | Signature |
|---|---|------------------|
| Prepared by | Tony Thomas Environment and Regulatory 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. | | |

4. Attachments

- a. Copy of Council report 3654

Subject: The Appointment of Commissioners for Resource Consent Hearings

File No 3654

To: His Worship the Mayor and Councillors
Horowhenua District Council

From: Planning Manager

Date: 3 September 2008

Purpose

To approve a list of Commissioners, with Ministry for the Environment (MfE) accreditation, from which Chair of the Hearings Committee (or the Deputy Chair) and the Manager Environment and Regulatory Services are authorized (in accordance with Council policy) to nominate persons to act as independent Commissioners, with full delegated authority to hear and determine resource consent applications as and when required.

Recommendation

That Report 3654 be received.

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

That in accordance with the provisions of Section 34A of the Resource Management Act the persons listed in Attachment B to this report are appointed, with full delegated authority, to hear and determine any applications under the Resource Management Act to the Horowhenua District Council as may be referred to one or more of them.

That the Chair of the Hearings Committee (or, in their absence, the Deputy Chair) together with the Manager Environment and Regulatory Services (or, in their absence, the Chief Executive) be authorized to nominate one or more of the persons listed in Attachment B to act as independent Commissioner/s in future Horowhenua District Council Resource Consent Hearings as required.

That the nomination of any such persons be subject to the Council policy on the use of independent Commissioners as contained in Attachment A.

Background

Attachment A contains Council policy for the appointment of Commissioners for Hearings under the Resource Management Act (Council Report 2179).

At the Council meeting dated 5 December 2007 (Report 3464 entitled: Plan Change no 17. Appointment of Commissioner for NZ wise Application, Tararua Road) it was resolved amongst other issues that "Identifying Commissioners available for appointment would also provide a bank from which Council could, in the future, draw commissioners when required."

Issues for Consideration

The Ministry for the Environment annually issues a list of persons that have participated in the accreditation training and have approval from the Minister to act as Commissioners in hearings. This report proposes that individuals from this list be delegated authority to act in future Resource Consent Hearings as Commissioners on being nominated to do so. The Council has previously approved a policy on when it is appropriate to use independent Commissioners and this will continue to form the basis on when the nomination of such persons is appropriate.

Sections 34 and 34A of the RMA provide for delegations (Attachment C). Those provisions exclude the authority to delegate in itself and consequently the Council cannot delegate authority to appoint Commissioners to the Hearings Committee or officers.

It is therefore proposed to delegate the full necessary authority to a list of Commissioners to hear and determine applications as and when necessary. It is further proposed to authorise the Chairperson or Deputy of the of the Hearings Committee and the Manager Environment and Regulatory Services, and/or Chief Executive, to nominate one or more persons on the list to act as appropriate for any particular application. This will alleviate the need for Councillors to appoint commissioners every time there is a need to use an independent Commissioner/s.

Consultation/Significance/Statutory Compliance

District Plan

There is no consultation required for this purpose although it may be appropriate for the Council to review the list of delegated persons from time to time to add or delete persons from that list.

Council Policy

The Council has an existing policy on when it is appropriate to make use of independent Commissioners in the event that it is necessary. The default position is that the Hearings Committee should hear all applications unless it is inappropriate for any of the reasons set out in the policy.

Conclusion

That the approval of a list of accredited Commissioners with full delegated authority to hear and determine any applications referred to one of more of them will expedite hearings processes and avoid the necessity of seeking a full Council resolution every time a Commissioner may be needed.

Please note that we have included the Commissioners with delegated authority from both Palmerston North City Council and Horizons Regional Council in Attachment B. The reason for this inclusion is to make sure that these Councillor's also have delegated authority from Horowhenua District Council (HDC) should they be required to act in a joint hearing with HDC.

| | Name and title of signatories | Signature |
|---|--|------------------|
| Prepared by | P Vorster Planning Manager | |
| <u>Confirmation of statutory compliance</u> | | |
| 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. | | |
| Approved by | T Thomas Environmental and Regulatory Services Manager | |

Attachments

Guidelines for the appointment of Commissioners for hearings under the resource Management Act.

Minister for the Environment Accredited Commissioners for Hearings.

Section 34 and section 34(a) of the Resource Management Act 1991

Guidelines for the appointment of Commissioners for Hearings under the Resource Management Act.

"THAT Option One in Report 2179 be adopted with the following guidelines in the consideration of whether it is appropriate for officers, in consultation with the Chairperson of the Hearings Committee, to appoint a commissioner/s for any Hearings under the Resource Management Act.

1. *Where the Council is the owner of any property which is the subject of any application under the RMA.*
2. *Where the Council is the owner of any property in the vicinity of an application site where it is considered that the property may be materially affected in any environmental way by the approval or otherwise of the application.*
3. *Where the Council may be the financial beneficiary of the approval of any application excepting that benefit which may arise in the normal course of events including:*
 - *rates revenue*
 - *financial/development contributions*
 - *vesting of roads and/or reserves*
4. *Where the time likely to be consumed by the Hearings is likely to exceed 4 hours (this would be relevant to hearings likely to run for a full day/s for example where it may not be practical for all members to be available for the whole Hearings (noting that members taking part in the decision need to have been present for the whole Hearings).*
5. *Where the nature of an application is of such complexity that a Commissioner with specialised expertise is justified - e.g. mobile phone site applications used to get technically confusing for just about everyone involved.*
6. *Where the applicant has specifically requested the use of an independent commissioner (to be at their expense)*
7. *Where a quorum of the Hearings Committee cannot be available for a particular date requested by an applicant.*

If a Commissioner is considered appropriate then there may be some justification in considering whether more than one commissioner is appropriate and any criteria for this. Normally this would be done if for example there was particular areas of expertise needed - e.g. law, engineering etc.

With regard to costs, while a commissioner is likely to have a lower hourly rate than the cumulative remuneration for the Hearings Committee they are likely to aggregate more time overall writing their own decisions and so on. In any events costs should not be a criterion for consideration unless the applicant has asked for a commissioner (which the Council does not have to accede to)."

ATTACHMENT B:

| Certificate name | Position | Organisation or company | Area of practice | Field of expertise | Certificate expiry date | Chairing endorsement |
|-------------------|---|-----------------------------------|------------------|---|-------------------------|----------------------|
| Alistair Aburn | Independent Commissioner | Urban Perspectives Ltd | | | 31 December 2008 | |
| Allan Baldock | Independent Commissioner | | Nation wide | Water takes, discharges, hydro power schemes, ecology, coastal subdivision, regional council activities | 31 July 2009 | |
| Bruce Baker | Planning Consultant | Beca Carter Hollings & Ferner Ltd | | | 31 December 2009 | |
| Bruce Graham | Independent Commissioner | Graham Environmental | Nation wide | Air quality, waste management | 31 July 2009 | |
| Bryce Julyan | Consultant (Prospective Independent Commissioner) | Beca Carter Hollings & Ferner Ltd | Auckland | Planning | 31 December 2009 | |
| Caroline L Miller | Independent Commissioner | Massey University | | | 30 June 2011 | |
| Chris Mitchell | RMA / Local Govt Lawyer | Mitchell Law | Nation wide | Resource management and local government law | 31 December 2008 | |
| Chris Shenton | Independent Commissioner | | | | 31 December 2008 | |
| Christine Foster | Independent Commissioner | EMS Limited | | | 30 June 2013 | Yes |
| Clive Anstey | Landscape and Resource Planner | | | Landscape planning and design, forestry and ecology | 30 June 2013 | |

| | | | | | | |
|-----------------------------|--------------------------|------------------------------------|-----------------|--------------------------------------|------------------|-----|
| David Bridges | Independent Commissioner | Good Earth Matters Consulting Ltd | | | 31 July 2009 | |
| David Forrest | Independent Commissioner | Good Earth Matters Consulting Ltd | | | 31 July 2009 | |
| David McMahon | Independent Commissioner | Resource Management Group Ltd | | | 30 June 2013 | |
| Dinah Williams | Consultant | | | | 30 June 2013 | Yes |
| Doug Arcus | Independent Commissioner | Arcus Consulting | | | 30 June 2013 | Yes |
| Frank Boffa | Independent Commissioner | Boffa Miskell Ltd | National | Landscape planning, landscape design | 30 June 2013 | |
| Helen Tobin | Independent Commissioner | | Wellington area | Planning | 30 June 2013 | Yes |
| Ian Kenneth Grant Boothroyd | Independent Commissioner | Kingett Mitchell Ltd | | | 31 July 2009 | |
| Jeff Jones | Independent Commissioner | Environment Bay of Plenty | | | 31 December 2008 | |
| Jenni Vernon | Independent Commissioner | JJ Consultants Ltd | | | 30 June 2013 | Yes |
| Jenny Harrison | Senior Planner | Opus International Consultants Ltd | | | 31 July 2009 | |
| Jo Rosier | Planner | Massey University | | | 31 July 2009 | |
| Joanna Ross | Independent Commissioner | Opus International Consultants Ltd | | | 31 July 2009 | |
| Joanne Lewis | Planning Consultant | Lewis Consultancy Ltd | | | 30 June 2011 | |

| | | | | | | |
|------------------------|--------------------------|--|--------------------------------------|--|------------------|-----|
| John Hudson | Independent Commissioner | Hudson Associates Landscape Architects | | | 31 December 2009 | |
| John Maassen | Lawyer | Cooper Rapley Ltd | | | 30 June 2013 | Yes |
| Judith Roper-Lindsay | Senior Ecologist | Boffa Miskel | Nation wide | | 30 June 2011 | |
| Justine Bray | Independent Commissioner | Opus International Consultants Ltd | Auckland, Nation wide | Planning, designations, social impact assessment | 31 July 2009 | |
| Lindsay Robert Burnell | Councillor* | | | | 31 July 2009 | |
| Lorraine Stephenson | Independent Commissioner | Horizons Regional Council | | | 31 December 2008 | |
| Noreen Barton | Independent Commissioner | Environmental Management Services Ltd | Nation wide | Planning | 30 June 2013 | Yes |
| Paul Blaschke | Consultant | Blaschke & Rutherford | Wellington based; working nationally | Ecology and conservation, environmental sciences, soil and water | 31 December 2009 | |
| Paul Cavanagh | Queens Counsel | Shortland Chambers | New Zealand wide | Resource management and local government law, chairmanship, broad understanding of issues before hearings panels | 31 December 2009 | |
| Philip Milne | Independent Commissioner | Simpson Grierson | | | 31 December 2008 | |
| Richard Heerdegen | Independent Commissioner | Earthplan Consultants | | | 30 June 2013 | |
| Robert | Independent | Boffa Miskell | Nation wide | Planning | 30 June | Yes |

| | | | | | | |
|------------------------|--------------------------|-------------------------------|--|--|------------------|-----|
| Schofield | Commissioner | Ltd | | | 2013 | |
| Robert van Voorthuysen | Independent Commissioner | EMS Limited | Nation wide | Regional council focus (consents and plans), also district plan changes and notices of requirement | 30 June 2013 | Yes |
| Roger Lane | Independent Commissioner | | Wellington, Wairarapa and Manawatu Regions | Civil engineering | 31 July 2009 | |
| Roni Fitzmaurice | Independent Commissioner | | Horizons Region (Manawatu-Wanganui Region) | Water abstraction and discharges to land and water | 30 June 2013 | |
| Stuart Kinnear | Independent Commissioner | Stuart Kinnear Consulting Ltd | New Zealand wide | District and regional plans and consents, subdivision and land use planning | 30 June 2013 | |
| Terry Brown | Independent Commissioner | North Shore City Council | | | 31 December 2009 | |

ATTACHMENT C



Statutes of New Zealand

Resource Management Act 1991

34 Delegation of functions, etc, by local authorities

- (1) A local authority may delegate to any committee of the local authority established in accordance with the [Local Government Act 2002] any of its functions, powers, or duties under this Act.
- (2) A territorial authority may delegate to any community board established in accordance with the [Local Government Act 2002] any of its functions, powers, or duties under this Act in respect of any matter of significance to that community, other than the approval of a plan or any change to a plan.
- [(3) Subsection (2) does not prevent a local authority delegating to a community board power to do anything before a final decision on the approval of a plan or any change to a plan.]
- (4) *Repealed.*
- [(5) *Repealed.*]
- (6) *Repealed.*
- (7) Any delegation under this section may be made on such terms and conditions as the local authority thinks fit, and may be revoked at any time by notice to the delegate.
- (8) Except as provided in the instrument of delegation, every person to whom any function, power, or duty has been delegated under this section may, without confirmation by the local authority, exercise or perform the function, power, or duty in like manner and with the same effect as the local authority could itself have exercised or performed it.
- (9) Every person authorised to act under a delegation under this section is presumed to be acting in accordance with its terms in the absence of proof to the contrary.
- (10) A delegation under this section does not affect the performance or exercise of any function, power, or duty by the local authority.

[34A Delegation of powers and functions to employees and other persons

- (1) A local authority may delegate to an employee, or hearings commissioner appointed by the local authority (who may or may not be a member of the local authority), any functions, powers, or duties under this Act except the following:
 - (a) the approval of a policy statement or plan:
 - (b) this power of delegation.
- (2) A local authority may delegate to any other person any functions, powers, or duties under this Act except the following:
 - (a) the powers in subsection (1)(a) and (b):
 - (b) the decision on an application for a resource consent:
 - (c) the making of a recommendation on a requirement for a designation.
- (3) *Repealed.*
- (4) Section 34(7), (8), (9), and (10) applies to a delegation under this section.
- (5) Subsection (1) or subsection (2) does not prevent a local authority delegating to any person the power to do anything before a final decision on a matter referred to in those subsections.]

Item-1728 Results of Consultation on Beach Water Supply Proposals

File No **3947**

To: **His Worship the Mayor and Councillors
Horowhenua District Council**

From: **Manager - Community Assets**

Date: **1 July 2009**

1. Executive Summary

a. Purpose of the report

To enable Council consider the submissions on the proposed water supplies for Waikawa Beach, Waitarere Beach and Hokio beach and authorise staff to proceed with them as per the recommendations below.

b. Key issues

The key issue is the level of public support for the proposed supplies and this is derived from the perceived public health risk and affordability of the schemes. There is considerable government funding for capital costs, but not for ongoing maintenance and operation.

2. Recommendation

- a. That Report 3947 on Master Meeting Standard Horowhenua District Council 1 July 2009 be received.
- b. That this matter or decision be recognised as significant in terms of s76 of the Local Government Act 2002.
- c. That the Chief Executive Officer and the Manager - Community Assets be requested to present the results of the submissions on community water reticulation schemes to their respective residents and ratepayer association groups at Waikawa, Manakau, Hokio and Waitarere for further discussion.
- d. That Council instructs the Chief Executive to carry forward unspent funds, from the \$100,000 budget identified in the 2008/09 Annual Plan for Investigation into new water supplies (Representation and Governance), into the 2009/10 financial year, for the purpose of assisting in decision making associated with community water supplies.

3. Context

a. Background

The 2009/19 LTCCP process was used as a 'consultation vehicle'. Separate from the LTCCP documentation, a brochure was sent to the owners of all affected residences and

this included information on health risks, subsidy, options and costs. The LTCCP submission form did include a section asking for yes/no feedback on pursuing subsidies for these water supplies.

4. Description of Submissions Received

Submissions were received as follows:

Waitare Beach Water Supply.

| Submission Number | Name of submitter | Nature of Submission |
|-------------------|-------------------|---|
| 6 | Charles Wallis | Support. Should proceed ASAP to get subsidy. |
| 19 | Torsten Baker | Oppose. Cheaper to boil or filter @ POU*. No benefit demonstrated. |
| 27 | J & J Harrison | Oppose. Cost excessive & most bachs used only 60 days pa. |
| 41 | C & M Starr | Oppose. Levin short of water. POU filters enough. Will not connect. |
| 57 | Anthony Peterson | Support. Bore water supply dodgy and extensive treatment does not work. |
| 67 | Bill Lennox | Oppose. No evidence of health issues. Recommend HDC monitor bore and rain water. Would support subsequent moves – not necessarily reticulate.. |
| 76 | V. J. Warwick | Oppose. POU filters in place; Levin supply short & tastes bad. |
| 79 | Dennis Hunt | Support. Would like to see the design 'value engineered'. At the hearing, Mr Hunt expressed that he was keen to work with the Waitare Community. He highlighted the improvement in health regards life expectancy due to treated water supply. In some areas it is felt the increase in life expectancy is related to water supply rather than medical improvements. The advantage of a new scheme is that it could be built to meet modern needs, for example, potable water being separate from other water need systems. Also, the scheme proposed could be made more affordable if it was staged. |
| 81 | Cecillia Dodson | Oppose. Dislike taste of chemically treated water. Cost prohibitive. Connection cost prohibitive. Driven by developers & camps. Tankers reliable. |
| 84 | Ron Gibbard | Support. Subsidy big opportunity. More bores means salt water intrusion possibility. Ohau consent limit not being reached. May save other expenses. |
| 86 | Edward Butters | Oppose. Water promised 20 yrs ago but did not happen. Upgraded tank etc which has worked fine. No problems. |
| 87 | George Butters | Oppose. Own tank and bore for holiday home. People on town supply use more water & this will put pressure on sewerage. |
| 90 | Eunice Daly | Oppose. Too costly. Not aware of illnesses from tanks. |

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| 91 | G & E Burr | Oppose. At the hearing Mr Burr stated he has a supply which is better than what council can provide and referenced the Masterton supply grading being 'E' which is not potable. |
| 94 | Wayne Lowther | Oppose. Bore and tank sufficient. Uniqueness would be compromised by reticulation. Less conservation of water. Levin water needs filtering. Why change what works. |
| 98 | Jim Waters | Support. Roof supplies contaminated. Desirable to take subsidy opportunity. New subdivision may put pressure on bore supplies. Could consider tanks irrespectively. Will backflow preventers be required? |
| 111 | Kerry Lints | Not clear. Cost unreasonable. Consider graduated approach to cost increases. |
| 130 | Jennifer Walton | Oppose. No advantage. |
| 132 | Dr Cathy Downes | Oppose. Owners don't have funds. Water never guaranteed – still need tanks. |
| 133 | Max Pederson | Support. |
| 134 | Barry Stone | Not clear. Water short in Horowhenua. Where will water come from? |
| 139 | Dr T Field | Oppose. Cost exorbitant. High water demand for garden water in sand country. Suggest install meters district wide. |
| 140 | Lawrence Daly | Oppose. Cost too high. Not aware of illness from tank supplies. Previously abandoned idea - what has changed? Levin needs to boils water. |
| 141 | D & J Brandon | Oppose. Cost unaffordable. Health benefits not demonstrated. Do not support upgrade to more urbanized environment. |
| 150 | Mrs M Thompson | Oppose. |
| 155 | Carolyn Seal | Oppose. Non-resident. Individual supplies adequate. Levin supply not adequate to handle additional demand. |
| 158 | D & C Cree | Oppose. Supermarket water cheap. Erecting a warning sign far cheaper. Cost of proposal high. |
| 173 | Dean Harris | Not clear - probably support. No water is 3 rd world standard. |
| 185 | Daniel Lang | Not clear - probably oppose. Would not connect; roof water sufficient. |
| 195 | N & J Harre | Support. Asks that a representative group of positive residents be involved at all stages. At the hearing, the submitter stated that they were keen to talk about and be part of any group that wanted a beach supply and would be keen to be part of a beach supply representative group. |
| 201 | Anna Hanson | Not clear. Already have water costs, incl \$200pa + for tankered water. |
| 204 | Greg Cvitanovic | Not clear. Awaiting sickness evidence. Feels cost too high. |
| 214 | Gordon Whitlock | Oppose. Reticulated water of no use. |
| 246 | S MacNamara | Oppose. There isn't a problem. |
| 247 | Les Kovesoi | Oppose. Already have adequate water. |

| | | |
|-----|-----------------|--|
| 257 | Lorraine Owen | Oppose. Rainwater sufficient. No health problems. Extra cost not wanted. |
| 265 | Murray Horn | Opposed. |
| 266 | Fiona Moran | Opposed. Want a referendum. Levin water sub-standard. |
| 267 | Richard Katon | Not clear. Propose roll over rates & give time to consider. |
| 268 | Emma Woods | Not clear. No means to pay. |
| 323 | Mr R Di Leva | Oppose. Cost not needed - more pressing uses. Tank & bottled water OK. No health problems. Bach character includes tank. Reticulated water triggers unwanted development. Sunk tank costs. Should fund through existing rates or not at all. |
| 325 | Mrs N Jeffries | Oppose. Should plan for self sufficiency of communities. Town supply not adequate. Health argument weak. |
| 327 | G & D Aitchison | Opposed. Roof water healthy & sustainable. Levin water needs boiling. Expect global warning to make tanks more the norm. |
| 342 | D & H Ross | Opposed. |
| 344 | J & R Soulbrey | Opposed. |
| 379 | Marion Fletcher | Not clear. |

Hokio Beach Water Supply.

| Submission Number | Name of submitter | Nature of Submission |
|--------------------------|--------------------------|--|
| 16 | EM Thompson | Unclear. Non-resident. Water expensive and unwanted by majority of residents. |
| 155 | Carolyn Seal | Oppose. Non-resident. Individual supplies adequate. Levin supply not adequate to handle additional demand. |
| 226 | Justin Stevens | Oppose. Rainwater adequate. Town water smells bad. Should encourage use of water tanks in rural areas. Can't afford. |

Waikawa Beach/Manakau Water Supply.

| Submission Number | Name of submitter | Nature of Submission |
|--------------------------|--------------------------|--|
| 18 | Henry Ford | Support. Prefers Option 1 - pipe from Levin. |
| 21 | M.R. Carter | Oppose. Beach. No health or quantity problems with tank water. No desire to pay. |
| 37 | Victor Walker | 'Strongly support'. Need to secure government funding while it is available. Prefer option 1 then option 3. |
| 48 | Ms V. Harrod | Oppose. Beach. Unaffordable. |
| 78 | J.H & V.G Jenkins | Oppose. Beach Road. Own bore; no water restrictions, no need to boil, \$800pa does not include plumbing. Cost a problem. |
| 88 | Gary Drake | Oppose. Beach. Has a bore. Reticulated supply a waste of money. |

| | | |
|-----|--------------------|---|
| 99 | John Andrews | Oppose. Beach. Unfair burden on Horowhenua ratepayers due to uniform water rate proposed. Suggest affected residents only should speak to respective supply issue. |
| 104 | Barry Brown | Oppose. Beach retirement plans. Intend to install own treatment. Income limited during retirement. |
| 113 | Bernard Doyle | Not clear. Manakau. Increase in service only justification for increase in charges. |
| 131 | Rosalie Blake | Oppose. Manakau. Unnecessary and costly. |
| 152 | Mr B Clarke | Oppose. Beach. Not required. Abandon "Nanny State". |
| 155 | Carolyn Seal | Oppose. Beach Road. Individual supplies adequate. Levin supply not adequate to handle additional demand. |
| 156 | Mrs L Mackie | Oppose. Beach Road. No health issues with tank/bore water. Town water needs to be boiled. Cost a problem. Septic tanks may not cope. Roof water eco friendly. |
| 157 | Rachelle Calkoen | Not clear. Manakau. Low rates past attraction. Used to no town water. Can't afford proposal. |
| 183 | Terrence Catley | Oppose. Manakau. Do not equalize rates. |
| 223 | Ngairie Hunter | Not clear - probably oppose. Beach. None of options sustainable. Levin water not good - needs boiling. Tanks better. |
| 242 | David Butel | Oppose. Beach. Big investment in rainwater systems - which taste better. Additional cost unwanted. Potential overload of wastewater systems. |
| 243 | J & T Veltman | Oppose. Beach. Levin short of water and needs to be boiled now. Waikawa Stream too small. Bore water will be foul. Amalgamate with Manawatu & build big storage lake. |
| 260 | Capt. J. A Brown | Oppose. Beach. Levin water interruptible & needs boiling. No health issue with own water. A few bugs help build up immunity. |
| 269 | Liz & Peter Duncan | Oppose. Beach. Satisfied with current supply. Cost makes worse off. |
| 271 | S Clarke&C England | Oppose. Beach. Mostly holiday homes. Cost too high. Happy to take responsibility for own supply - health risk minimal. Conservation important. No provision for wastewater problem that would be created. |
| 274 | John Morris | Oppose. Beach. No health problems. Climate produces adequate rainfall; forecast is for more. Primarily bachs - not same services needed as for permanent occupation. |

| | | |
|-----|--------------------------------------|---|
| 289 | E Wyatt & P Berrett | Oppose. Beach. No ill effects from own resources. Unnecessary and comes at a cost. |
| 290 | Waikawa Beach Ratepayers Association | Oppose. Beach. Consulted 65% of ratepayers. Waste of money to study further. Reticulation costly and not sustainable. Will give rise to need for wastewater reticulation. At the hearing the CE gave an assurance that a copy of all submissions and responses relating to beach supplies would be made available to the public. The WBRA are not keen on growth as stated in Feb 08 when the development plan was being discussed. |
| 312 | GL Lucinsky | Oppose. Beach Road. Cost/affordability a problem. Not needed/wanted. |
| 313 | PA Lucinsky | Oppose. Beach Road. Cost/affordability a problem. Not needed/wanted. |
| 315 | S Ferguson & D Coombes | Oppose. Beach. No requests from beach. MoH driven on basis visitors may suffer illness. Visitors/others have option to bring their own bottled/other water. Take plans no further. |
| 316 | Sherree Bishop | Oppose. Manakau. Investment in water already. Cost exorbitant. |
| 322 | D & P Bright | Oppose. Beach. Rainwater/delivered water OK. Better taste and for washing. Cost to fill tank once or twice each year is little compared to proposed cost. |
| 324 | Hayden Smith | Oppose. Manakau. Investment in own systems; paying again unacceptable. How would Council pay for cost if nobody connected? Plans rushed an ill-conceived. |
| 354 | John Hewitson | Oppose. Levin supply near capacity. Waikawa River runs low. Bore water in Waikawa area not thought to be suitable for the household. |
| 355 | Helen Hewitson | Currently have a sustainable supply that requires continual maintenance and costs a lot of money. Would not want to buy into something else that costs a lot. |
| 369 | R & L Walker | Oppose. Beach. |
| 397 | B & B Smith | Oppose. Beach. |
| 418 | Jill & Allan Griffiths | Oppose. Manakau |

* POU - Point of use

Interest in these proposed supplies arose through the availability of subsidy for the capital cost.

Council has not considered them in any formal way until now, and has no policy relating to them. The Ministry of Health supports community based systems and the availability of the subsidy reflects that support.

b. LTCCP

The proposal is consistent with the LTCCP.

c. Significance

The projects are significant and appropriate consultation has been undertaken.

d. Legal Issues

Nil.

e. Approach

Consideration of the above submissions meets the requirements of section 79 to 82 of the LGA.

Analysis of Submissions Received

Submissions have been grouped by supply proposal above and are analysed as a group below, noting any patterns.

Waitarere Beach Water Supply proposal

46 submissions were received regarding this proposal. 7 submissions were clearly in favour, 9 were unclear and 30 were clearly opposed.

The submissions in favour mentioned concerns and observations with existing arrangements including poor quality groundwater, salt water intrusion, the Levin supply is not fully utilized, contaminated roof supplies and pressure on groundwater from subdivisions. They generally thought the subsidy was a good opportunity.

The unclear submissions mentioned concerns including cost, uncertainty about where the water would come from, that the absence of a reticulated water supply was third world standard and the absence of evidence of sickness. Some suggested deferring the matter to allow more consideration and/or considering a graduated approach to cost increases.

The submissions opposed mentioned concerns and observations including excessive cost of proposal, existing systems being adequate, the Levin supply runs short & tastes bad, the health benefits of the proposal not being demonstrated and reticulation leading to excessive use of water.

Submissions indicate that a reasonable proportion of the community support the proposal and, perhaps, a greater proportion are opposed, but as the majority of ratepayers have not submitted, the results are somewhat inconclusive.

On 26 May 2009, Council officers became aware that there is a 'fledgling group' in the community establishing itself to consider this matter in more detail. The group had its first meeting on 2 June 2009. They appear to be in support of the proposal and want to 'survey' the community - perhaps in a similar way to as happened at Hokio Beach. Mr Fred de Jaeger of Waitarere Beach is leading the group and this was acknowledged by the Mayor when Mr de Jaeger attended Council's LTCCP deliberations meeting on 11 June 2009.

Hokio Beach Water Supply Proposal

3 submissions were received; 1 unclear and 2 opposed. The unclear submission and one of the opposed submissions appear to be from submitters not resident at Hokio Beach.

The non-resident opposed suggested that the Levin supply was not adequate to handle the additional demand. The resident opposed said that town water smells bad and Council should encourage the use of water tanks in rural areas and affordability was a problem.

The Hokio proposal is being led by the Hokio Community Water Committee (HCWC) and the only reason Council has consulted on this matter at this time is that there is a potential slight extra water rate burden on larger communities if the rates equalization proposal occurs and the HCWC decides it wishes to vest the water supply with Council to maintain and rate for. Council's only other role in the Hokio water proposal at this time is to provide help where this is asked for by the HCWC. Officers have been advised that the HCWC has surveyed every household that would be connected and about 65% were in support of the proposal.

Council having only received three submissions (and only one from a Hokio resident) indicates that the Hokio Community either doesn't care about this matter (unlikely), or they feel that the matter is being handled adequately by the HCWC and things are proceeding as they would like (more likely). The lack of feedback, specifically associated with the Proposed Hokio Water Supply, expressing any concern about 'cross subsidy' as a result of rates equalization, indicates a lack of concern, among the wider community, about this aspect.

Waikawa Beach/Manakau Water Supply

32 submissions were received, including one from the Waikawa Beach Ratepayers Association. 2 submissions were in support (of Option 1), 3 submissions were not clear as to support or opposition and 28 were opposed to the proposals.

Concerns from those opposed were similar to those opposed to the Waitarere supply.

Unlike Hokio and Waitarere, there have been no individuals or groups who are expressing interest in volunteering to lead or participate in further work on the proposals, or some equivalent. The vast majority of residents submitting on this matter are against a reticulated water supply and this is likely to be the balance of opinion in the community.

g. Options

The recommendations above meet the aspirations of the communities in question.

h. Costs

Costs will be within the (carried over) budgetary provision.

4. Conclusions

a. The preferred option(s)

Council will support the existing group at Hokio and the newly formed group at Waitarere, and will take no further the proposal for Waikawa.

b. Impact on Council Policy

No impact.

c. Impact on taking a sustainable development approach

The provision of support to community groups will contribute to social, economic and cultural well-being and the ultimate outcome may well assist in the provision of the reasonably foreseeable needs of future generations.

d. Need for further consultation

Council officers will communicate with the community group leaders and report to council if the proposals develop.

| | Name and title of signatories | Signature |
|---|--|------------------|
| Prepared by | BH Austin Manager-Community Assets | |
| <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 | David Ward Chief Executive | |

Item-1729 Waitohu Valley Road - Manakau South Legalisation of Road Realignment

File No 3932

To: His Worship the Mayor and Councillors
Horowhenua District Council

From: Property Officer

Date: 1 July 2009

1. Executive Summary

a. Purpose of the report

To seek Council approval to the required action being taken to legalise the new improved road alignment by agreeing to acquire the necessary pieces of private land, by giving notice to the stopping of the four (4) areas of road reserve not now required and to the disposal of same.

b. Key issues

The physical works of realigning Waitohu Valley Road, towards the southern end, was the subject of a report by the Roading Manager in June 2003 and Council was advised that there would be a need to purchase several pieces of private land and that certain parts of the legal road reserve would no longer be required.

Now that the physical works have been completed the formal legalisation matters need to be completed.

2. Recommendation

a. That Report 3932 on Waitohu Valley Road 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 Horowhenua District Council hereby authorises the required action being taken to legalise the current alignment of Waitohu Valley Road where it has been formed outside the present legal road reserve

AND FURTHER

That pursuant to Section 342 and the Tenth Schedule to the Local Government Act 1974 public notice be given of the proposal that the four (4) sections of road shown on the plan attached as nos 2, 5, 7, 9 be stopped, as they are not required in the upgraded realignment of the road, and disposed of pursuant to Section 345 of the said Act.

AND FURTHER

That the balance sixteen (16) sections on the Plan be acquired.

3. Context

a. Background

Council's Roding Manager, in June 2003, reported to Council regarding certain road widening and construction works proposed to improve the road alignment and that there would be a need to purchase several pieces of private land and that certain parts of the legal road reserve, no longer required, could be stopped.

The roading improvements have been carried out progressively with the works and costs being provided for within the annual roading budgets. Now that the works have been completed survey plans have been prepared so that legalisation of the new alignment can be completed.

Costs of the legal work necessary to finalise this project is provided for within the roading budget.

b. LTCCP

The proposal is consistent with the LTCCP.

c. Significance

The Manager - Community Assets, a Senior Officer of Council has considered this matter and concludes that it is not significant in terms of s76 of the Local Government Act 2002.

d. Legal Issues

Section 342 and the Tenth Schedule to the Local Government Act 1974 sets out the procedures to be followed when a local authority wishes to stop any road or part thereof in the district, which includes sending a copy of the proposal to the Minister of Lands for his prior consent to such proposal if the subject road is in a rural area.

Section 345 of the same Act provides for the disposing of the land not now required.

Schedule 10.2 of the Local Government Act 1974 provides that public advertising of Council's resolution stated in 2C above is required following the receipt of the Minister of Land's consent.

e. Approach

The owner of the adjoining land affected was consulted by staff before any work began and all access to his property and the realignment was agreed to. The Roding Manager would like it recorded that the owner of the adjoining land, Mr Simon O'Rourke, has been most accommodating throughout the time of the works being carried out.

The formal advertising of the road stopping proposal gives the public the opportunity to make formal submissions if desired.

If no objections are received to the road stopping Council may by public notice declare that the road, or parts thereof are stopped, whereas if objections are received Council must make a decision to allow them or not. If Council does not allow the objections the proposal, with objections, must be sent to the Environment Court for a decision.

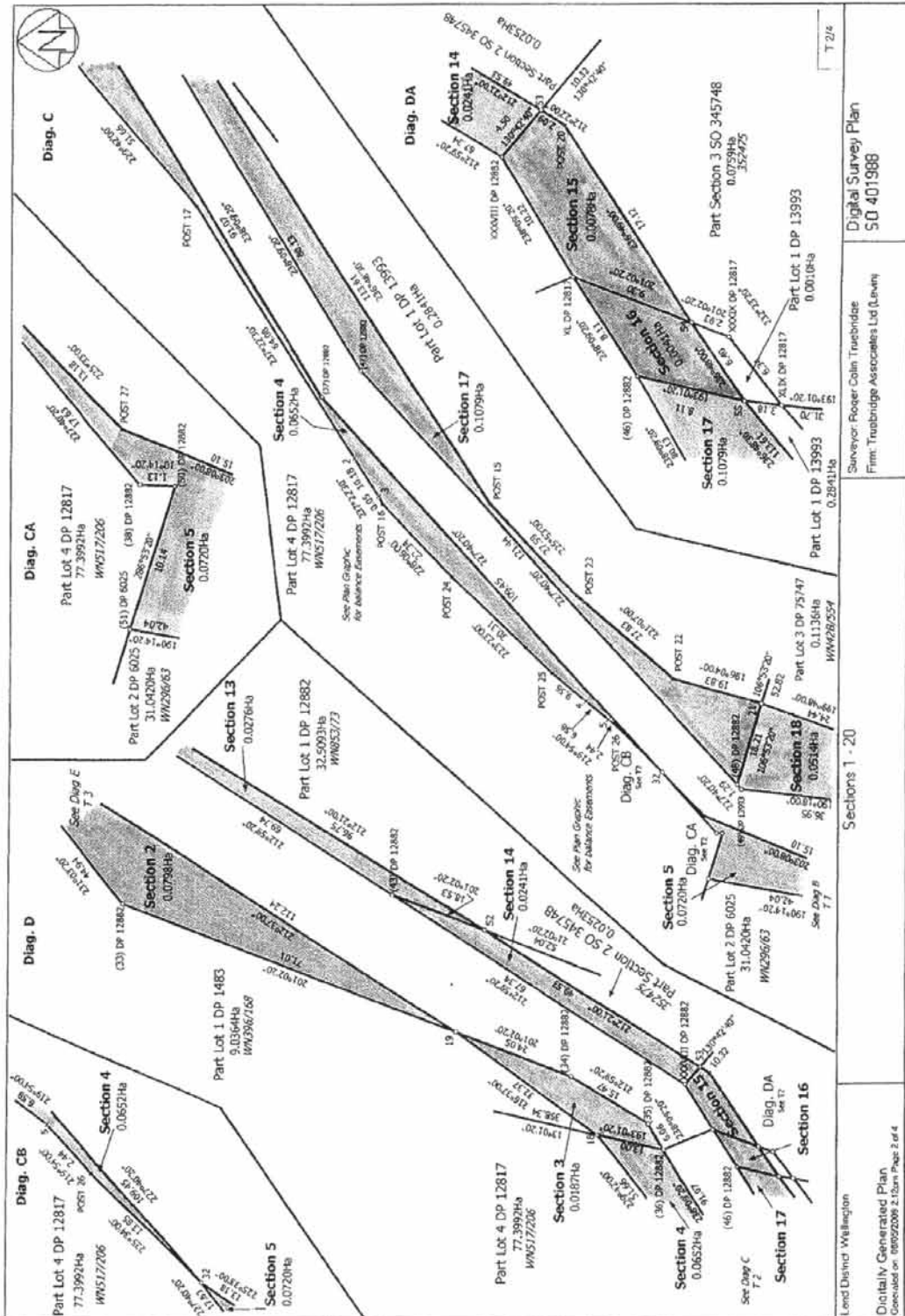
4. Conclusions

- a. There is no option to the recommendation made as it is the legal process set down in legalisation to formalising the roading realignment carried out.

| | Name and title of signatories | Signature |
|---|--|------------------|
| Prepared by | MR Tregonning Property 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. | | |
| Approved by | BH Austin Manager - Community Assets | |

5. Attachments

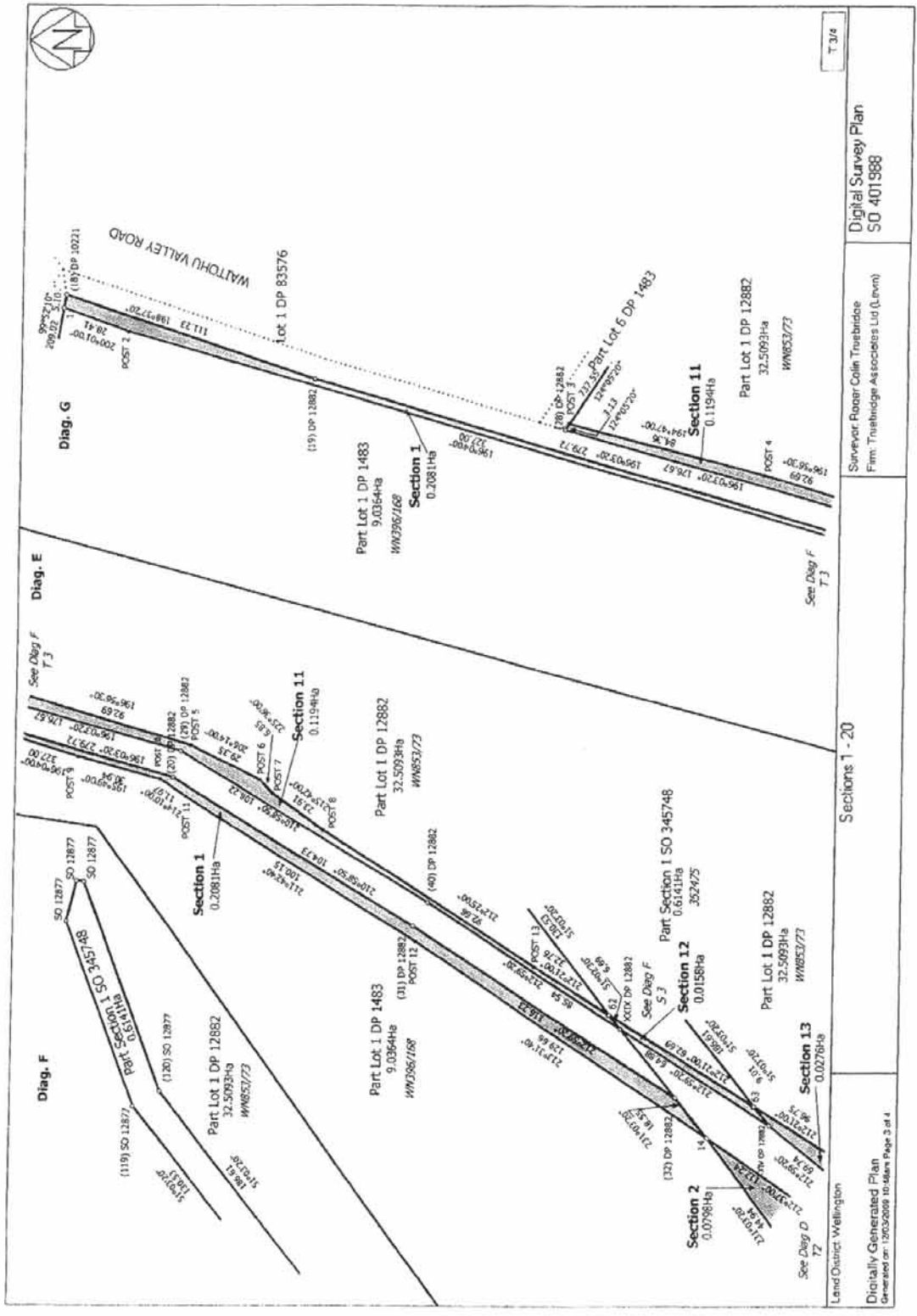
- a. Maps



Surveyor Roger Colin Truebinder
 Firm: Truebridge Associates Ltd (Levy)

Sectors 1 - 20

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Item-1730 Proposal to fund a stormwater pump station near Shannon

File No **3950**

To: **His Worship the Mayor and Councillors
Horowhenua District Council**

From: **Infrastructure Assets Manager (Acting)**

Date: **1 July 2009**

1. **Executive Summary**

a. Purpose of the report

To consider a request that has been received outside of the LTCCP process for Council to fund a pump at the discharge of Stansell's drain, west of Shannon. Officers are of the view that the benefit to the community is insufficient to warrant the expenditure.

b. Key issues

Background.

The Lower Otauru Stream has a small mainly rural catchment in the hills behind Shannon to the south. As it heads west and leaves the Shannon urban area it becomes Stansell's Drain S1. When there is heavy rainfall for a few hours in the hills behind Shannon, Stansell's Drain S1 develops a high flow.

We currently discharge treated effluent into Stansells Drain from our ponds at a point about 100 metres from where it enters a culvert that takes it under the stop bank into the Mangaore Stream. The downstream end of that culvert is fitted with a flood gate.

When the Manawatu or the Mangaore is in flood, the flood gate closes and Stansell's drain backs up.

Stansell's Drain S2 drains urban Shannon and Riders property to the north east of the treatment plant. It flows around the Rider property (it used to flow through it until he diverted it with a considerable cash contribution from council) south west past the onion factory and then North West along Old Foxton Road past the oxidation ponds on the northern side of the road. Thus there are two drains running parallel on opposite sides of the road in the vicinity of the oxidation pond. Stansell's Drain S2 develops a high flow after an hour or two of heavy rain in and around Shannon.

The main situation where Stansell's Drain S1 and S2 overflow occurs when the Manawatu River is high and there has been moderate to heavy rain for a few hours in and behind Shannon. High Manawatu flows mean it has probably also been raining in the Mangahao catchment and so the power station is discharging flat out into the Mangaore Stream. All this causes the Mangaore to back up, restricting the flow of Stansell's Drain S1 and S2 into the Mangaore, causing those to back up and overflow. This inundates the road and approximately 4 hectares of the Rider property. The urban development of Shannon over the last century or more has made little difference to this situation.

In pre-European times the Otatau Stream finished about where it reached Shannon and discharged into the Manawatu swamp. Extensive drainage works over the past 150 years converted the swamp into large areas of well drained farmland, with small areas immediately beside the stopbanks with a lower level of service, due to the stopbank cutting them off from discharge into the river. This is the nature of artificial river control works wherever water flows downhill. These works were all undertaken with the agreement of the owners at the time and were in place when the Rider property last changed hands.

A drainage proposal was mooted by Horizons in 2007 and hearings were held in 2008. Council's submission ended as follows:

"In summary I submit

- That the discharge from Shannon of stormwater is a right enjoyed by the town under the law of natural servitude.
- That any extra water that might be in excess of the natural and ordinary use of the land primarily originates from the state highway for which the rate payers of Shannon are not liable.
- That the natural and ordinary use of the land results in a run-off coefficient that is in any case no greater than 45 – not 90 as per the proposal.
- That the stop bank to be funded is an asset that benefits only the land within the Koputaroa Drainage scheme and protects that land from meeting its natural obligations.

I conclude that there is no justification for drainage works west of Shannon to be funded by including the town of Shannon in the rating area for this or any other drainage scheme."

Mr Rider also submitted in opposition and the scheme did not go ahead.

The Shannon ponds consent renewal process is currently at the mediation stage. We are seeking a right to continue to discharge into Stansells drain for a further three years while we establish a wetland and a discharge from that wetland into the Manawatu.

Issues

1. Overflow from the oxidation ponds onto Rider property.

In the event that the discharge pipeline from the ponds was blocked for many weeks the ponds would fill and eventually spill over at the lowest point. That point has not yet been determined, but it might be on the southern side which would allow the spillage to go onto the Rider property south of the ponds. If this ever looked like occurring it would be a simple matter to cut a shallow channel through the northern bank of the pond to ensure that the flow was into Stansells drain and not onto private land.

The situation has never arisen and is highly unlikely ever to arise.

It can be safely concluded that an overflow from the oxidation ponds onto the Rider property has never occurred and never will occur while this council retains control of the system.

The proposed solution – installing a pump on Stansell's drain would have absolutely no effect in dealing with this situation.

2. Overflow from Rider property into Oxidation ponds.

This situation came close on one occasion in the last decade. The situation was that the flood gate at the end of Stansells drain had jammed open so that the flood in the Manawatu backed up through the stop bank and inundated the entire area. It rose to a level just below the top of the ponds. Had it risen any higher it would have inundated the ponds.

If this occurs again it will be as a result of poor management of the flood protection system on the part of the responsible organization – Horizons Regional Council. Part of the management of the river control works includes inspections of the floodgates and ensuring that they are operative as the controlled river rises. If they fail to do that, then they might as well not have had the stop banks at all. The 2004 floods (as far as this district was concerned) arose from breaches of the stop banks. An open floodgate would have the same effect. Providing a facility to pump from Stansells into the Mangaore would not help this situation. Any water that our pump was able to discharge into the Mangaore would be immediately made up by water flowing back through the open floodgate.

Should the situation occur there will be minimal mixing and the contents of the pond will generally remain in the pond and be discharged into Stansells as the flood recedes. What does escape will be spread far and wide and very thinly.

The situation is outside of council's control, the dilution would ensure that the contaminants have minimal effect and the proposed solution would be completely ineffective.

3. Overflow of Stansell's Drain.

There is a relatively short return period on inundation of Old Foxton Road by Stansell's drain S1. It occurs once every couple of years, and sometimes it occurs more than once in a year. It is caused by flow in the catchment being unable to escape through the floodgate because of the height of water in the Manawatu system. In these circumstances the Stansell's water has nowhere to go.

Over the remaining three years that we wish to continue to discharge we can expect perhaps 4 or 5 such events to occur.

A ponding area had been part of the system until recently. This area was well upstream of the ponds and it enabled the first part of any overflow of the drain to occur in a controlled area and with water that was not contaminated by the ponds discharge. The current owner of the property has blocked off that overflow basin, exacerbating the issue at the downstream end.

The flow from the Shannon wastewater ponds is very small compared to what comes down the S1 and S2 drains after rain. When S1 backs up it chokes off the flow from the ponds, which has its own floodgate on it. We get by due to the storage we have in the ponds.

On one such occasion Council officers requested Horizons to sample the water upstream and downstream of the discharge. It was analyzed for two measures of contaminant. In one the downstream reading was 25% higher than the upstream and in the other case it was double. We concluded that most of the contaminant came with the flood water rather than exited the ponds.

We are now able to close off the discharge from the ponds. A valve was installed when the meter was put in place in 2007.

The provision of a pump at the end of Stansell's drain would help in this situation. Given adequate engine power, the pump would ensure that the drain can discharge into the Mangaore despite it being flooded.

Evaluation of proposal.

The provision of a pump would ensure that contamination arising from treated water mixed with a vast quantity of flood water would not enter onto an area of around 4 hectares for a few days 4 times over the next three years.

The cost is assessed as being in the order of \$50,000.

An alternative approach is for council's contractors to close the valve for two or three days during the lead up to the overflow of the drain. Over the three years the payments to our contractor to undertake that activity would total less than \$1,000.

A further alternative would be for council either to purchase outright or to lease the 4 hectares for the next 3 years and fence it off so that stock can't enter it after flooding. The cost would be in the vicinity of \$10,000 reduced by what we might get by leasing it back for non-dairy stock once the crisis has past.

2. Recommendation

- a. That Report 3950 on the proposal to fund a stormwater pump station near Shannon 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 Council decline to fund a flood pump on Stansell's drain.

3. Context

- a. Background

There is no submission from Mr Rider on the draft LTCCP, and the matter was not raised in the Horizons Regional Council submission. Correspondence both from Mr Rider's solicitor and from Horizons as well as a meeting between Mr Rider and the Chief Executive have all suggested that the provision of a flood pump by Horowhenua District Council would be a good solution to the risk of contamination of the Rider farm.

In February 2006 council considered a range of matters relating to the Rider property and drainage. The following resolutions resulted.

"THAT council provide a new culvert under Sheehan St, Shannon to divert a minor drain into a more direct path to the main drainage system."

"THAT Council invite Mr Rider to construct a new drain on his property parallel to Thompson St to pick up the above culvert and other water courses and to direct them into the drain on the north side of the Old Foxton Road."

"THAT Council make a contribution of \$4,500 to Mr Rider for the construction of that drain."

"THAT the culvert and Council's contribution towards the drain, an estimated total of \$7,500, be funded from the 2005/06 stormwater improvements budget of \$180,000 financed by way of loan."

"THAT the Horowhenua District Council not proceed with the scheme proposed by Horizons Regional Council."

"THAT Council Officers secure formal access rights to the Council's oxidation ponds together with Council contributing \$500 towards associated fencing costs."

"THAT the above recommendations be subject to acceptance by Mr Rider and that there is no further responsibility on Council in contributing to these works."

"THAT Council Officers assist Mr Rider in providing levels for where the drain is to be located."

b. LTCCP

The project is not in the current LTCCP, nor in the draft 2009-19 LTCCP.

c. Significance

The proposal would not trigger council's significance policy.

d. Legal Issues

Mr Rider's solicitor has presented his views on council's liability in this matter. His arguments are unconvincing in view of the fact that our discharge is legally permitted under a discharge permit. While we take all reasonable care to ensure that the plant is operated properly we are able to continue to exercise our discharge permit. By offering to close off the discharge in certain circumstances we are going beyond what we are required to do.

e. Approach

This matter is not significant in terms of section 79 of the LGA, and community views are not needed. The affected person is Mr Rider and his views have been made clear to officers and have been taken into account in the above report.

No further consultation is required or proposed.

Analysis

f. Views

As noted in section 2.4, community views have not been explored in this report

g. Options

Council may choose to decline the request, to meet the request, or to offer to contribute part of the cost of the pump. None of the options significantly contribute to achieving community outcomes.

h. Costs

The full cost of the system has not been evaluated in detail, but officers consider that it would be in the order of \$50,000. No provision has been made for funding this work, nor for providing a contribution towards the cost.

4. Conclusions

- a. The preferred option(s)

That the proposal be declined.

- b. Impact on Council Policy

Adopting the recommendation will have no impact on Council policy. However funding the pump or contributing towards it would create expectations elsewhere which could lead to further such requests. However this situation is unique as regards the presence of the waste water treatment plant. None of our other plants have comparable issues, so the precedent effect is probably quite limited.

- c. Impact on taking a sustainable development approach

Making a contribution or fully funding the pump (not as recommended) would have a minor effect on sustainability in that council would have to meet the financial costs, and there would be an ongoing energy and maintenance resource required, adding to council's "ecological footprint".

- d. Need for further consultation

Not required.

| | Name and title of signatories | Signature |
|---|---|------------------|
| Prepared by | RR Nicholson Infrastructure Assets Manager (Acting) | |
| <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. | | |
| Approved by | B H Austin Manager - Community Assets | |

Item-1731 Chief Executive Officer's Report to 1 July 2009

File No **3943**

To: **His Worship the Mayor and Councillors
Horowhenua District Council**

From: **Chief Executive Officer**

Date: **1 July 2009**

1. Purpose

- a. This report is prepared to update Councillors on a number of current matters that the Chief Executive Officer is dealing with.

2. Recommendation

- a. That Report 3943 be received.

3. Issues for Consideration

a. Scholarships for Secondary Schools

As we look at future staffing requirements for Horowhenua District Council, the need to ensure that we have an appropriate succession policy in place, and that we are working towards retention of younger people in our community, it is timely that we give consideration to the concept of sponsorships for secondary school students within our region.

Verbally I have been asked to consider a proposal whereby Council make available a sponsorship for secondary school pupils to attend university studying a subject that will enable them to be employed by the Horowhenua District Council after obtaining a degree.

I support this suggestion, both for the benefit of Council and also for the benefit of our community at large. Council's 2009/2010 budget does not have specific funding for such a scholarship, however, I am interested in exploring this proposal with a view to Council agreeing in principle to the provision of scholarships for secondary school students. An appropriate outcome to this discussion maybe that Council request the Chief Executive to prepare a briefing paper identifying objectives and funding sources for consideration at our September 2009 meeting.

b. Proposal for establishing school zone signs around schools in the Horowhenua

I wish today's meeting to discuss a proposal that the Horowhenua District Council instigate the procedure to enable a low speed zone around schools in the Horowhenua.

This matter has been identified informally around the Council table over the past month and I have agreed to include the item in my report to today's meeting to formally initiate

discussion on the matter, to ascertain Council's view and to seek an appropriate resolution directing the staff to follow a prescribed course of action.

Attached are letters of support for the proposal from the Levin Police, Community Paediatrician, Nikki Blair and Horowhenua Principals' Association, along with a sample of a school zone sign currently used in Australia.

c. A New Financial Year

Today marks the first day of a new financial year and with it the first page of projects, activities, levels of service to provide and performance measures to meet for the 2009/2010 financial year. As an organisation I am confident that we have the correct template to meet our 2009/2010 LTCCP requirements. Obviously the initial focus will be the preparation of our 2008/2009 Annual Report (a process which has already commenced), and progress towards being able to report positive progress on the 2009/2010 activities, projects and KPIs that have been identified in our LTCCP in the first quarterly report which will be considered by Council at the 2009 November meeting.

For Councillors information I have identified a number of issues that I wish to make a further comment on at today's meeting.

i) External Issues

TAFM Project

One of a number of initiatives that is being undertaken at a national level involving input from a large number of local authority participants is an exercise to review the transparency, accountability and financial mechanisms within which Councils make expenditure decisions. This review is being lead by the Department of Internal Affairs and addresses a number of issues that the Minister of Local Government is raising at a national level at the moment. I will be representing Council at a meeting in Wellington on Monday, 29 June 2009 and will report back to today's meeting on the value of the discussion and the likely involvement of the local government industry in the product.

Core Services

Elected Members will have noted with interest correspondence from the Minister of Local Government around local authorities nationally focussing on core services in the future. The Minister's comments have been greeted with the anticipated level of debate, not surprisingly asking firstly for a definition of core services. Discussion is also circulating around a community's expectation that its local authority will deliver certain levels of service such as community recreation and leisure facilities, financial grants, economic development, etc.

This discussion has escalated in recent months around the aspects of community expectation and the likely response from the local govt industry along the lines of "if we don't provide service X then who will?"

ii) Internal Issues

Rating Review

At its meeting of 17 June 2009 the Council resolved that the Chief Executive prepare a report and timeline for a comprehensive rating review process to take place in Year 1 of the LTCCP. I am required to respond to this request by 5 August 2009.

Included in the proposed review which will be undertaken during the 4th quarter of this calendar year, will be consideration of levels of service provided geographically across the district for the wide range of services that Council provides against the revenue sources that we receive across the district. This will include consideration of the demand for services, the need to provide services for statutory reasons, the current Funding Policy imposition on users to pay for those services and the manner in which rates levied are collected ie general rate or targeted rate.

Preparation of the report for the 5 August 2009 meeting together with accompanying critical path detailing process and timetable is the primary work item currently being undertaken by myself.

Waste Disposal Levy

Attached for Councillors information is a copy of a press release from the Ministry for the Environment for use by local authorities and elected representatives where there is a need to respond to issues regarding the Waste Minimisation Levy that is being introduced, effective today.

You will note that local authorities will receive 50% of the levy taken to fund waste minimisation activities within our districts. This money will be paid on a quarterly basis. Our ability to receive is paramount to us having established waste management and minimisation initiatives which will be detailed in our solid waste management plan.

Drinking Water Standards

Attached for Councillors information is a copy of a press release from Local Government New Zealand specific to the decision by the Ministry of Health to defer some of the requirements of the new Drinking Water Standards in recognition of the cost burden of this legislation on local authorities.

We acknowledge the significant input that Local Government New Zealand have had into this decision by the Ministry of Health. There are numerous instances of small rural and provincial communities throughout NZ who have recently identified cost and obvious financial burden that compliance with these standards have imposed - often with the respective local authority having been left with the task of needing to advise the public of the requirement for the infrastructural enhancements.

A significant comment in the Ministers' press release is "Wherever there is a significant risk to health such as contamination, the existing legal requirement remains for suppliers to take remedial action."

This decision will have an impact on Council's Asset Management Plans. Council's Manager - Community assets, Braden Austin, has provided the following comments for Council's consideration in discussion on this matter:

"The main duties that the Act requires of Council are:

- *take all practicable steps to comply with the (previously voluntary) drinking water Standards*
- *introduce and implement public health risk management plans for the water supply (if serving more than 500 people);*

The deadlines are being changed for achieving these main duties. The implications for Council are:

1. *Levin. The deadline was 1 July 2009. This has been moved out to 1 July 2012. If we stick with the present upgrade program, we should be meeting the drinking water standards by 30 June 2011 - a year ahead of the deadline. There was little or no danger of us being prosecuted if the deadline hadn't changed because we would have had our PHRMP in place by 1 July 2009 and we could demonstrate we were taking all practicable measures via active implementation of the upgrade program. Potentially, we could delay the entire program by one year. However, there are 2 risks if we do this:*
 - a. *It would be imprudent to connect either or both of the proposed beach supplies. The present plant can produce a maximum of 12,500 m³ per day. Levin's peak demand is presently 12,500 m³ per day. The upgraded plant is being designed to produce a maximum of 20,000 m³ per day (although our present consent is limited to 16,000 m³ per day).*
 - b. *If anything goes wrong with the program we may find ourselves in breach of the act as at 1/7/12. The difference compared to current situation is that, we have identified the risks (via our PHRMP), we have identified the measures needed to address the risk, we allocated the funding and we had the time and opportunity to "take all practicable steps". More particularly, if a disease outbreak were to occur after 1/7/12, we would be at risk of being prosecuted.*

I recommend that we carry on with the upgrade program for Levin and breathe easier knowing that we have another year up our sleeve to implement such a large project. In other words we should not get upset if the project takes say 2.5 years to implement instead of 2. That would mean perhaps 1/3 of the funding could be pushed out into year 3. However that may be suboptimal; we may get our best contract proposal for a faster implementation.
2. *Shannon. The deadline was 1 July 2011. This has been moved out to 1 July 2014. Most of this is subsidized. There is a risk that if we delay then the subsidy could be pulled. This supply is virtually untreated and the risk of disease is high. We already have an approved PHRMP (needed for subsidy). I recommend we continue to implement this upgrade. We have identified the risks and we have the means to address those risks and so we should now mitigate those risks.*
3. *Tokomaru. The deadline was 1 July 2011. This has been moved out to 1 July 2014. Most of this is subsidized. There is a risk that if we delay then the subsidy could be pulled. This supply is virtually untreated and the risk of disease is high. We already have an approved PHRMP (needed for subsidy). I recommend we continue to implement this upgrade. We have identified the risks and we have the means to address those risks and so we should now mitigate those risks.*

An overriding factor in all this is that we have a duty of care to do no harm to our customers. We should continue to mitigate those risks. The relaxing of the deadlines means we can perhaps take a bit longer over implementation; but we should still carry on with these programs."

Property Strategy

During the first half of this calendar year Council's Property staff have made workshop presentations to elected members of Horowhenua District Council and have made a formal presentation to a recent meeting of the Foxton Community Board. This item is simply to inform elected members that we have one workshop round to complete which will focus on those 20 odd remaining properties (out of the 57 suggested as being surplus

to requirements). Once this is completed our Property Strategy for retention and disposal will then be enacted - naturally acknowledging appropriate economic conditions. One outcome to the strategy will be a recommendation on the appropriate use of those funds realised from any property disposal.

A further outcome to the Property Strategy will be a complete review of our lease and rental policies, many of which are significantly outdated and not representative of recent market trends.

Communication Strategy

Staff have completed a review of Communication strategy for the 2009/10 financial year. There is no doubt that Council benefited significantly from the content and quality of its respective communication documents during the recently completed financial year.

Proposals for the 2009/2010 year include the introduction of a two monthly senior citizens magazine, a quarterly youth magazine (both of which will be substantially supported through sponsorship and advertising). We are also about to place 14 communication noticeboards in strategic locations throughout the District. These will be updated weekly and will principally contain Council information, both general and statutory. The Community Noticeboards will also have space available to local community groups and will recognise localised Council issues from location to location.

Given the success that we have had with Community Connections we are proposing that this now be published on a fortnightly basis. Resource wise we are well able to undertake this exercise. In addition to our current editorial policy of promoting district wide events facilities and activities, we will be highlighting current Council issue, acknowledging some of the comments through the recent LTCCP consultation process. Proceeding with fortnightly publications will negate the need for newspaper advertising. It is proposed that the cross over from newspaper advertising to Community Connection will take place towards the end of August 2009. The additional cost of the publication will largely be met from the withdrawal of newspaper advertising together with advertising that we are currently sourcing for our publication.

Development Contributions/Payments

Staff have almost completed the compilation of the Development Contributions database associated with evaluating eligibility and claims under the amended Development Contributions Policy which will be effective from 1 July 2009. This is a significant and priority body of work for a number of designated staff during the next few months. We acknowledge observations made by Councillors through the Policy consultation and adoption process.

Financial Governance 101

On Monday, 22 June 2009 4 Councillors attended the Local Govt NZ Financial Governance 101 seminar in Palmerston North. These courses are being run nationally and are designed to assist with the understanding of Council financial reporting and to enhance the knowledge of elected representatives who attend the courses.

Attendees may wish to take the opportunity to briefly address today's meeting with their observations of the course.

d. Annual Plan Monitoring Report

A copy of the 2008/2009 Annual Plan Monitoring Report is **attached**. The completed items have been removed.

Prepared

D G Ward
Chief Executive Officer

4. Attachments

- a. Letters of support from the Levin Police, Community Pediatrician, Nikki Blair and Horowhenua Principals' Association and sample of School Zone sign currently used in Australia.
- b. Press release from Local Government New Zealand specific to the decision by the Ministry of Health
- c. Press release from the Ministry for the Environment regarding the Waste Minimisation Levy
- d. Annual Plan Monitoring Report

Patricia and Peter Keenan

From: <William.Roy@police.govt.nz>
To: <ppkeenan@xtra.co.nz>
Sent: Friday, 5 June 2009 8:50 a.m.
Subject: speed at school zones

Hi Peter. Yes police would support such a move to lower speeds. Auckland and Waikato also follow the queensland model and have also reduced their speeds around schools to 40KPH. Local and district police would support such a move in the horowhenua.

Hope this assists

Willie ROY
Senior Sergeant
Officer in charge
LEVIN POLICE
DDI 06 3660521
Cell 0272 901601
Int 65421
E mail William.Roy@police.govt.nz

=====
WARNING

This message may contain information that is confidential and may be subject to the provisions of section 50 of the Policing Act 2008, which creates an offence to have unlawful possession of Police property. If you are not the intended recipient of this message or have received this message in error, you must not peruse, use, pass or copy this message or any of its contents.

Also note, the views expressed in this message may not necessarily reflect those of the New Zealand Police.

5/06/2009

Patricia and Peter Keenan

From: "Nikki Blair [CCDHB]" <Nikki.Blair@ccdhb.org.nz>
To: "Patricia and Peter Keenan" <ppkeen@xtra.co.nz>
Sent: Wednesday, 17 June 2009 4:40 p.m.
Subject: RE: school speed zones

Hi Peter

I absolutely support your plan to establish and enforce designated lowered speed school zones in the Horowhenua district.

We know risk of fatal injuries and significant morbidity increases exponentially with increasing speed. The LTSA's own data suggests a person hit at speed of 60km/hr or more has less than 10% chance of survival, at 50km/hr about 35% chance of survival (ie 65% mortality) and at 30km almost 95% chance of survival (ie only 5% mortality). WHO mortality rates are quoted to be even higher at similar speeds.

As a Community Paediatrician and a councillor of the Paediatric Society I would endorse a speed limit of below 30km/hr for residential areas, schools and other play areas.

I am happy to forward your request on to the President of the Paediatric Society Dr Rosie Marks, and to Safekids if you like.

I am pleased to hear that our Wellington council is looking into making many suburban shopping areas reduce speed limits to 30km/hr.

Please keep me posted to your progress.

Nikki

*Dr Nikki Blair
General and Community Paediatrician
Capital and Coast DHB
3855999 ext 6149
0274 376455*

HOROWHENUA PRINCIPALS' ASSOCIATION

Tuesday June 23 2009

Dear Peter,

I am pleased to advise you of the unanimous decision of our members at the May 28 meeting.

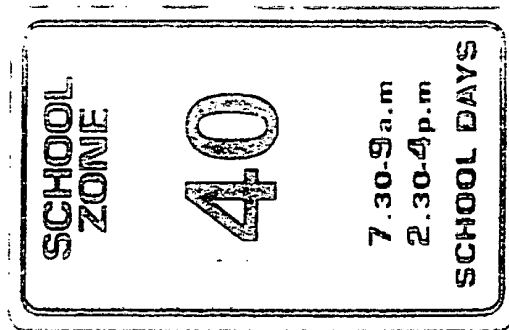
The Horowhenua Principals' Association give their support to the proposal for establishing school zone signs around schools in the Horowhenua Region.

The safety of students around school roads and foot paths is a concern. Students are often faced with fast moving traffic, poor weather conditions and high traffic volume at key school access points at the start and end of the school day. Any decision to reduce traffic speed will only help this situation.

We hope the campaign generates wide community support.

Yours sincerely

Pauline May
Chair Horowhenua Principals' Association



School zone

David Ward

From: Diane Robinson [Diane.Robinson@lgnz.co.nz]
Sent: Wednesday, 24 June 2009 4:15 p.m.
To: Diane Robinson
Subject: Media Release: Postponement acknowledges cost burden of legislation

MEDIA RELEASE

Postponement acknowledges cost burden of legislation

For immediate release on 24 June 2009

"The decision by the Minister of Health to defer some of the requirements of the new drinking water standards is recognition of the cost burden of the legislation on councils," Lawrence Yule, President of *Local Government New Zealand* said today.

"We all agree that safe drinking water is a priority for communities. We also all agree that councils regularly monitor their water suppliers, do essential maintenance and take any remedial action that may be required.

"However, these standards, imposed by the previous government in the Health (Drinking Water) Bill, went well beyond these requirements. The legislation imposed an additional and significant time and cost burden on councils, without a thorough cost/benefit analysis.

"We welcome this decision by the Government. It is particularly appropriate in this constrained economic environment when we are under pressure to ensure money is spent wisely.

"During the three year postponement period the Government will be reviewing the costs and benefits of the legislation and making any changes that are necessary to make it more workable. We look forward to working with the Government on this," said Mr Yule.

The Minister of Health has deferred for three years the requirements for each class of water suppliers to comply with sections 69C to 69ZC of the Health Act 1956 (relating to drinking water). These sections will now come into force on staggered dates beginning on 1 July 2012.

ENDS

For more information contact: Diane Robinson on 04 924 1217 or 029 924 1205/027 569 1919

Diane Robinson
Communications Advisor

Local Government New Zealand, Te Putahi Matakokiri
Phone +64 4 924 1217 Cell 029 924 1205
Fax +64 924 1230
Website www.lgnz.co.nz
114-118 Lambton Quay, PO Box 1214
Wellington, New Zealand

25/06/2009

Waste Minimisation Levy introduced from 1 July 2009

Every year, New Zealanders send around 3.2 million tonnes of waste to landfill. To improve the environmental future of our country, we need to start taking responsibility for this waste by finding more effective and efficient ways to reduce, reuse, recycle or reprocess it.

On 25 September 2008, the Waste Minimisation Act 2008 (the Act) was introduced to 'encourage waste minimisation and decrease waste disposal in New Zealand'. Under the Act, a \$10 per tonne levy (excluding GST) on all waste sent to landfill will be imposed from 1 July 2009.

The money generated by the waste disposal levy will be used to promote activities and fund projects that help minimise waste. The levy will act as an incentive to people and organisations to think more innovatively about how they can minimise the waste they produce.

The levy will be charged at facilities where waste (including household waste) is disposed of and which operate, at least in part, as businesses which dispose of waste.

Half of the revenue generated by the levy will go to territorial authorities, based on their population size, and will have to be spent solely on promoting or achieving the waste minimisation activities set out in their waste management and minimisation plans.

A waste minimisation fund will be set up with the remaining levy money, minus administration costs, to fund waste minimisation projects. Projects will be assessed according to a set of criteria that will be established in consultation with the Waste Advisory Board. The Minister for the Environment will have final approval on all project funding.

Placing a levy on waste helps us to recognise the real social, economic, and environmental impact and cost that waste has on people and the environment.

For more information go to:
<http://www.mfe.govt.nz/issues/waste/waste-disposal-levy/index.html>

**MONITORING REPORT
ANNUAL PLAN 2008/2009**

| Item | Item Description | Resolved | Responsible Officer | Date to Action By | Date Completed | Officer Comment |
|------|---------------------------------|---|---------------------|-------------------|----------------|--|
| 4 | Rating Review | That Council undertake a full rating review in conjunction with the preparation of the 2009/2019 LTCCP. | D Law | 30 June 2009 | | Council has resolved to undertake a review of its Revenue and Financing Policy, Rating Policies and levels of service and a review of proposed capital projects commencing in the first quarter of the 2009-2010 financial year. |
| 5 | Closure of Bath Street toilets | That, subject to budgetary implications, Council commits to the provision of two Exaloo-style toilets on an appropriate site within the CBD, with the Bath Street toilets to remain open in the interim. | P Shore | 31 March 2009 | | Staff continue to explore options in respect of this proposal. |
| 10 | Holben Reserve | That funding of \$17,500, sourced from the Foxton Beach Freeholding Account, be included in the Annual Plan for the creation of a recreational reserve and for the lifting of pine trees and native planting at Holben Reserve. | D Tate | 28 March 2009 | Completed | Planting commenced June/July 2009 in conjunction with Foxton Beach School. |
| 22 | Levin Football Club Maintenance | Officers would make contact with the Club to further discuss opportunities for the Club to undertake aspects of grounds maintenance. | D Tate | 31 August 2009 | | Officers are discussing maintenance issues with the Club, with development currently occurring. Ongoing. |

| | | | | | | |
|----|-----------------------|--|-----------------------|-----------------|-----------|---|
| 29 | Foxton RSA Recycling | <i>"THAT Council reviews the provision and location of recycling facilities in Foxton as part of a wider focus on solid waste and recycling."</i> | K Wi Warena | 31 October 2008 | | This matter was subject to discussion at the Foxton CB meeting of 23 March 2009. |
| 37 | Kuku Water Race | <i>"THAT Council hereby resolves to close the Kuku Open Race Rural Water supply during the course of the 2008/09 financial year." "THAT the Chief Executive Officer be requested to write to the property owners currently charged for the usage of the Water Race and Ngati Tukorehe advising them that, following stakeholder consultation over the past eight years, Council has decided to close the water race and that 'closure' will involve easing the artificial flow diversion into the downstream water course, with natural flows being allowed to continue, in order to protect environmental and cultural values." "THAT any costs associated with the closure of the water race be funded from the general rate."</i> | B Austin | 31 October 2008 | | A site walkover meeting held on 12 May 2009 identified the following measures for closure of the Kuku open race rural water supply: 1) A letter would be sent to landowners advising of closure details. 2) Council's maintenance contractor would be instructed to stop the supply on 1 July 2009. 3) Iwi had no concerns with the closure, but requested fish be transferred which will be done. 4) The water take consent would be surrendered during July 2009. |
| 42 | Waitarere Beach Dunes | <i>"THAT Council gives consideration to the lowering and reformation of the dunes at Waitarere Beach in the 2009/2019 LTCCP review." "THAT Council gives consideration to the extension of stormwater outlets at Waitarere Beach in the 2009/2019 LTCCP review."</i> | P Shore M Pond | 31 October 2008 | Completed | Council has a resource consent for repairs and renewal work through to 2021. Officers are to meet with Horizons Regional Council on 7 July 2009 to make certain this work falls within the consent conditions. Any work on pipe extension |

| | | | | | | |
|----|--|--|--------------|-----------------|--|--|
| | | | | | | and dune reformation is required to be undertaken in winter months to allow for vegetative establishment. |
| 44 | Adopt an Anzac Group Upgrade to District War Memorials | <i>"THAT Council provides support to the project to upgrade the district's War Memorials by way of officer time. This will ensure that any modifications are consistent with the aims and objectives of the town's development, are consistent with the reserves Management Plan for the site, and that construction is of a high quality that will ensure longevity."</i> | D Tate | 31 August 2008 | | Adopt an Anzac have made significant progress developing a concept and consulting with the community. A final plan will be distributed to Councillors shortly for their information. Over \$20,000 in funds have been raised. Applications have been submitted for funding to various organisations. |
| 46 | Levin Tennis Club Resealing of Tennis courts | <i>"THAT Council budgets for the renewal of the Levin Tennis Courts as part of the 2009/2019 LTCCP review."</i> | P Shore | 31 October 2008 | | This was considered as part of the LTCCP review. \$100,00 has been included in Year 5 of the LTCCP. |
| 51 | Foxton Amenity Centre | <i>"THAT the Foxton Amenity Centre project be included in Council's 2008/2009 Annual Plan and that the project proceed recognising the need for the Foxton Project Amenity's Group to raise the sum of \$500,000.00 towards the project."</i> | D Clapperton | 30 June 2009 | | This matter will be further addressed by Council staff at today's meeting. |

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|----|------------------------|--|--------------|--------------|--|--|
| 52 | Levin Community Centre | <i>"THAT the Levin Community Centre project be included in Council's 2008/2008 Annual Plan and that the project proceed recognising the need for the Horowhenua Library Trust to raise the sum of \$4,000,000.00 towards the project."</i> | D Clapperton | 30 June 2009 | | Eastern & Central Community Trust have approved \$200k funding towards the Levin Community Centre project. Several other applications have been declined. Local fundraising activities undertaken by the Library Trust will commence in July 2009. |
|----|------------------------|--|--------------|--------------|--|--|

Item-1732 Survey Plans Approved by Delegated Authority Pursuant to Section 223

File No 3946

To: His Worship the Mayor and Councillors
Horowhenua District Council

From: Environmental and Regulatory Services Manager

Date: 1 July 2009

1. Purpose

- a. To present to Council for certification the list of survey plans approved by delegated authority pursuant to Section 223 of the Resource Management Act 1991.

2. Recommendation

- a. That the following subdivisions approved under delegated authority and s223 of the Resource Management Act be noted:

| Date | File | Subdivision | Address |
|-------------|--------------|------------------------|---------------------------------------|
| 4-May-09 | 2518 | Serena & Jason Harper | 3 Hannan Street, Levin |
| 7-May-09 | RS/1221/2005 | Reid & Linda McKinnon | 118 State Highway 57, Shannon |
| 18-May-09 | 2239 | Jeffrey Edhouse | 293 State Highway One, Levin Rural |
| 20-May-09 | FB/123/2004 | Ronald & Judith Dudson | 27 Nelson Street, Foxton Beach |
| 22-May-09 | 2737 | Brian & Pamela Stewart | 631 Queen Street, Levin |
| 22-May-09 | 2583 | Christopher Pescini | 145 & 155 Kimberley Road, Levin Rural |
| 3-Jun-09 | 2703 | Masonic Villages Trust | 685 Queen Street, Levin |
| 9-Jun-09 | 2742 | Seager & Anne Mason | 130 Bartholemew Road, Levin |
| 9-Jun-09 | 2621 | Davis Land Company Ltd | 54 Austin Road, Foxton Rural |

Prepared

T Thomas
Environmental and Regulatory Services Manager

Item-1733 Resource Consents Considered Under Delegated Authority

File No 3945

To: His Worship the Mayor and Councillors
Horowhenua District Council

From: Environmental and Regulatory Services Manager

Date: 1 July 2009

1. Purpose

- a. To consider the Land Use and Subdivision Resource Consent applications approved under delegated authority by the Environmental and Regulatory Services Department.

2. Recommendation

- a. That Report 3945 be received.
b. That the Land Use and Subdivision Resource Consents be received as listed:

**All Subdivision Resource Consents Granted Under Delegated Authority
25/04/09 to 18/06/09**

| Date | File Ref | Subdivider | Address |
|-------------|-----------------|---------------------------------|--|
| 5-May-09 | 2713 | Shane & Lyneve Speirs | Lot 3 Manakau South Road, Manakau Rural |
| 6-May-09 | 2724 | Waitawa Farms Limited | 173 & 197 Takapu Road, Manakau Rural |
| 12-May-09 | 2722 | David J Honore Limited | 87 Kuku East Road, Ohau Rural |
| 13-May-09 | 2586 | Lynn Ward | 214 Potts Road, Levin Rural |
| 15-May-09 | 2752 | JM Ryder Limited | 259-267 Albert Road, Tokomaru Rural |
| 15-May-09 | 2645 | Robert & Karen Mather | 112 Palmer Road, Foxton Beach Rural |
| 19-May-09 | 2760 | Raymond & Elise Cooper | 15 Gordon Place, Levin |
| 20-May-09 | 2756 | Bishops Vineyard Holdings Ltd | 472 SH 1 & 39 Muhunua West Road, Ohau |
| 22-May-09 | 2727 | A Mayo & Ihakara Properties Ltd | 11 Hanawera Ridge Road, Manakau Rural |
| 29-May-09 | 2762 | Bruce & Michelle Burnell | 161-208 McDonald Road, Levin Rural |
| 3-Jun-09 | 2768 | Russell & Glenis Davenport | 111-133 Muhunua East Road, Ohau Rural |
| 3-Jun-09 | 2755 | J MacKie, N Bevan, & V Clark | 23 & 25 Waikawa Beach Rd & Lot 14 Ketemarangi Way, Waikawa Beach |

**All Land Use Resource Consents Granted Under Delegated Authority
25/04/09 to 18/06/09**

| Date | File Ref | Applicant | Address |
|-------------|-----------------|--|-------------------------------------|
| 28-Apr-09 | 2758 | Brian & Wendy Thistoll | 91 Seabury Avenue, Foxton Beach |
| 4-May-09 | 2741 | Heidi Lutz (Emerald Hills Ltd) | 31 Palmer Road, Foxton Beach Rural |
| 15-May-09 | 2764 | Bruce Wilson & Louise Nelson | 37 Hydrabad Drive, Waitarere Beach |
| 22-May-09 | 2772 | Robert Cheriton | 233 Hokio Sand Road, Levin Rural |
| 26-May-09 | 2774 | Larry & Jane Ellison | 51 Hartley Street, Foxton Beach |
| 29-May-09 | 2780 | David Moore & Traci Davis | 34 Read Street, Levin |
| 2-Jun-09 | 2767 | Ross Robert Family Trust, Warren Robert & Ian McHardy | 25A Roore Street, Foxton Beach |
| 3-Jun-09 | 2775 | Michael Boyce | 19 Kahukura Avenue, Waitarere Beach |
| 3-Jun-09 | 2766 | Bates Hirini Holdings Limited | 362 Oxford Street, Levin |
| 4-Jun-09 | 2776 | Jean Burnell | 25 Jervois Terrace, Ohau |
| 8-Jun-09 | 2786 | Alison McLean | 44 Rimu Street, Levin |
| 8-Jun-09 | 2784 | Horowhenua Kids, Teens & Family Trust | 37-39 Hinemoa Street, Levin |
| 15-Jun-09 | 2782 | Central House Movers Ltd (Brian Seach) | 72 Kahukura Avenue, Waitarere Beach |

Prepared

T Thomas
Environmental and Regulatory Services Manager

Item-1734 IDocuments Executed Under Seal and Electronic Transactions Authorities Signed

File No **3944**

To: **His Worship the Mayor and Councillors
Horowhenua District Council**

From: **Strategic and Corporate Services Manager**

Date: **1 July 2009**

1. Purpose

- a. To present to Council the documents that have been executed under seal, Electronic Transactions and Contracts signed by His Worship the Mayor and the Chief Executive Officer and documents signed by Councillors, which now need ratification.

2. Recommendation

- a. That Report 3944 be received.
 - b. That the Horowhenua District Council ratify the affixing of the Common Seal of the Horowhenua District Council to the said documents and to the signing of Electronic Transactions as scheduled:
 - i. Electronic transaction authority relating to the sale of Lot 62 DP 24319 contained in Certificate of Title 45C/16 with an area of 647m² - 11 Nelson Street, Foxton Beach
 - ii. Transmission application relating to Lot 62 DP 24319 contained in Certificate of Title 45C/16 with an area of 647m² - 11 Nelson Street, Foxton Beach
 - iii. Transfer between Horowhenua District Council and William Douglas Dennison and Amanda Dawn Binns relating to Lot 62 DP 24319 contained in Certificate of Title 45C/16 with an area of 647m² - 11 Nelson Street, Foxton Beach
 - iv. Consent to transfer between Dougal George Burleigh Morrison and Jo-Anne Ralston Stokes to William Douglas Dennison and Amanda Dawn Binns relating to Lot 62 DP 24319 contained in Certificate of Title 45C/16 with an area of 647m² - 11 Nelson Street, Foxton Beach
 - v. Electronic transaction authority relating to the purchase of 5.1 metres access strip between Taylor Street and Palmer road, Foxton Beach being part of Certificate of Title WN21B/553, from Jasco Lands Limited.
 - vi. Electronic transaction authority relating to the easement granted to Horowhenua District Council a right to convey sewage over land marked "A", "G" and "D" on DP 393126 involving Certificates of Title 373047 and 373048, 15 Robbie Street, Foxton Beach
 - vii. Consent to extinguishment of easement over land to be transferred to Horowhenua District Council as road being the right to convey water over that part marked "B" on DP 385611 being also a part of Lot 23 DP 393469 to be dedicated as road - Gladstone Road Trust
 - viii. Transfer between Horowhenua District Council and Paul Vandenberg relating to Lot 16 DP 21992 contained in Certificate of Title 464011 with an area of 1022m² - 48 Pratt Avenue, Foxton Beach
-

- ix. Transmission application relating to Lot 16 DP 21992 contained in Certificate of Title WNF3/438 with an area of 1022m² - 48 Pratt Avenue, Foxton Beach
- c. That the Horowhenua District Council confirms the decision in accepting the following contracts and that authority be given to the signing of Electronic Transactions Authorities:
- Contract No. 08/18 : Kirkcaldies Bridge Replacement Construction
Contract No. 08/24 : Muaupoko Street Kerb and Channel
Contract No. 08/25 : Pensioner Housing Ruby Street Carpark
Contract No. 08/28 : Leachate Pipeline Remediation Works Stage 2
Contract No. 08/29 : Hickford Intersection Motuiti Road Upgrade
Contract No.08/31 : WINZ/Contact Building Re-Roof

3. Issues for Consideration

- a. This report provides a mechanism for notifying the execution of formal documents under the Council seal and signing of Electronic Transactions Authorities.
- b. The following are the contract document details:

Contract No. 08/18 : Kirkcaldies Bridge Replacement Construction

The tender from Riverside Construction was accepted for this contract. 3 tenders were received for this contract ranging from \$583,858.00 to \$695,219.00.

Contract No. 08/24 : Muaupoko Street Kerb and Channel

The tender from Chris Gommans Contracting Ltd was accepted for this contract. 5 tenders were received for this contract ranging from \$89,490.00 to \$167,195.00.

Contract No. 08/25 : Pensioner Housing Ruby Street Carpark

The tender from Higgins Contractors was accepted for this contract. 4 tenders were received for this contract ranging from \$58,439.50 to \$91,322.00.

Contract No. 08/28 : Leachate Pipeline Remediation Works Stage 2

The tender from Fulton Hogan was accepted for this contract. 1 tender was received for this contract in the sum of \$85,000.00

Contract No. 08/29 : Hickford Intersection Motuiti Road Upgrade

The tender from Graeme Bagrie Contractors was accepted for this contract. 6 tenders were received for this contract ranging from \$295,343.00 to \$633,529.06.

Contract No.08/31 : WINZ/Contact Building Re-Roof

The tender from BPN Contracts Ltd was accepted for this contract. 1 tender was received for this contract in the sum of \$241,653.00.

Prepared

D M Clapperton
Strategic and Corporate Services Manager

MOTION TO EXCLUDE THE PUBLIC

"THAT the Horowhenua District Council 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 6 May 2009 (Minute Items 1709-1712)

Item 1735 - In Committee Proceedings Foxton Community Board 18 May 2009

Item 1736 - Solid Waste - Kerbside Collection

Item 1737 - Land Purchase to Progress Levin Wastewater Strategy

Item 1738 - In Committee HDC Monitoring Report

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, 8 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(2j) Prevent the disclosure or use of official information for improper gain or improper advantage.

APPENDIX / ATTACHMENTS