

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

**Date:** Wednesday 11 October 2017  
**Time:** 4.00 pm  
**Meeting Room:** Council Chambers  
**Venue:** 126-148 Oxford St  
Levin

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## **Council OPEN AGENDA**

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### **MEMBERSHIP**

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

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**Full Agendas are available on Council's website**  
[www.horowhenua.govt.nz](http://www.horowhenua.govt.nz)

**Full Agendas are also available to be collected from:**  
**Horowhenua District Council Service Centre, 126 Oxford Street, Levin**  
**Foxton Service Centre/Library, Clyde Street, Foxton,**  
**Shannon Service Centre/Library, Plimmer Terrace, Shannon**  
**and Te Takeretanga o Kura-hau-pō, Bath Street, Levin**



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**1 Apologies**

**2 Public Participation**

Notification to speak is required by 12 noon on the day of the meeting. Further information is available on [www.horowhenua.govt.nz](http://www.horowhenua.govt.nz) or by phoning 06 366 0999.

See over the page for further information on Public Participation.

**3 Late Items**

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

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

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

**4 Declarations of Interest**

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

**5 Confirmation of Minutes**

**5.1 Meeting minutes Council Open & In Committee, 30 August 2017**

**6 Announcements**

Presentation from Sport Manawatu

Representatives from Sport Manawatu will be in attendance to speak to the Regional Sport Facility Plan.

Foxton Community Board

There will be an update on behalf of the Foxton Community Board.

8.1 - Adoption of Annual Report for the year ended 30 June 2017

Representatives from Audit New Zealand will be in attendance to speak to this item.

Public Participation (further information):

The ability to speak at Council and Community Board meetings provides the opportunity for members of the public to express their opinions/views to Elected Members as they relate to the agenda item to be considered by the meeting.

Speakers may (within the time allotted and through the Chairperson) ask Elected Members questions as they relate to the agenda item to be considered by the meeting, however that right does not naturally extend to question Council Officers. Council Officers are available to offer advice too and answer questions from Elected Members when the meeting is formally considering the agenda item i.e. on completion of Public Participation.

Meeting protocols

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

# Proceedings of the Hearings Committee 15 August 2017

File No.: 17/505

## 1. Purpose

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

## 2. Recommendation

- 2.1 That Report 17/505 Proceedings of the Hearings Committee 15 August 2017 be received.
- 2.2 That the Council receive the minutes of the Hearings Committee meeting held on 15 August 2017.

## 3. Issues for Consideration

At this meeting the Hearings Committee heard from the submitters to the following Draft Reserve Management Plans - Waitarere Beach Foreshore, Combined Waitarere Beach Reserves Management Plan, Ohau River Reserves, and Combined Foxton Reserves.

The meeting adjourned to reconvene following receipt of Officer responses to the submissions. The Minutes of the reconvened meeting are included in this Agenda.

## Attachments



There are no attachments for this report.

### Confirmation of statutory compliance

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

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

## Signatories

Author(s)	Caitlin O'Shea <b>Graduate Strategic Planner</b>	
Approved by	David McCorkindale <b>Group Manager - Strategy &amp; Development</b>	

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# Hearings Committee

## OPEN MINUTES

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Minutes of a meeting of the Hearings Committee held in the Council Chambers, 126-148 Oxford Street, Levin, on Tuesday 15 August 2017 at 9.00 am.

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### PRESENT

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

### IN ATTENDANCE

Mr S Wood (Reporting Officer)  
Mr A Nelson (Property & Parks Manager)  
Miss C O'Shea (Graduate Strategic Planner)  
Mrs K J Corkill (Meeting Secretary)

### ALSO IN ATTENDANCE

<u>Submitters</u>	Mrs S Walsh	<i>Reserve Management Plan</i>
	Mr L Hine & Mrs S Freebairn. Waitarere Beach Progressive Association	Ohau
	Ms V Edmonds, New Zealand Motor Caravan Association (via Skype)	Waitarere Beach
	Mr C Rudd	Waitarere Beach, Ohau & Foxton
	Mrs R Tate	Waitarere Beach, Ohau
	Mrs G Harrison & Mrs R Cleator	Waitarere Beach
	Mrs P Robinson	Ohau
	Ms A Skipper & Mr R Hapi, Foxton Rugby Club	Ohau
	Mr R Hapi & Mr J Girling, Save Our River Trust	Foxton
		Foxton

### PUBLIC IN ATTENDANCE

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

Cr Mason opened the meeting to hear submissions on the Draft Combined Waitarere Beach Reserves, Waitarere Beach Foreshore and Ohau River Reserve Management Plans and Draft Combined Foxton Reserves Management Plan. She introduced the Hearings Panel and Council Officers and covered housekeeping and procedural matters.



## 1 Apologies

There were no apologies.

## 2 Declarations of Interest

None declared.

## 3 Announcements

There were no announcements.

## 4 Reports

### 4.1 Draft Reserve Management Plans - Hearing of Submissions

#### Purpose

To provide the platform for the Hearings Committee (Committee) to hear and consider submissions received on the Draft Combined Waitarere Beach Reserves, Waitarere Beach Foreshore and Ohau River Reserve Management Plans and Draft Combined Foxton Reserves Management Plan.

MOVED by Cr Wanden, seconded Cr Tukapua:

*THAT Report 17/396 on Draft Reserve Management Plans - Hearing of Submissions be received.*

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

*THAT Submissions 1-19 on the Draft Combined Waitarere Beach Reserves, Waitarere Beach Foreshore and Ohau River Reserve Management Plans be received.*

*THAT Submissions 1-12 on the Draft Combined Foxton Reserves Management Plan be received.*

*THAT the late Submission 13 to the Draft Combined Foxton Reserves Management Plan be received.*

**CARRIED**

Requesting that the report be taken as read, Miss O'Shea highlighted that hearing submissions was part of the formal phase of consultation.

#### Submission 16 – Combined Draft Reserve Management Plans – Ohau - Sarah Walsh

Mrs Walsh outlined her goals and aspirations for the Ohau area, specifically with regard to the potential of opening up and planning pathways – for walking, cycling and horse riding. She also highlighted the potential for the development of the Parakawau Reserve which was an attractive place to walk or access the river from. If a path could be put under the railway that would be a great link and could be a consideration for shared pathways. With planning there was also the potential for a number of pathways in Kirkcaldies Reserve. Palmerston North had a programme providing a corridor of native planting from the ranges to the river and she saw the potential for Ohau to do something similar – from the ranges to the sea.

Responding to queries, Mrs Walsh said she personally saw the current Kirkcaldies Reserve as being the initial starting point and there should not be a huge financial input, but more collaboration, also getting schools and iwi involved.

Cr Mason acknowledged Mrs Walsh staunch advocacy for the Ohau area and thanked her for her submission.

Submission 13 – Combined Draft Reserve Management Plans - Waitarere Beach - Waitarere Beach Progressive and Ratepayer Association –Sharon Freebairn and Larry Hine

Mrs Freebairn spoke to the combined Waitarere Beach Reserves Management Plans whilst Mr Hine covered the Foreshore Reserve Management Plan, expanding on the Association's submission and responding to Panel Members' questions. Copies of Mrs Freebairn and Mr Hine's verbal submissions were provided.

Submission 12 – Combined Draft Reserve Management Plans

Submission 11 – Foxton Reserves Management Plan

- New Zealand Motor Caravan Association Inc – Victoria Edmonds

Ms Edmonds joined the meeting via Skype, having also provided a copy of her verbal submission. The Chair noted that the Association had submitted to both Draft Plans. Responding to a query from Cr Wanden about whether LGNZ had a coordinated approach to freedom camping to assist territorial authorities, Ms Edmonds advised that whilst Horowhenua did not have a Freedom Camping Bylaw, the Freedom Camping Act did give direction to Councils in terms of putting such a bylaw in place. With regard to suggesting that all reserves should be made available for camping, Ms Edmonds said that did mean reserves that were actually suitable.

Submission 18 – Combined Draft Reserve Management Plans – Charles Rudd (Snr)

Mr Rudd sought permission to extend to his korero beyond that previously provided, with the Chair noting that his additional comments were within the scope of his original submission. A copy of Mr Rudd's expanded Brief of Evidence was provided.

The meeting adjourned (10.27-10.40 am).

Submission 10 – Draft Waitarere Beach Reserves and Foreshores Reserve Management Plans – Raewyn Tate

A beach front resident at Waitarere Beach, Mrs Tate reinforced the comments made in her original submission. With regard to dune management, Mrs Tate said she felt if plans not native to the beach were removed it would make a difference to sand build-up. She also said she thought it was important to improve sections of the beach for recreation to keep up with what was happening in other areas.

With regard to dune maintenance, etc, Mrs Tate said she thought there was some confusion over who was supposed to do what and a meeting between the parties, which should be open to the public, would be helpful.

Commenting on the original survey plan, Mrs Tate said it was interesting to see what had originally been reserve and what had been dunes and how that had changed, with Mr Wood noting that there had been a number of accretion claims over the years.

Submission 14 – Draft Reserve Management Plans for Kimberley and Gladstone Reserves –Rosemary Cleator (speaking for Gaye Harrison)

Responding to a concern raised by the speakers with regard to gravel extraction, Miss O'Shea said the consent sat with Horizons Regional Council and that Council did the monitoring. As to whether or not monitoring actually occurred, Mr Nelson said that was up to the Regional Council.

Mrs Cleator suggested that HDC should in fact do the monitoring as there was a flow on effect from the activity.

Copies of the points raised by Mrs Cleator and Mrs Harrison were provided.

The query with regard to access to the river which could be impeded by the recent planting of willows was noted.

Submission 17 – Draft Reserve Management Plans Kimberley, Gladstone, Kirkcaldies Reserve – Pamela Robinson

Mrs Robinson, a Kimberley Road resident whose property backed on to the Kimberley Reserve encouraged more working together with people in the area as they knew

what was going on. With regard her recommendation for more horse access and bridal ways, Mrs Robinson said there were a few people who would be interest in being involved. She also supported more story telling/signage in relation to reserves.

Submission 10 – Draft Foxton Reserves Management Plan – Foxton Rugby Club – Ani Skipper and Robin Hapi

Ms Skipper reiterated the four recommendations in the Club’s submission:

1. That a means of recording and acknowledging the significance of Pataka Reserve be found;
2. That HDC and FRC continue to work collaboratively in regard to Rugby and other related activities centred on Easton Park;
3. That parking spaces be painted in the eastern area facing the Main Road;
4. That free running of dogs on the entirety of Easton Park be discontinued.

Mr Hapi acknowledged the good and collaborative working relationship the Club had with HDC.

A copy of the Club’s submission summary was provided.

Submission 13 – Draft Foxton Reserves Management Plan - - Save Our River Trust – Robin Hapi

With Wildlife Foxton Trust sharing Trustees and members with SORT, Mr Girling took the opportunity to submit under the auspices of SORT highlighting the common vision for both organisations.

Mr Hapi then spoke on behalf of SORT, with both groups wishing to build on the already good relationship with Council and committed to the efficient and effective management of the Foxton River Loop Reserve area.

Both Mr Girling and Mr Hapi provided copies of their verbal submissions.

12.25 pm

The meeting adjourned at 12.25 pm to reconvene on a date to be advised.

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

**DATE:**.....

**CHAIRPERSON:**.....



# Proceedings of the Hearings Committee 26 September 2017

File No.: 17/504

## 1. Purpose

To present to the Council the minutes of the reconvened Hearings Committee meeting held on 26 September 2017.

## 2. Recommendation

- 2.1 That Report 17/504 Proceedings of the Hearings Committee 26 September 2017 be received.
- 2.2 That the Council receive the minutes of the reconvened Hearings Committee meeting held on 26 September 2017.
- 2.3 That on the recommendation of the Hearings Committee, the feedback received from Ngāti Huia and Tukorehe on the Draft Reserves Management Plans be included in the consideration of written submissions to the Draft Plans.
- 2.4 That on the recommendation of the Hearings Committee, the Horowhenua District Council adopts the Draft Reserve Management Plans for Waitarere Beach Reserves, Waitarere Beach Foreshore Reserve, Ohau River Reserves and Combined Foxton Reserves
- 2.5 That the Group Manager – Strategy and Development together with the Chair of the Hearings Committee be given delegated authority to make editorial changes that arise as part of the publication process for producing the Reserve Management Plans for Waitarere Beach Reserves, Waitarere Beach Foreshore Reserve, Ohau River Reserves and Combined Foxton Reserves.

## 3. Issues for Consideration

The following item requires further consideration by Council:

Draft Reserve Management Plans – Draft Combined Waitarere Beach Reserves, Draft Waitarere Beach Foreshore and Draft Ohau River Reserves Management Plans and Draft Combined Foxton Reserves

Following hearing from submitters on 15 August 2017 and reconvening to consider the analysis of submissions from Officers on 26 September 2017, the Hearings Committee passed the following resolutions:

*THAT members of the Hearings Committee consider submissions received on the Draft Reserves Management Plans, in accordance with section 41(6)(d) of the Reserves Act 1977.*

*THAT the Hearings Committee considers the feedback received from Ngati Huia and Tukorehe on the Draft Reserves Management Plans, and recommends to Council for the feedback to be included in the consideration of written submissions to the Draft Plans.*

*THAT the Hearings Committee, having taken into account the submissions received during the formal consultation process, recommends to Council the adoption of the Draft Reserve Management Plans for Waitarere Beach Reserves, Waitarere Beach Foreshore Reserve, Ohau River Reserves and Foxton Reserves as amended.*

*THAT the Group Manager – Strategy and Development together with the Chair of the Hearings Committee be given delegated authority to make editorial changes that arise*

*as part of the publication process for producing the Reserve Management Plans for Waitarere Beach Reserves, Waitarere Beach Foreshore Reserve, Ohau River Reserves and Foxton Reserves.*

Council's ratification of those resolutions is now sought.

## Attachments

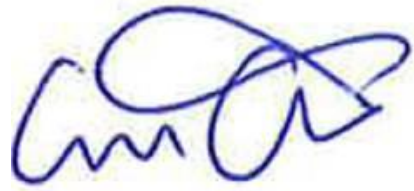

There are no attachments for this report.

### Confirmation of statutory compliance

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

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

## Signatories

Author(s)	Caitlin O'Shea <b>Graduate Strategic Planner</b>	
Approved by	David McCorkindale <b>Group Manager - Strategy &amp; Development</b>	

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# Hearings Committee

## OPEN MINUTES

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Minutes of a reconvened meeting of the Hearings Committee held in the Council Chambers, 126-148 Oxford Street, Levin, on Tuesday, 26 September 2017 at 5.00 pm.

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### PRESENT

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

### IN ATTENDANCE

Ms C O'Shea	(Graduate Strategic Planner)
Mr A Nelson	(Property & Parks Manager)
Mrs K J Corkill	(Reporting Officer/Meeting Secretary)
Mr D McCorkindale	(Group Manager – Strategy & Development) (until 6.00 pm)

### PUBLIC IN ATTENDANCE

There was one member of the public (Mr Charles Rudd, Snr) in attendance at the commencement of the meeting.

#### 1 Apologies

There were no apologies.

#### 2 Declarations of Interest

None declared.

#### 3 Announcements

There were no announcements.

#### 4 Reports

#### 4.1 Draft Reserve Management Plans - Consideration of Submissions and Decisions

##### Purpose

The purpose of this report is to summarise and provide the officer's analysis of the submissions that were received during the consultation process for the Draft Reserve Management Plans that are currently under review, and provide a platform for the Hearings Committee to consider and make decisions on these submissions.

It is to also recommend that the Draft Reserve Management Plans, including any changes made as a result of the decisions on the submissions, be recommended by the Hearings Committee for adoption by the Council.

MOVED by Cr Wanden, seconded Cr Tukapua:

*THAT Report 17/424 Draft Reserve Management Plans - Consideration of Submissions and Decisions be received.*

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

*THAT members of the Hearings Committee consider submissions received on the Draft Reserves Management Plans, in accordance with section 41(6)(d) of the Reserves Act 1977.*

**CARRIED**

Ms O'Shea, who was joined at the table by Mr Nelson, stepped through the format of the report which covered the submissions received on the Draft Management Plans, with the first part of the Submissions' Analysis covering the Draft Combined Waitarere Beach Reserves, Draft Waitarere Beach Foreshore Reserve and Draft Ohau River Reserves Management Plans and the second part covering the Draft Combined Foxton Reserves Management Plan. There was a summary and analysis provided on each submission, together with subsequent recommendations and suggested amendments, if any.

Ms O'Shea advised that feedback had also been sought from two hapu, Ngāti Huia and Tukorehe, although written submissions had not been received. It was recommended (Recommendation 3.4) that the Committee consider the feedback received and it be recommended to Council that the feedback be included in the consideration of written submissions to the Draft Plans.

Requested amendments were set out in the last sections of the Report and the accompanying Draft Reserve Management Plans included tracked changes to make clear any amendments.

The Committee worked through the submissions with comments provided, where required, by Ms O'Shea and Mr Nelson.

Cr Mason expressed her appreciation for the detailed information that had been provided.

##### **Submissions on the Draft Combined Waitarere Beach Reserves, Draft Waitarere Beach Foreshore and Draft Ohau River Reserves Management Plans**

Submission 1 – Chris Wright – It was noted that that beach speed limits were being considered as part of another Bylaw review and would be addressed at that time.



Submission 2 – Patricia Hayward – Mr Nelson confirmed that the submitter's request would be used for the framework as to what would be done in each of the Reserves in consultation with local groups. A Management Plan would be developed which would cover some of the requests received. Some work could be done within existing budgets, but some would require to go through the LTP process.

Mr Nelson gave an explanation as to how the high, medium and low priority ratings were determined, which essentially was about budgets and ease of achievement. Community interest was also factored in.

Submissions 3 & 4 – Margaret Jeune – no additional Member queries or comments.

Submission 5 – Joanna Sim – submitters asking for things that were the responsibility of Regional Council was flagged by Cr Tukapua for further discussion, as this was something that pertained to a number of submissions.

Submission 6 – Tony Field – responding to a query with regard to a timeframe for the requested surveying of the northern boundary of Waitarere Domain, Ms O'Shea noted that actions had been identified to address points raised by submitters to be addressed outside of the Reserve Management Plan process. Mr Nelson added that there would be a number of actions programmed over the next 2-6 months. Discussions would also be held with affected submitters going forward.

Submissions 7 & 8 – Alison and Anthony Timms – responding to a query in relation to Council dealing with encroachments on a case by case basis, Mr Nelson said this was not currently on Council's Agenda. There were a number of encroachments and Council would probably need to put a policy in place to ensure the issue was dealt with appropriately. It had been an outstanding issue for a long period of time and was not something that would be looked at within the next six months..

As to whether or not there were statutory timeframes to be considered, Mr Nelson said there were in some areas but he was not sure about Reserves which came under different legislation. It also sat outside the Reserves Management Plans.

Submission 9 – Sam Fergusson - no additional Member queries or comments.

Submission 10 – Raewyn Tate – with regard to the photograph received from Mrs Tate re weed control, Mr Nelson advised that Horizons Regional Council (HRC) contractors had been contacted and he was sure it had been attended to.

Submission 11 – Adam Canning on behalf of Wellington Fish and Game Council - no additional Member queries or comments.

Submission 12 – Victoria Edmonds on behalf of New Zealand Motor Caravan Association Inc – Cr Tukapua said she was happy with the Officer response and analysis.

Cr Mason commented that she thought a good range of options for people to camp were provided within the district.

Submission 13 – Larry Hine on behalf of Waitarere Beach Progressive and Ratepayer Association – noting the four bullet points on page 24 which had not been included in the Plan, two of which were the responsibility of Horizons, Cr Tukapua requested that a summary of those concerns around things that Horizons were or were not doing be compiled and, they be formalised in a letter to be sent to the Regional Council, requesting an acknowledgement

about how the issues raised would be addressed.

Mr Nelson said it was outside of the Management Plan process but it could be done

Because of the confusion that could arise around who should be doing what in terms of waterways and the foreshore, Cr Mason said she thought that would be a responsible action to take.

Submission 14 – Stephanie Bowman on behalf of the Department of Conservation - no additional Member queries or comments.

Submission 15 – Gaye Harrison – Following this submission, Cr Mason said she did go out and have a look at the area and was fully satisfied with the Officer's response. She thought it was great that so many people were passionate about the District's reserves.

Cr Tukapua said she was happy to see the Officer recommendation to look into the extraction of gravel.

Submission 16 – Sarah Walsh – Cr Mason said she was pleased to see the Officer's positive response.

Submission 17 – Pamela Robinson – the identified action in relation to signage where rock fall was a potential hazard was noted.

Submission 18 Charles Rudd – Mr Rudd's attendance in the gallery was noted. Mr Nelson responded to queries and comments with regard to which type of plant was more suitable for dune planting.

Cr Mason noted that some of the issues raised by Mr Rudd would be covered in correspondence with Horizons.

Submission 19 – Peter Wright - no additional Member queries or comments.

### **Submissions on the Draft Combined Foxton Reserves Management Plan**

Submission 1 – Malcolm Cotter – Mr Nelson reiterated the Officer's note with regard to concerns raised about vehicles doing 'doughnuts'. If these events were reported there were things that could be done to address them, but it was difficult to respond when there had been no complaints. He noted that issues raised by the submitter had been flagged with Robin Hapi of the Rugby Club.

Submission 2 – Terry Oliver-Ward – there were a number of issues around the Foxton River Loop, many of which were LTP issues. Currently there were discussions with iwi and also the Community Board as to how Seaview Gardens might be improved. There had been no level of detail included by Officers as discussions were still to be undertaken.

Submission 3 – John Batt – it was noted that the interconnectedness between the Piriharakeke Walkway and other areas, while not part of the Management Plan, would be addressed as Te Awahou Nieuwe Stroom and other initiatives progressed.

Submission 4 – Justine Street – with regard to the submitter's suggestion of outdoor exercise equipment at Easton Park, Ms O'Shea clarified that while provision of playground equipment for Reserves was not outside the Management Plan, the funding behind it was.

Submission 5 – Petrus - no additional Member queries or comments.

Submission 6 – Amy Robinson on behalf of the Department of Conservation - no

additional Member queries or comments.

Submission 7 – Junette Haronga - no additional Member queries or comments.

Submission 8 – Bob Hoskins - no additional Member queries or comments.

Submission 9 – Margaret Morgan-Allen & Res M Field on behalf of Ngāti Hikitunga Te Paea - no additional Member queries or comments.

Submission 10 – Robin Hapi on behalf of Foxton Rugby Club – with regard to the Rugby Club wanting the free running of dogs to be discontinued at Easton Park, Mr Nelson noted that the Dog Bylaw was outside the Reserve Management Plans. The Bylaw did recognise that people were walking their dogs through the Park to the Town centre and it was the responsibility of owners to ensure their dogs were leashed and cleaned up after, though there would always be some owners that did not follow the Bylaw. Better signage had been discussed with the Club

As with the issue raised in Submission 1 of vehicles doing “doughnuts”, it was a matter of getting people to report breaches.

In terms of whether there were sufficient areas for exercising dog off-leash, Mr Nelson said the River Loop and Target Reserve were unleashed areas.

Submission 11 – Victoria Edmonds on behalf of New Zealand Motor Caravan Association Inc - no additional Member queries or comments.

Submission 12 – David Batchelor on behalf of Coley Street School - no additional Member queries or comments.

Submission 13 - Late – Robin Hapi on behalf of Save Our River Trust – Cr Mason acknowledged the high value Council placed on the relationship with SORT and the desire, as had been raised by Mr Hapi, to deepen that working partnership and requested that be reflected in the Officer’s response to the submission.

Feedback from Ngāti Huia – Accretion Claim along the Waitarere Beach Foreshore – this was raised and discussed with Mr Nelson providing some clarification on the complexities of accretion claims. Discussions were on-going with interested iwis in the various areas in terms of how accretion claims might be progressed. Council did not have a policy with regard to accreted land and that was something that would need to be brought to Council at some point.

With regard to the SORT submission and how a SORT/Council partnership might be taken to a higher level was raised and discussed, with it noted that there would need to be further dialogue going forward.

The Hearings Committee Members expressed their agreement to receiving and considering the feedback from Ngāti Huia and Tukorehe as written submissions. The Committee also recorded their agreement with the requested amendments to the various Management Plans as proposed in the report.

MOVED by Cr Tukapua, seconded Cr Wanden:

*THAT the Hearings Committee considers the feedback received from Ngati Huia and Tukorehe on the Draft Reserves Management Plans, and recommends to Council for the feedback to be included in the consideration of written submissions to the Draft Plans.*

*THAT the Hearings Committee, having taken into account the submissions received during the formal consultation process, recommends to Council the adoption of the Draft Reserve Management Plans for Waitarere Beach Reserves, Waitarere Beach Foreshore Reserve, Ohau River Reserves and Foxton Reserves as amended.*

*THAT the Group Manager – Strategy and Development together with the Chair of the Hearings Committee be given delegated authority to make editorial changes that arise as part of the publication process for producing the Reserve Management Plans for Waitarere Beach Reserves, Waitarere Beach Foreshore Reserve, Ohau River Reserves and Foxton Reserves.*

**CARRIED**

Hearing Members commented on the very thorough process that had been undertaken to achieve a very good result.

Ms O’Shea then outlined the next steps, which included the Management Plans going to Council for adoption, following which final versions would be available on-line and in hard copy and Officers would undertake the identified actions outside the Reserve Management Plan process.

6.20 pm

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

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

**DATE:**.....

**CHAIRPERSON:**.....

# Proceedings of the Community Funding & Recognition Committee 23 August 2017

File No.: 17/502

## 1. Purpose

To present to the Council the minutes of the Community Funding and Recognition Committee meeting held on 23 August 2017.

## 2. Recommendation

- 2.1 That Report 17/502 Proceedings of the Community Funding & Recognition Committee 23 August 2017 be received.
- 2.2 That these matters or decisions be recognised as not significant in terms of s76 of the Local Government Act 2002.
- 2.3 That the Horowhenua District Council receives the minutes of the Community Funding and Recognition Committee meeting held on 23 August 2017.
- 2.4 That the Horowhenua District Council ratifies the following Rural Hall Grants:

<i>Ihakara Hall Society Inc.</i>	\$6,261.75
<i>Tokomaru Hall Society</i>	\$16,712.95
<i>Opiki Hall Society Inc.</i>	\$3,105.00
<i>Wharerongopai Assembly Hall</i>	\$1,873.65
<i>Foxton Beach Senior Citizens Club Assn.</i>	\$10,007.30
	\$37,960.65

- 2.5 That the Horowhenua District Council notes the International Representation Grants as follows:

<i>Logan Manson</i>	\$300
<i>Michael Searle</i>	\$500
<i>Sonny Whakarau</i>	\$200
	\$1000.00

## 3. Matters for Consideration

That the Council ratifies the Rural Hall Grants and notes the International Representation Grants as recommended.

## Attachments



There are no attachments for this report.

### Confirmation of statutory compliance

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

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

## Signatories

Author(s)	Joshua Wharton <b>Community Development Advisor - Graduate</b>	
Approved by	Sharon Grant <b>Group Manager - Community Services</b>	

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# Community Funding and Recognition Committee

## OPEN MINUTES

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Minutes of a meeting of Community Funding and Recognition Committee held in the Ante Room, 126-148 Oxford St, Levin, on Wednesday 23 August 2017 at 12:00 noon.

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### PRESENT

**Chairperson** Cr N Gimblett  
**Members** Cr R Campbell  
Cr J Mason  
Cr P Tukapua  
Cr B Wanden

### IN ATTENDANCE

Mr J Wharton	(Community Development Advisor)
Ms H Hayes	(Community Development Advisor)
Ms S Parrant	(Youth Development Advisor)

#### 1. Apologies

There were no apologies.

#### 2. Declarations of Interest

There were no declarations of interest

#### 3. Confirmation of Minutes

MOVED by Cr Gimblett, seconded Cr Wanden:

*THAT the minutes of the meeting of the Community Funding and Recognition Committee held on Wednesday 5 July 2017 be confirmed as a true and correct record.*

**CARRIED**

#### 4. Rural Halls Grants and International Representation Grants

##### Discussion

It was agreed that future International Representation Grant application forms will have a section for applicants to say what club/organisation they are involved with, and to write a paragraph in support of their application.

Discussion around criteria of the two grants in relation to the applications, and how best to phase funding throughout the financial year.

Increased engagement with Rural Halls Societies and increased overall funding has led to smarter funding applications and a smaller total number of applications.

Council officers will utilise LGHub and Portal applications to better distribute grants funding applications to Councillors prior to funding meetings.

MOVED by Cr Mason, seconded Cr Wanden:

*THAT the Rural Halls Grant Funding be approved as follows:*

<i>Ihakara Hall Society Inc.</i>	<i>\$6,261.75</i>
<i>Tokomaru Hall Society</i>	<i>\$16,712.95</i>
<i>Opiki Hall Society Inc.</i>	<i>\$3,105.00</i>
<i>Wharerongopai Assembly Hall</i>	<i>\$1,873.65</i>
<i>Foxton Beach Senior Citizens Club Assn.</i>	<i>\$10,007.30</i>
	<i>\$37,960.65</i>

**CARRIED**

MOVED by Cr Wanden, seconded Cr Mason:

*THAT the International Representation Grant funding be approved as follows:*

<i>Logan Manson</i>	<i>\$300</i>
<i>Michael Searle</i>	<i>\$500</i>
<i>Sonny Whakarau</i>	<i>\$200</i>
	<i>\$1000.00</i>

**CARRIED**

## **5. Funding Booklet**

Subcommittee members were provided with a draft funding booklet and will provide feedback to Council Officers in the coming weeks.

1:45 pm

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

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

**DATE:**.....

**CHAIRPERSON:**.....



# Proceedings of the Community Funding & Recognition Committee 27 September 2017

File No.: 17/503

## 1. Purpose

To present to the Council the minutes of the Community Funding and Recognition Committee meeting held on 27 September 2017.

## 2. Recommendation

- 2.1 That Report 17/503 Proceedings of the Community Funding & Recognition Committee 27 September 2017 be received.
- 2.2 That these matters or decisions be recognised as not significant in terms of s76 of the Local Government Act 2002.
- 2.3 That the Horowhenua District Council receives the minutes of the Community Funding and Recognition Committee meeting held on 27 September 2017.
- 2.4 That the Horowhenua District Council ratifies the Community Consultation Grants as follows

:

Levin and Districts Brass Band Inc.	<b>\$0.00</b>
Waitarere Beach Progressive & Ratepayers Assn.	\$680.17
Raukawa Whanau Ora Ltd.	\$0.00
Tokomaru Village & Community Assn.	\$500.00
	\$1180.17

- 2.5 That the Horowhenua District Council ratifies the Community Development Grants as follows:

Social Socks	\$0
Levin Christian Care Trust	\$3,000
Foxton Horse Tram Society Inc.	\$1,200
Levin Interchurch Foodbank	\$2,500
Horowhenua AP & I Assn.	\$0
Horowhenua Junior Touch Rugby	\$2,999
Riding for the Disabled	\$2,000
Birthright Levin Inc.	\$800
Horowhenua Supergrans Inc.	\$1,800
Horowhenua Hearing Assn.	\$500
Samaritans of Horowhenua	\$1,500
Big Bang Adventure Charitable Trust	\$0
Horowhenua Kapiti Life Education Trust	\$709
Foxton Lions Club	\$900
NZ Radio for the Pint Disabled Inc.	\$1,577
Citizens Advice Bureau	\$2,000
Harrier & Multisport Club	\$0
Breast Cancer Support Inc.	\$383

Levin & Districts Senior Citizens Assn.	\$1,000
Manawatu Alzheimers Society	\$2,400 (Conditional)
Royal NZ Plunket Society	\$2,500
Project Litefoot Trust	\$0
Horowhenua Kids, Teens, and Family Trust	\$2,500
Manakau School Parent Teachers Assn.	\$0
Levin Baptist Kindergarten	\$700
Shannon Youth Group	\$0
Victim Support	\$1,700
Horowhenua Historical Society Inc.	\$800
Tokomaru Village and Community Assn.	Community Consultation Grant
Horowhenua Taste Trail	\$3,000
Special Olympics Horowhenua	\$2,428
St Joseph's Catholic School	\$0
Foxton Tourist & Development Assn.	\$1,500
Showground Sport	\$1,300
Reikura Whitiara Ltd.	\$0
ME CFS Support group	\$600
Waiopahu College Rotary Interact Club	\$650
Levin Basketball Association	\$3,704
	\$46,650.00

### 3. Matters for Consideration

Ratification of the Community Consultation and Community Development Grants is sought.

#### Attachments


There are no attachments for this report.


#### Confirmation of statutory compliance

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

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

#### Signatories

Author(s)	Joshua Wharton <b>Community Development Advisor - Graduate</b>	
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Approved by	James Richmond <b>Acting Community Services Manager</b>	
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# Community Funding and Recognition Committee

## OPEN MINUTES

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Minutes of a meeting of Community Funding and Recognition Committee held in the Horowhenua Room, Horowhenua District Council, 126-128 Oxford Street, Levin, on Wednesday 27 September 2017 at 1:00pm.

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### PRESENT

**Chairperson** Cr N Gimblett  
**Councillors** Cr P Tukapua  
Cr B Wanden

### IN ATTENDANCE

Mr J Wharton (Community Development Advisor)  
Ms S Parrant (Youth Development Advisor)  
Ms H Hayes (Community Development Advisor)

#### 1 Apologies

MOVED by Cr Wanden, seconded Cr Gimblett:

*THAT the apologies from Crs Campbell and Mason be accepted*

**CARRIED**

#### 2 Declarations of Interest

Cr P Tukapua declared a conflict of interest for Reikura Whitiara Ltd.  
Ms H Hayes declared a conflict of interest for St Josephs Catholic School.

#### 3 Confirmation of Minutes

MOVED by Cr Wanden, seconded Cr Gimblett:

*THAT the minutes of the meeting of the Community Funding and Recognition Committee held on Wednesday, 23 August 2017, be confirmed as a true and correct record.*

**CARRIED**

#### 4 Announcements

There were no announcements.

#### 5 Consultation of Community Consultation Grants

Officers spoke to each of the applications made, answering questions and providing guidance as required.

MOVED by Cr Tukapua, seconded Cr Wanden:

*THAT the final allocations of the Community Consultation Grants be as follows:*

<b>Levin and Districts Brass Band Inc.</b>	<b>\$0.00</b>
<i>Waitarere Beach Progressive &amp; Ratepayers Assn.</i>	<i>\$680.17</i>
<i>Raukawa Whanau Ora Ltd.</i>	<i>\$0.00</i>
<i>Tokomaru Village &amp; Community Assn.</i>	<i>\$500.00</i>
	<i>\$1180.17</i>

**CARRIED**

Note: The decision was made to award \$500.00 to the Tokomaru Village & Community Assn. under the Community Consultation Grant, rather than the Community Development Grant (of which they initially applied), as their application was better suited to the goals of this grant.

## 6 Consultation of Community Development Grants

Officers spoke to each of the applications made, answering questions and providing guidance as required. Many of the applications were scaled due to limited funds, and priorities of the committee identified at the start of the meeting.

MOVED by Cr Wanden, seconded Cr Tukapua:

*THAT the final Community Development Grant allocations be as follows:*

<i>Social Socks</i>	<i>\$0</i>
<i>Levin Christian Care Trust</i>	<i>\$3,000</i>
<i>Foxton Horse Tram Society Inc.</i>	<i>\$1,200</i>
<i>Levin Interchurch Foodbank</i>	<i>\$2,500</i>
<i>Horowhenua AP &amp; I Assn.</i>	<i>\$0</i>
<i>Horowhenua Junior Touch Rugby</i>	<i>\$2,999</i>
<i>Riding for the Disabled</i>	<i>\$2,000</i>
<i>Birthright Levin Inc.</i>	<i>\$800</i>
<i>Horowhenua Supergrans Inc.</i>	<i>\$1,800</i>
<i>Horowhenua Hearing Assn.</i>	<i>\$500</i>
<i>Samaritans of Horowhenua</i>	<i>\$1,500</i>
<i>Big Bang Adventure Charitable Trust</i>	<i>\$0</i>
<i>Horowhenua Kapiti Life Education Trust</i>	<i>\$709</i>
<i>Foxton Lions Club</i>	<i>\$900</i>
<i>NZ Radio for the Pint Disabled Inc.</i>	<i>\$1,577</i>
<i>Citizens Advice Bureau</i>	<i>\$2,000</i>
<i>Harrier &amp; Multisport Club</i>	<i>\$0</i>
<i>Breast Cancer Support Inc.</i>	<i>\$383</i>
<i>Levin &amp; Districts Senior Citizens Assn.</i>	<i>\$1,000</i>

<i>Manawatu Alzheimers Society</i>	<i>\$2,400 (Conditional)</i>
<i>Royal NZ Plunket Society</i>	<i>\$2,500</i>
<i>Project Litefoot Trust</i>	<i>\$0</i>
<i>Horowhenua Kids, Teens, and Family Trust</i>	<i>\$2,500</i>
<i>Manakau School Parent Teachers Assn.</i>	<i>\$0</i>
<i>Levin Baptist Kindergarten</i>	<i>\$700</i>
<i>Shannon Youth Group</i>	<i>\$0</i>
<i>Victim Support</i>	<i>\$1,700</i>
<i>Horowhenua Historical Society Inc.</i>	<i>\$800</i>
<i>Tokomaru Village and Community Assn.</i>	<i>Community Consultation Grant</i>
<i>Horowhenua Taste Trail</i>	<i>\$3,000</i>
<i>Special Olympics Horowhenua</i>	<i>\$2,428</i>
<i>St Joseph's Catholic School</i>	<i>\$0</i>
<i>Foxton Tourist &amp; Development Assn.</i>	<i>\$1,500</i>
<i>Showground Sport</i>	<i>\$1,300</i>
<i>Reikura Whitiara Ltd.</i>	<i>\$0</i>
<i>ME CFS Support group</i>	<i>\$600</i>
<i>Waiopahu College Rotary Interact Club</i>	<i>\$650</i>
<i>Levin Basketball Association</i>	<i>\$3,704</i>
	<i>\$46,650.00</i>

**CARRIED**

Note: \*The awarding of funds to the Alzheimers Society is conditional on them utilising the funds for Levin-based activity only, and in consideration for the new Jack Allen premises.

## **7 General Business**

Councillors requested that in future the Agenda and Officers report are distributed together. Also requested that an interactive spreadsheet of applications is distributed so that Committee Members are able to attempt funding allocation distribution prior to the meeting.

Many applications were discussed in terms of showing (or failing to show) long term sustainability. This will be utilised as a prioritization tool in future funding rounds.

There was clarification around organisations that are funded substantially by Central Government (e.g. schools). In that initiatives should not directly benefit the entities themselves, rather the broader community. For example: applying for an internal school kapa haka talent show would not be eligible; however applying for an inter-school kapa haka festival would be.

In addition, discussion was had about suggesting to organisations that when they apply for the Community Development Grant, they do so for the part of their activity that actually contributes to 'community development', rather than activities that only serve the entity (even despite the organisation as a whole doing positive community work).

Finally, Council Officers ran the committee through the proposed schedule for the upcoming Civic Honours event, and the decision making process surrounding that. Members were

encouraged to continue to nominate individuals, as nominations have been lower this year than in previous.

3:34pm

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

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

**DATE:**.....

**CHAIRPERSON:**.....





# Proceedings of the Foxton Community Board 18 September 2017

File No.: 17/493

## 1. Purpose

To present to the Council the minutes of the Foxton Community Board meeting held on 18 September 2017.

## 2. Recommendation

- 2.1 That Report 17/493 Proceedings of the Foxton Community Board 18 September 2017 be received.
- 2.2 That the Council receive the minutes of the Foxton Community Board meeting held on 18 September 2017.

## 3. Issues for Consideration

There are no items considered by the Foxton Community Board that require further consideration by Council.

## Attachments



There are no attachments for this report.

### Confirmation of statutory compliance

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

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

## Signatories

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

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# Foxton Community Board

## OPEN MINUTES

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Minutes of a meeting of the Foxton Community Board held in the Manawatu College Library, Ladys Mile, Foxton, on Monday 18 September 2017 at 6.00 pm.

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### PRESENT

<b>Chairperson</b>	Mr D J Roache
<b>Deputy Chairperson</b>	Ms P R Metcalf
<b>Members</b>	Mr D A Allan Cr N G Gimblett Mr J F Girling

### IN ATTENDANCE

Mr D M Clapperton	(Chief Executive)
Mrs K J Corkill	(Meeting Secretary)

### ALSO IN ATTENDANCE

Miss M Davenport	
Mayor M Feyen	
Mr G Saidy	(Group Manager – Infrastructure Services)
Mr R Srivastava	(Asset Planning Manager)
Mr M McGunnigle	(Water Services Engineer)
Cr R J Brannigan	

### MEDIA IN ATTENDANCE

Ms A Collis	(“Chronicle”)
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### PUBLIC IN ATTENDANCE

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

#### 1 Apologies

An apology was recorded for Ms Lundie.

MOVED by Cr Allan, seconded Cr Girling:

*THAT the apology from Ms Lundie be accepted.*

**CARRIED**

## 2 Public Participation

Michael Feyen      Item 17/445 – Monitoring Report  
Item 17/375 – Chief Executive’s Report

Olaf Eady            Item 17/375 – Chief Executive’s Report  
*3.8 – Foxton Beach Freeholding Account*

## 3 Late Items

There were no late items.

## 4 Declaration of Interest

7.1      Monitoring Report  
17/32      *Electronic Sign – Manawatu College*

David Allan as he was a teacher at Manawatu College.

## 5 Confirmation of Minutes

MOVED by Mr Girling, seconded Cr Gimblett:

*THAT the minutes of the meeting of the Foxton Community Board held on Monday, 7 August 2017, be confirmed as a true and correct record.*

**CARRIED**

## 6 Announcements

### Manawatu College Student – Potential Community Board Appointee

Meghan Davenport was welcomed to the table. Ms Davenport introduced herself, saying she was a Year 12 Manawatu College student. She was also a member of Youth Voice, which had been talking about ways of engaging with problem youth. She said saw this as an opportunity to gain more information that could assist with that goal.

With this appointment being an outcome of the recent Community Boards’ Conference as a means of getting young people involved, Mr Roache thanked Ms Davenport for her presentation and willingness to participate.

MOVED by Mr Girling, seconded Ms Metcalf:

*THAT the Foxton Community Board approves the appointment of a Manawatu College Student to participate in the Foxton Community Board meetings for the 2016-2019 triennium, with speaking but no voting rights.*

**CARRIED**

Following the resolution being passed, Meghan was welcomed to the table.

### Horowhenua District Council Update

With this to be a regular opportunity to brief not only Board Members but also members of the community on Council matters, Cr Gimblett’s comments covered:

- Council Youth Scholarships which were now open for applications. Information was available on Council’s website;
- Civic Honours Awards which were also open for nominations;

- Matters arising from the last Council meeting:
  - Council had agreed to use funds from the Freeholding Account towards the Nash Parade/Bond Street upgrade;
  - there were a number of items that had gone out for public consultation, including Plan Change 1 – Heritage Buildings; Additions to the Resource Consent Schedule of Fees and Charges; Gambling and TAB Policies. Information on these was on Council's website;
- the passing of a Provisional Local Alcohol Policy which, if no objections were received within 30 days, would come into force;
- economic growth, which was currently a Council focus. From a Foxton perspective of the 208 resource consents throughout the district, 33 related to the Kere Kere Ward, which was just below the average but well up on past years;
- the Council Long Term Plan process which would carry on through into next year. The intention was to get out and consult with the community throughout October and into November so the community viewpoint could be incorporated into the LTP;
- a Council briefing held on the Representation Review. The Review, with the Community Board would be involved in, would be held over the next year and information could be found on Council's website.

Noting the public meeting on the Foxton Pool that would be held tomorrow evening, 7.00 pm at the College, Mr Roache advised there would be a survey available for interested people to fill out after the meeting and drop off at the Library.

It was requested that the survey also be available on Council's website for people to complete.

## 7 Reports

### 7.1 Monitoring Report to 18 September 2017

#### Purpose

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

MOVED by Mr Allan, seconded Mr Girling:

*THAT Report 17/445 Monitoring Report to 18 September 2017 be received.*

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

**CARRIED**

Mayor Feyen commented on a number of items in the Monitoring Report, including:

- 16/59 – Flooding at the Foxton Cemetery – the new road where it had been raised appeared to be having some impact. He had visited the cemetery with Maurice McGunnigle and hoped the issue could be addressed soon.
- 16/341 – Foxton River Loop Working Party – whilst the CE had been doing a lot of work on this, Mayor Feyen said it was his view, with the documentation that was available on the matter; it should be taken directly to Government to move it along.
- 16/341 – Foxton & Foxton Beach Water & Greensand filtration – what exactly did it do? Mr Saidy advised it was a form of water treatment to remove ammonia and manganese out of the water.
- 16/16 – Stormwater Catchment – he had visited the Rohan Teaz's property to view the situation with Mr McGunnigle, who had it in hand.
- 17/154 – Foxton Pool – the public meeting was tomorrow evening at 7.00 pm. He would put it on social media.

- 17/271 – Stormwater/Road Upgrade – Nash Parade/Bond Street, Foxton Beach – he was glad this was to proceed.

and the Chief Executive's Report:

- 3.3 – Foxton Main Street – there was a concern, because of the weather, at the length of time this was taking and financial ramifications for businesses;
- 3.9 – LTP 2015-2025 Monitoring Report:
  - No 43 – Opportunities for marketing of Foxton and Foxton Beach – he would like to be involved in that;
  - No 110 – he thought there would be more activity at Foxton Beach if and when the water was fixed.

The Monitoring Report was worked through with Members commenting on/querying the following:

Page 8 14/32 – Sand Dune Management – Surf Club Car Park

With the Monitoring Report comment recording that Horizons classified any alteration of the dunes as a non-complying activity, Mr Allen suggested the community should be canvassed on its views as to whether this should be progressed or not. His suggestion was supported by Mr Girling.

Mr Roache said he would like to see this discussed as part of the LTP process.

Mr Clapperton commented that it may not just be a matter of what the community wanted. The RMA process and the rules of the One Plan also needed to be taken into account.

16/59 – Foxton Cemetery

Officers had the flooding issues in hand.

16/16 – Kings Canal and Purcell Street Stormwater Catchment

Mr Roache advised he had a meeting with Messrs Strong and Foxall from Horizons later in the week and would report back to the Board on the outcome of that meeting.

Page 9 Increasing parking capacity in Thomas Place

Mr Clapperton advised Council's Roding Team had this in hand.

Page 11 17/154 – Foxton Main Street Upgrade – North End

Mr Clapperton to speak to this later in the meeting.

Page 12 17/154 – New Whirokino Bridges

Council was endeavouring to arrange a meeting with NZTA representative(s).

## 7.2 Chief Executive's Report to 18 September 2017

### Purpose

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

MOVED by Mr Allan, seconded Ms Metcalf:

*THAT Report 17/375 Chief Executive's Report to 18 September 2017 be received.*

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

**CARRIED**

Requesting the report be taken as read, Mr Clapperton advised he would address two items in more detail: the Foxton Main Street North Upgrade and the Foxton and Beach Bowling Club's request for funding support.

### 3.7 Foxton and Beach Bowling Club

Having agreed to come back with some options as to how the Club could be supported with its development plans, Mr Clapperton outlined possible options particularly in terms of providing funding from the Foxton Beach Freeholding Account should the Community Board have a desire to go down that path. He spoke in some detail about the possibility of providing a suspensory loan (for \$200,000) from the Freeholding Fund.

With the Freeholding Account Policy requiring community consultation on the use of funds there could be issues, in terms of:

- (a) timing, as the Club was seeking to progress the project over the summer period;
- (b) the quotes received, which had a deadline;
- (c) how the loan would be treated going forward should the community response be to not support the proposal;
- (d) if the community did not support the project the loan would have to be repaid and how that may occur - over time or in a lump sum - would require the Club's written response.

Mr Clapperton noted that suspensory loans had been used in the past, with an interest free loan having been provided to the Events Centre Trust for the construction of the stadium. That had been paid back over period of time with some funding support coming through from Council.

If the Board went down the suspensory loan path, there would need to some tags with regard to the use of the facility so it could be used by the community, not just the Bowling Club. There had been an indication that there was willingness for other activities to occur as long as it did not compromise the activities of the Bowling Club. The loan would cover both the carpark and the green.

Council would also support the Club to seek third party funding for the capital component of the project, which it would be more likely to be successful if it was a multi-purpose facility.

Board Members discussed the proposal in some detail, with it stressed that, if the Board supported the proposal in principle, confirmation would be needed from the Club that it would repay the loan should community support not be forthcoming.

Mr Clapperton concurred that a discussion needed to be had with the Bowling Club and there also needed to be an assessment of the Business Case.

On behalf of the Bowling Club, Mr Oriel Martin said 450 signatures from the public had been received in support of the proposal. He also provided a copy of the quote and accompanying letter that had been received.

MOVED by Mr Roache, seconded Mr Allan:

*THAT THE Foxton Community Board agrees in principle to exploring the possibility of a suspensory loan from the Foxton Beach Freeholding Fund for the Foxton and Beach Bowling Club to build an artificial green and surrounding apron and upgrading the carpark subject to confirmation from the Club that it will pay back the loan if community support for the use of Freeholding Funds*

*was not forthcoming.*

**CARRIED**

Mr Clapperton said he would progress the matter with the Bowling Club.

**3.3 Foxton Main Street Upgrade Project**

Mr Clapperton tabled a Project Update on Main Street North prepared by Anna Wood which provided a summary of the process that had been undertaken to date. There had been four options identified after considerable stakeholder engagement. Two had been discounted and Mr Clapperton suggested that further engagement was needed with building and business owners, land owners and residents located in that vicinity, and the Horse-drawn Tram, Police and Fire Service before a final decision was made on the preferred option. Further engagement with iwi should also occur. The Board could also contribute in terms of the decision making. He stressed that it was not intended to relocate the cenotaph; the options were around roading and open space configuration.

**3.4 Flooding Issues – Foxton and Foxton Beach**

Mr Girling queried if anything had been done about the flooding that he had reported and the end of Cousins Avenue.

**3.8 Foxton Beach Freeholding Account**

Mr Clapperton responded to matters raised by Mr Eady in terms of the layout of the information provided, whether the Account was audited; and also queries in relation to the roading rate and how it was apportioned.

**3.9 Long Term Plan 2015-2015 and Annual Plan 2016/17 Monitoring Reports**

**Shared Pathways**

Responding to a communication from Cr Gimblett, Mr Clapperton noted that there had been a change in the way Council was proposing to deliver Shared Pathways. These would be largely on road reserves and the responsibility had been shifted to the Roading team. Part of the reason for the change was the ability to get subsidised funding. It had meant that there had been a delay in in the programme of works. He appreciated the frustration caused by the lack of physical works to date.

**Page 21 – SORT**

It was requested this remain on the Monitoring Report as SORT had not yet uplifted the whole of the allocated funded.

Mr Girling advised that the Chair of SORT had agreed to the formation of a joint working party to get quotes for the work involved so it was done professionally and to push the project on.

**7.3 Resource Consenting (Planning) Matters Considered Under Delegated Authority**

**Purpose**

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

MOVED by Mr Allan, seconded Cr Girling:

*THAT Report 17/372 Resource Consenting (Planning) Matters Considered Under Delegated Authority be received.*

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

**CARRIED**

7.20 pm

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

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

**DATE:**.....

**CHAIRPERSON:**.....



# Proceedings of the Finance, Audit & Risk Subcommittee 20 September 2017

File No.: 17/494

## 1. Purpose

To present to the Council the minutes of the Finance, Audit & Risk Subcommittee meeting held on 20 September 2017 and the Financial Report to 31 August 2017.

## 2. Recommendation

- 2.1 That Report 17/494 Proceedings of the Finance, Audit & Risk Subcommittee 20 September 2017 be received.
- 2.2 That the Council receive the minutes of the Finance, Audit & Risk Subcommittee meeting held on 20 September 2017 and the Financial Report to 31 August 2017..

## 3. Issues for Consideration

The following issues consideration by the Finance, Audit & Risk Subcommittee require further consideration by Council:

- (a) Annual Report for the year ended 30 June 2017  
A separate report is included in today's Agenda.
- (b) Electronic Communications (E-mail Quarantine) Policy  
A separate report on this item is included in today's Agenda.

## Attachments

No.	Title	Page
A	Financial Report to 31 August 2017	49

### Confirmation of statutory compliance

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

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

## Signatories

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

# OPEN MINUTES

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Minutes of a meeting of the Finance, Audit & Risk Subcommittee held in the Council Chambers, Horowhenua District Council, Levin, on Wednesday 20 September 2017 at 4.00 pm.

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### PRESENT

<b>Chairperson</b>	Mr P Jones
<b>Deputy Chairperson</b>	Cr B F Judd
<b>Members</b>	Mayor M Feyen Cr W E R Bishop Cr R J Brannigan Cr N G Gimblett Cr V M Kaye-Simmons Cr C B Mitchell Cr P Tukapua Cr B P Wanden

### IN ATTENDANCE

<b>Reporting Officer</b>	Mr D Law Mr D M Clapperton Mr G Saidy Mr M Lester Mr D McCorkindale Mrs N Brady  Mrs S Grant Mr J Paulin Mrs D Weir Mr K Peel Mr D Gerrard Mrs C McCarthy Mr S Wood Mr A Chamberlain Mr I McLachlan Mrs K J Corkill	(Chief Financial Officer) (Chief Executive) (Group Manager – Infrastructure Services) (Acting Group Manager – Corporate Services) (Group Manager – Strategy & Development) (Group Manager – Customer & Regulatory Services) (Group Manager – Community Services) (Finance Manager) (People & Capability Manager) (Roading Manager) (Alliance Manager) (Strategic Projects Manager) (HDC Legal Counsel) (Financial Accountant) (Risk Management Lead) (Meeting Secretary)
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### MEDIA IN ATTENDANCE

Ms M Schroeter (“Manawatu Standard”)

### PUBLIC IN ATTENDANCE

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

**1 Apologies**

MOVED by Cr Wanden, seconded Cr Tukapua:

*THAT the apologies from Crs Campbell and Mason be accepted.*

**CARRIED**

**2 Public Participation**

There had been no requests to speak.

**3 Late Items**

There were no late items.

**4 Declarations of Interest**

None declared.

**5 Confirmation of Minutes – Open & In Committee - 9 August 2017**

MOVED by Cr Brannigan, seconded Cr Wanden:

*THAT the Open and In Committee minutes of the Finance, Audit & Risk Subcommittee held on Wednesday, 9 August 2017, be confirmed as a true and correct record.*

**CARRIED**

**6 Announcements**

There were no announcements.

**7 Reports**

**7.1 Annual Report for the year ended 30 June 2017**

**Purpose**

To recommend the adoption of the Annual Report for the year ended 30 June 2017 to Council.

CFO Mr Law spoke to this report providing further comment on items in the report, and responding to queries. He also gave an explanation of derivative contracts as noted on page 9.

Mr Chamberlain gave an explanation in relation to the Insurance of Assets contained on page 53 of the Draft Annual Report saying the figures included things like reserves that Council did not insure for.

In terms of the on-going enhancements that were proposed to the presentation and format of the report, Mr Law said this was because the information was generally in a format that only accountants could interpret and his aim was to provide it in a way that was more understandable for all. It was also noted that there were very complicated and prescribed accounting standards, and some information and the

way it was presented was required by legislation.

MOVED by Cr Kaye-Simmons, seconded Cr Judd:

*THAT Report 17/452 Annual Report for the year ended 30 June 2017 is received.*

*THAT the Finance, Audit and Risk Subcommittee recommends to Council the adoption of the Annual Report ended 30 June 2017 at the Council meeting of 11 October 2017.*

**CARRIED**

Mayor Feyen ABSTAINED from voting.

## 7.2 Financial Report for the two months to 31 August 2017

### Purpose

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

In terms of the information provided in the report, Mr Law noted it was always difficult at this time of year to see long term trends. However, Depreciation would be over budget for the rest of the year because of the asset revaluations that occurred as part of the Annual Report.

Referring to the difficulties that Council had in managing capital expenditure in terms of performance, Mr Jones requested that the CE and Officers look at coming up with a plan going into the LTP to better forecast capital expenditure.

MOVED by Cr Wanden, seconded Mr Jones:

*THAT Report 17/370 Financial Report for the two months to 31 August 2017 be received.*

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

**CARRIED**

## 7.3 Infrastructure Projects Update

### Purpose

To update the Finance, Audit & Risk Subcommittee on the projects being undertaken by the Projects' team.

Requesting that the report be taken as read, Mr Gerrard, Alliance Manager, took the opportunity in Mr O'Neill's absence to introduce himself. He gave a PowerPoint presentation on the Alliance, what it was, how it operated and the benefits that would accrue to both parties.

With the Subcommittee's role including risk, Mr Jones said he was pleased to see the Alliance's mandate included 'zero harm'. He queried how many near misses there had been so far.

In terms of zero harm, Mr Gerrard said they had had the first incident yesterday with a minor vehicle incident (ding) occurring at the Levin Wastewater Treatment Plant. Previously there had been nothing reported, but it had been stressed to the team that every incident needed to be reported so measures could be put in place for future prevention.

Noting page 35 and the Risk Register recording that there were no open risks, Mayor Feyen suggested one risk was that \$200,000 more had been spent on Te Awahou Nieuwe Stroom than had been planned and perhaps that should be included.

Mr Saidy gave an explanation of the Off Track status of two components of the Koputaroa Stream Improvements project, with this due to the consenting process that was being undertaken which could move the construction date further out, possibly beyond July 2018.

MOVED by Cr Brannigan, seconded Cr Gimblett:

*THAT Report 17/438 Infrastructure Projects Update be received.*

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

**CARRIED**

Mrs McCartney joined the table to speak to the Te Awahou Nieuwe Stroom Project Update requesting that the report be taken as read.

Responding to the \$200,000 funding deficit that had been raised, Mrs McCartney said it was proposed to claw back money on the landscaping component of the project and further third party funding would be sought. She also provided further information on the Trespa cladding that had been used for the exterior walls saying that if it was washed down regularly (every six months) it should last for a long time, even in a salty environment. It had been chosen to reduce maintenance costs and was used in the Netherlands/Europe where it had worked really well.

#### **7.4 Electronic Communications (E-mail Quarantine) Policy**

##### **Purpose**

To present for the Finance Audit and Risk Subcommittee's (Committee) consideration a draft Electronic Communications (E-mail Quarantine) Policy as resolved during the confidential part of the Committee's meeting on 9 August 2017.

With Mr Wood, HDC's Legal Counsel, having been instrumental in formulating the policy, he joined Mr Lester at the table. With the report being taken as read Mr Lester gave a summary of the background to the Policy's drafting, with Mr Wood also explaining the process should an email be blocked by Mail Marshall, which did provide for a request for it to be released.

With it noted that comment/feedback had been sought from the Office of the Ombudsman, the Office of the Privacy Commissioner and Council's lawyers, it was queried if it would be sensible to wait for that feedback before the Policy was adopted.

Mr Jones said the Policy was needed now and that those agencies were not renowned for their speed in providing a response. As Chair, he suggested that the Policy, with suggested amendments, be recommended to Council for adoption. It could be tested and Council could change it at any stage if required.

With regard to the complaints procedure when it related to the Chief Executive, it was suggested (and it had been discussed prior to the meeting) that either the CE's Relationship Committee or the FARS Independent Chair would be more appropriate avenues for a complaint to be investigated. After further discussion it was **AGREED**

that where a complaint against the CE escalated to requiring investigation, this should be undertaken by the Independent Chair of the FAR Subcommittee.

It was also AGREED that reporting to the FAR Subcommittee should be quarterly not half yearly as provided in clause 11 of the Policy.

MOVED by Mr Jones, seconded Cr Wanden:

*THAT Report 17/484 Electronic Communications (E-mail Quarantine) Policy be received.*

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

*THAT the draft Electronic Communications (E-mail Quarantine) Policy be recommended to Council for adoption, with the suggested amendments, noting that it is to be sent to the Office of the Ombudsman, the Office of the Privacy Commissioner, Netsafe and Council's legal advisors for comment/feedback.*

**CARRIED**

Mayor Feyen ABSTAINED from voting.

Whilst saying that a Policy was needed for transparency and to avoid any reputational risk to Council, Mayor Feyen explained the reasons for his abstention from voting, which included transparency and the reputational risk for Council. He said he was totally unhappy with the entire process so far.

Points of Order were raised, firstly by Cr Judd as he said some of the comments made by the Mayor were incorrect; and then by Mr Jones as the Mayor's comments strayed from the adoption of the Policy, which was the subject of this report. The Points of Order were upheld by the Chair.

## 7.5 Mayoral Discretionary Fund

### Purpose

To report to the Finance, Audit & Risk Subcommittee on the grants made from the Mayoral Discretionary Fund during the 2016/17 financial year.

It was noted that whilst the previous budget had been \$20,000 pa, it had been set at \$10,000 for the 2017/18 year. That did not stop the Mayor making an additional funding request during the year if required.

MOVED by Cr Gimblett, seconded Cr Mitchell:

*THAT Report 17/451 Mayoral Discretionary Fund be received.*

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

**CARRIED**

## 7.6 Health & Safety - Quarterly Report

### Purpose

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

Council's People & Capability Manager, Mrs Weir spoke to this report noting

particularly that the top eight risks, identification of which had been requested at the previous FARS meeting, were included in the report.

MOVED by Mayor Feyen, seconded Cr Brannigan:

*THAT Report 17/450 on Health & Safety - Quarterly Report be received.*

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

**CARRIED**

#### 7.7 Monitoring Report to 20 September 2017

##### **Purpose**

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

MOVED by Cr Kaye-Simmons, seconded Mayor Feyen:

*THAT Report 17/454 on Monitoring Report to 20 September 2017 be received.*

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

**CARRIED**

5.26 pm

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

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

**DATE:**.....

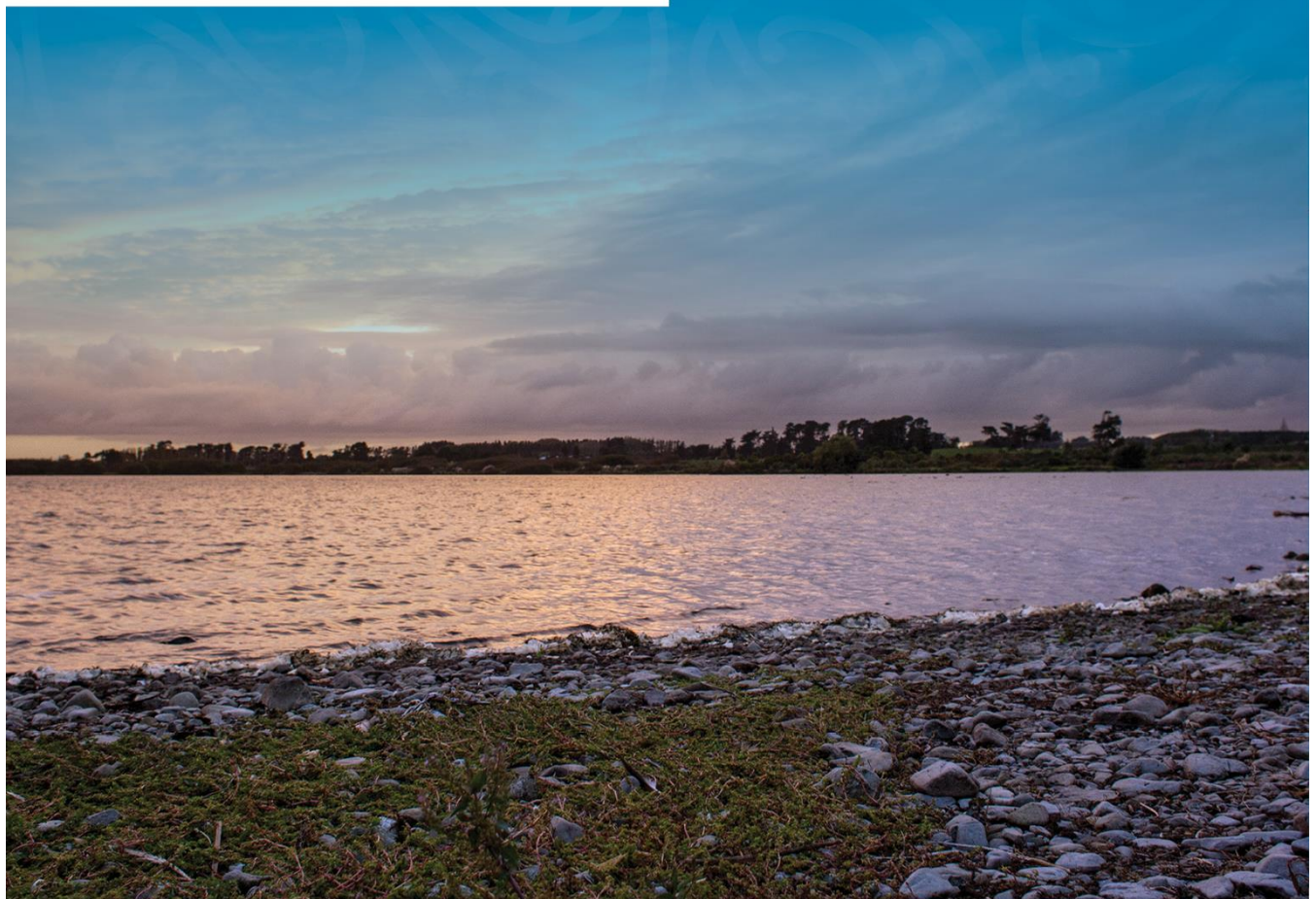
**CHAIRPERSON:**.....





# Two Month Report

1 July 2017- 31 August 2017



## Executive Summary

### A. Trends and Activity of Interest

1. Resource Consenting
  - 37 consents have been lodged and 32 approved as at 31 August 2017. Approved consents include consents under process at 30 June 2017.
  - 31 subdivision consents approved as at 31 August 2017.
  - 8 new allotments have been created as at 31 August 2017, 3 Residential and 5 Rural. 0 lots have reached either 223 or 224 stage.
2. Building Consents
  - Value of consents issued as at 31 August 2017 is \$15,666,799.
  - 40 new dwelling consents at 31 August 2017 against 38 for the same period in the 2016/2017 year.
  - 128 building consents were as at 31 August 2017, compared to 119 for the same period last year.

Both Resource Consent and Building Consent numbers, and the level of enquiries, continue to hold steady.

### B. Financial Performance

Council has achieved a surplus of \$2,127,000 as at 31 August 2017 against a budgeted surplus of \$1,082,000.

Variances are difficult to analyse this early in the year however, the following variances are evident

- Water by meter income is lower than budget by \$237k – probably just a timing issue
- Capital Grants income is over budget by \$1,295k – Te Awahou Grants income
- Fees and charges has pensioner housing rental \$138k that was not budgeted for due to anticipating the sale to occur 1 July 2017.
- Building consent revenue is \$102k ahead of budget reflecting the level of activity
- Employee costs are \$269k lower than budget reflecting several vacant positions
- Finance costs are below budget by \$54k reflecting the lower interest rates on loans; 4.08% against the Annual Plan assumption of 4.75%
- Depreciation expense is higher (\$402k) than budget due to the revaluations of assets last year that were not reflected in the annual Plan budgets. This trend will continue for the rest of the year.

**Doug Law**  
Chief Financial Officer  
14 August 2017

# Operational Summary

Total revenue	Total expenditure	Total surplus/(deficit)
<b>\$10.15m</b>	<b>\$8.02m</b>	<b>\$2.13m</b>
is 6% more than the total budget of \$9.54m	is 2% more than the total budget of \$7.85m	is 97% more than the total budgeted surplus of \$1.08m

## SUSTAINABILITY

### Rates to operating revenue 42%

Rates revenue	\$5.88m
Operating revenue	\$10.15m

42% of operating revenue is derived from rates revenue. Rates revenue excludes penalties and includes water supply by meter and gross of remissions. Operating revenue excludes vested assets, development contributions, asset revaluation gains and gains on derivatives.

### Balance budget ratio 127%

Operating revenue	\$10.15m
Operating expenditure	\$8.02m

Operating revenue should be equal or more than operating expenditure. Operating revenue excludes vested assets, development contributions, asset revaluation gains and gains on derivatives. Operating expenditure include depreciation and excludes loss on derivatives, landfill liability and loss on asset revaluations. Year to date revenue is 127% more than operating expenditure.

### Essential services ratio 36%

Capital expenditure	\$1.48m
Depreciation	\$2.33m

Capital expenditure should be equal or more than depreciation for essential services, for year to date capex is 36% less than depreciation

### Net Debt to total projected revenue 145%

Total net borrowing	\$76.19m
Total projected operating revenue	\$52.71m

With net borrowing of \$76.19m we are still under the set limit of 175% of operating revenue. Total net borrowing is external borrowing less cash at bank.

### Interest to rates revenue (LGFA Cov.) 4%

Net Interest	\$0.24m
Rates revenue	\$5.94m

4% of rates revenue is paid in interest. Our set limit is 25% of rates revenue. Net interest is interest paid less interest received. Rates revenue excludes penalties and includes water supply by meter and gross of remissions.

### Interest to operating revenue (LGFA Cov.) 2%

Net Interest	\$0.24m
Operating revenue	\$10.15m

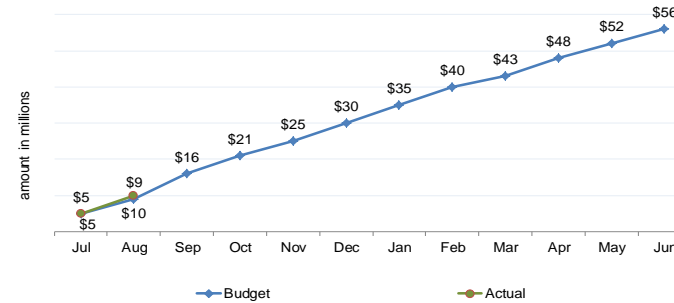
2% of operating revenue is paid in interest. Our set limit is 20% of operating revenue. Net interest is interest paid less interest received.

### Available financial accommodation to external 113%

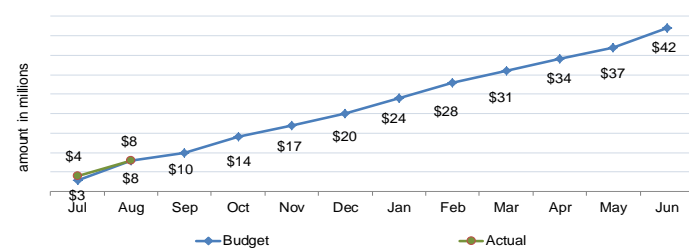
Net debt	\$76.19m
Undrawn committed facilities	\$10.00m

Committed bank facility to enable us to borrow at least 10% of our current external debt immediately, currently we can borrow 13% more than our current debt. Net debt is external debt less cash at bank.

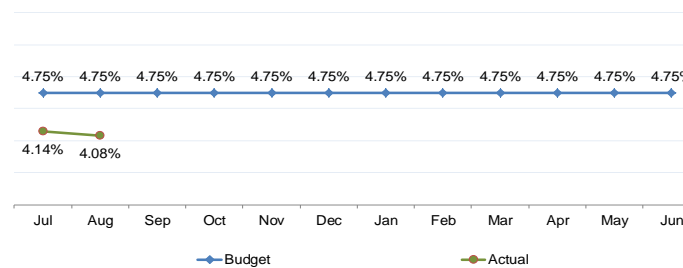
Total Operating Revenue \$m



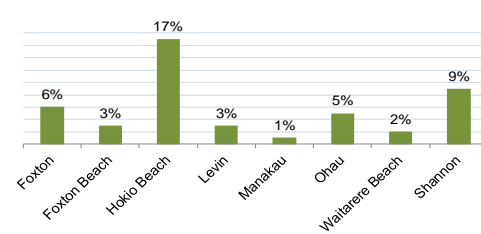
Total Operating Expenditure \$m



Interest rate movement



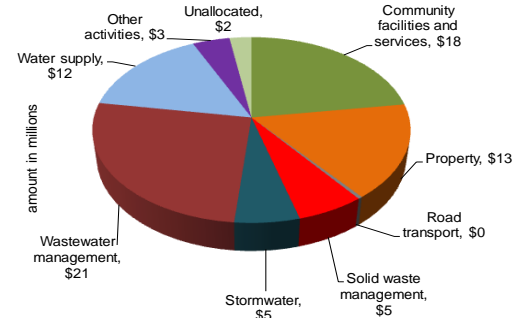
Rates debtors % with arrears



Sundry debtors by activities \$000

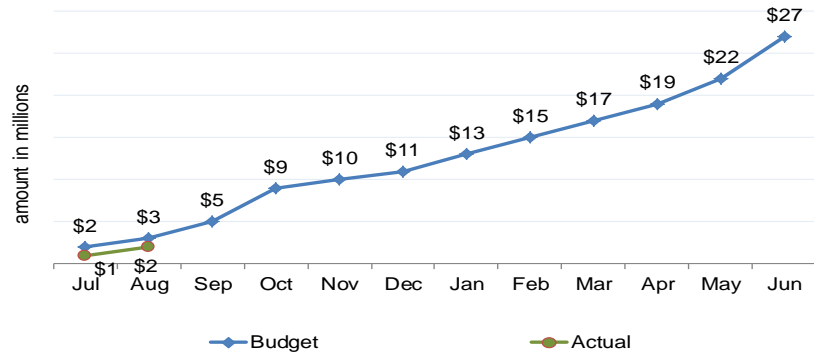


Total gross borrowing by activity \$m

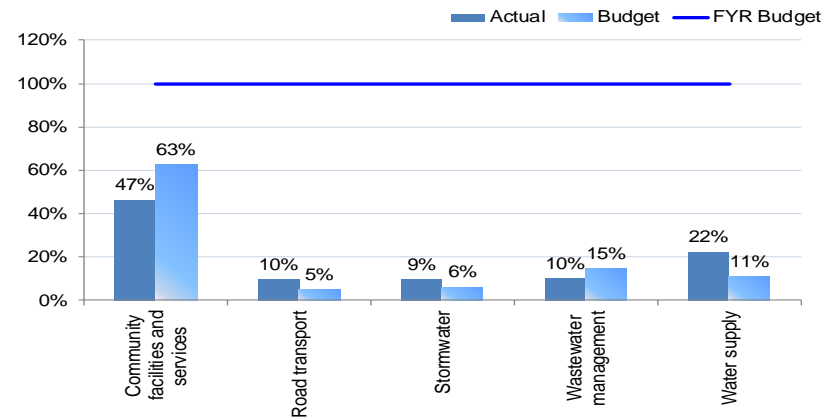


# Capital

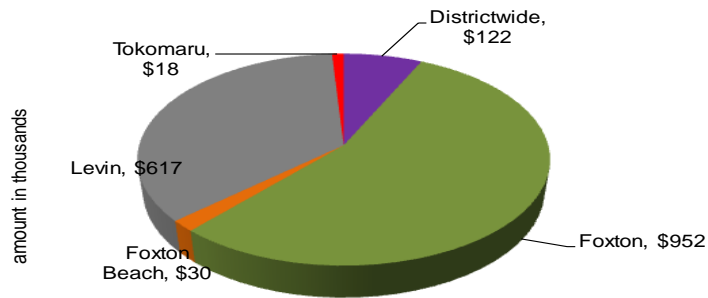
Total Capital Expenditure



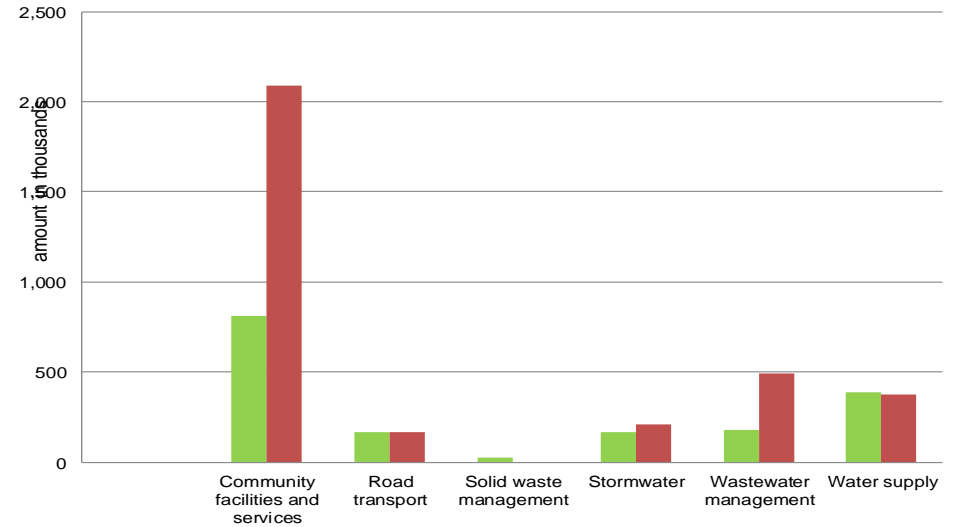
Capital Expenditure By Activity %Percentage



District View - Capital Expenditure \$000



Capital Expenditure By Activity \$000



## APPENDIX

Asset maintenance contract	General contract works, repairs, planned and unplanned maintenance, materials and consumables, cleaning and hygiene, inspections and reporting.
Finance cost	Interest on borrowings and interest on swaps.
Gains	Fair value revaluation gain and gain on sale.
General grants	Grants given to various organisations and individuals like Creative NZ, neighbourhood support, beach wardens, community development and youth scholarships.
Grants and subsidies	Grants and subsidies received from government and other organisations for roading, library, community hubs, cemeteries and aquatic centres.
Infringements and fines	Parking tickets, Prosecutions on WOFs and unregistered vehicles.
Employee benefits	Salaries and wages, training costs, FBT and ACC levies, superannuation, and staff recognition.
Other expenses	Printing, publication, postage, stationery, advertising, food and catering, photocopying, internet and communication and any other office expenses.
Professional services	Consultants, contractors, membership fees, legal fees, lab services, audit fees or any other professional services charges.
Regulatory revenue	Planning fees, building fees, animal fees, liquor fees and health fees.
Rendering of services	Commissions, car income, and any other income received for rendering services.
Rental income	Rent from Halls, residential and commercial properties, grazing land, reserves and other lease income.
Targeted rates	Rates for roading, waste management, representation and governance, stormwater, wastewater, water by meter and water supply.
User charges	Revenue received from admission, shop sale, Cemetery fees, trade waste, utility connection, events and exhibitions.
Utilities	Water use, electricity and gas charges



# Proceedings of the Strategy Committee 27 September 2017

File No.: 17/495

## 1. Purpose

To present to the Council the minutes of the Strategy Committee meeting held on 27 September 2017.

## 2. Recommendation

- 2.1 That Report 17/495 Proceedings of the Strategy Committee 27 September 2017 be received.
- 2.2 That the Council receive the minutes of the Strategy Committee meeting held on 27 September 2017.

## 3. Issues for Consideration

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

## Attachments

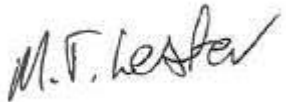
There are no attachments for this report.

### Confirmation of statutory compliance

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

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

## Signatories

Author(s)	Mark Lester <b>Group Manager - Corporate Services</b>	
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Approved by	David Clapperton <b>Chief Executive</b>	
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# Strategy Committee

## OPEN MINUTES

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Minutes of a meeting of the Horowhenua District Council Strategy Committee held in the Council Chambers, 126-148 Oxford St, Levin, on Wednesday 27 September 2017 at 4.00 pm.

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### PRESENT

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

### IN ATTENDANCE

Mr M Lester	(Group Manager – Corporate Services)
Mr D M Clapperton	(Chief Executive)
Mr D Law	(Chief Financial Officer)
Mr G Saily	(Group Manager – Infrastructure Services)
Mrs N Brady	(Group Manager – Customer & Community Services)
Mr D McCorkindale	(Group Manager – Strategy & Development)
Mr D Haigh	(Growth Response Project Manager)
Mrs K J Corkill	(Meeting Secretary)

### PUBLIC IN ATTENDANCE

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

#### 1 Apologies

An apology was recorded for Mayor Feyen. An apology for lateness was also recorded for Cr Judd.

MOVED by Cr Tukapua, seconded Cr Mason:

*THAT the apology from Mayor Feyen and the apology from Cr Judd for lateness be accepted.*

**CARRIED**



## 2 Public Participation

### 7.2 Community Forums

Christina Paton  
Fred de Jager

## 3 Late Items

There were no late items.

## 4 Declarations of Interest

None declared.

## 5 Confirmation of Minutes

MOVED by Cr Bishop, seconded Cr Brannigan:

*THAT the minutes of the meeting of the Strategy Committee held on Wednesday, 16 August 2017, be confirmed as a true and correct record.*

**CARRIED**

## 6 Announcements

There were no announcements.

## 7 Executive

### 7.1 Growth Response Projects Update

#### Purpose

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

MOVED by Cr Wanden, seconded Cr Campbell:

*THAT Report 17/447 Growth Response Projects Update is received.*

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

**CARRIED**

Speaking to this report and requesting that it be taken as read, Mr Haigh noted that the following NZTA briefing would cover the process to date and next steps in relation to 02NL.

Responding to a query in relation to the Levin Town Centre redevelopment and engagement around Earthquake Prone Building Legislation, Mr Haigh said a Project Coordinator had recently been appointed but he was not sure when there would be an update to Council, but he would check when this would occur to assist with understanding how that would be taken forward.

The impact of the expected growth and its effect on affordable housing was raised and it was queried how that would be factored into the Horowhenua Growth Strategy. It was noted that this was not just an issue for this district; however some of the aspects would be addressed through the Growth Strategy. There were also District Plan changes in train that would assist with housing density and provide greater

flexibility around subdivision.

With regard to the effect of the road bypassing Levin on local business, Mr Haigh said it was a matter of having an understanding of traffic flows. The effect in terms of house prices had not been covered by the work to date.

Mr Haigh also commented that the relationship with NZTA was working well. The Terms of Reference were being finalised and that would go through the Project Governance Group which had representatives from Kapiti Coast District Council, Horizons and Wellington Regional Councils, and community members were also involved.

## 9.2 Community Forums

### Purpose

To bring to the Strategy Committee the notes from the first meeting of the Economic and Environment Community forums held on Wednesday 2 August and to consider a process forward for the forums.

MOVED by Cr Gimblett, seconded Cr Mitchell:

*THAT Report 17/490 Community Forums be received.*

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

**CARRIED**

### Public Participation

As a member of the Environmental Forum, Mrs Paton expressed her feeling of isolation as no contact details for her fellow Forum members had been supplied. She further expressed her hope that the Forums would meet again soon and thereafter frequently. She queried the two topics suggested for discussion as the Forum Members had raised a considerable number of other matters that they felt should be considered. With the growth anticipated for the district, Mrs Paton said that ultimately it would be dependent on the quantity of water available and suggested that that should be a priority for discussion. With regard to dissemination of information, whilst the notes of the inaugural meeting had been supplied on line, not everyone had a computer.

Mrs Paton also suggested there was a danger of people being directed into certain thought areas as there could be a lot of innovative ideas out in the community that could be helpful and there were highly qualified people amongst the Forum members.

Mr Fred de Jager supported Mrs Paton's comments. He noted he had been involved with WECA and had also worked for NIWA for 17 years and everything that needed to be done in this country depended on water. He said there had been some fantastic ideas emanating from the inaugural meeting and if meetings were held quarterly people might lose interest.

Mr Lester spoke to the report, the main purpose of which was to bring back to the Strategy Committee the notes from the inaugural Forum meeting in early August and to report back on the Council briefing on 4 September when Council had come up with the topics/issues to refer back to the Forums for consideration and feedback.

With regard to the process issues, such as Forum Members' contact details, raised by Mrs Paton and affirmed by Mr de Jager, Mr Lester said he would address those as

soon as possible. Also the two suggested issues put forward had come from the Council briefing. The Forums had also raised a whole range of issues which would be dealt with in bite sized chunks going forward. If quarterly Forum meetings were not enough, more frequent meetings would be arranged within Council's ability to resource them; however, it was intended to have a further meeting between now and the end of November.

Responding to a query as to how the Forums would operate going forward, whether they would meet individually or combined particularly if the two items raised were to be discussed by both forums, Mr Lester said this would be referred back to the Independent Facilitator, Jenny Rowan, for her advice.

After further discussion on the role of the Forums going forward, it was:

MOVED by Cr Campbell, seconded Cr Brannigan:

*THAT the following topics/issues be referred to the Community Forums for discussion/ feedback:*

- *Hemp production – a potential industry in the Horowhenua?*
- *RoNS and Growth.*

**CARRIED**

4.45 pm

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

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

**DATE:**.....

**CHAIRPERSON:**.....



File No.: 17/498

## Adoption of Annual Report for the year ended 30 June 2017

### 1. Purpose

To adopt the Annual Report for the year ended 30 June 2017.

### 2. Executive Summary

- 2.1 This report presents a copy of Council's Annual Report for the year ended 30 June 2017 that has been circulated under separate cover. An Audit Report will be tabled by representatives of Audit New Zealand at today's meeting.
- 2.2 Council's financial performance shows a surplus of \$43.8m after revaluation gains (\$44.7m) on assets, against a budgeted surplus of \$14.173m.
- 2.3 Council has purchased \$25.415m in assets and raised \$12m in loans to help pay for these assets, during the year.
- 2.4 Mandatory prudential benchmarks have been achieved apart from Balance the Budget and Operations Control.
- 2.5 Council has met 94 out of 117 non- financial performance measures for the year.

### 3. Recommendation

- 3.1. That Report 17/489 Adoption of Annual Report for the year ended 30 June 2016 be received.
- 3.2. That this decision is recognised as significant in terms of s76 of the Local Government Act.
- 3.3. That the Mayor and Chief Executive be authorised to sign the Annual Report on behalf of Council, and that the Mayor, Chief Executive and Chief Financial Officer be authorised to sign the Letter of Representation addressed to the Council's Auditors for the year ended 30 June 2017.
- 3.4. That the Annual Report 2016/2017 is amended by adding the final Audit Opinion.
- 3.5. That the Annual Report for the year ended 30 June 2017 be adopted as amended.

### 4. Background / Previous Council Decisions

Council is required under s98 of the Local Government Act (reproduced below) to produce and adopt an Annual report within 4 months of the end of the financial year (i.e. by 31 October 2017):

**98 Annual Report**

- (1) *A local authority must prepare and adopt in respect of each financial year an annual report containing in respect of that year the information required by Part 3 of Schedule 10.*
- (2) *The purposes of an annual report are –*
  - (a) *to compare the actual activities and the actual performance of the local authority in the year with the intended activities and the intended level of performance as set out in respect of the year in the long-term plan and the annual plan; and*
  - (b) *to promote the local authority's accountability to the community for the decisions made throughout the year by the local authority.*

- (3) *Each annual report must be completed and adopted, by resolution, within 4 months after the end of the financial year to which it relates.*
- (4) *A local authority must, within 1 month after the adoption of its annual report, make publicly available –*
  - (a) *its annual report; and*
  - (b) *a summary of the information contained in its annual report.*
- (5) *The summary must represent, fairly and consistently, the information regarding the major matters dealt with in the annual report.*
- (6) *A local authority must, within 1 month after the adoption of its annual report, send copies of that report and of the summary prepared under subsection (4)(b) to –*
  - (a) *the Secretary; and*
  - (b) *the Auditor-General; and*
  - (c) *the Parliamentary Library.*

## 5. Discussion

### Financial Performance

- 5.1 Council's financial performance shows an operating deficit of \$0.942m against a budgeted operating surplus of \$3.182m. Overall Council shows a surplus of \$43.8m against a budgeted surplus of \$14.173m.
- 5.2 The main reason for the budgeted operational deficit was due to Council receiving \$1.4m of the budgeted \$4.1m in third party grant income to be spent on the building that is to house Te Awahou Nieuwe Stroom in Foxton. The Te Awahou Nieuwe Stroom Building is expected to be finished this month and it is expected that the remaining committed grant funding will be received in the current financial year when the project is completed.
- 5.3 The Financial Strategy (on page 160 of the 2015/25 LTP) explained that as this "Capital subsidy income" from the Te Awahou Nieuwe Stroom grants was not in the nature of operational income, in that it cannot be spent on funding operational activities. The Council was, therefore, in reality, facing an operational deficit of \$912k without these capital grants.
- 5.4 The main theme from the financial strategy was that Council was facing 3 years of such operational deficits, 2016 to 2018. These deficits mainly arose from underfunding depreciation.
- 5.5 This depreciation funding is used for debt repayments and asset replacements (commonly called asset renewals). Council was facing an increasing requirement to renew assets without the necessary rate (depreciation funding) income and other operational funding required to pay for these renewals.
- 5.6 If the above inflation rates increases were not achieved over the first 3 years of the LTP, Council would have had to either borrow more, or reduce the asset renewal expenditure programme that was needed to maintain the level of service we agreed to in the LTP.
- 5.7 Standard and Poors reaffirmed Council's A+ credit rating during the year. This credit rating increases Council's ability to borrow at favourable interest rates. The weighted average interest rate at 30 June 2017 was 4.14% down from 4.61% at 30 June, 2016.
- 5.8 The mandatory prudential benchmarks are disclosed on pages 56-65 of the report.
- 5.9 Each of the self-imposed target or benchmark (Rates and Debt limits) have been met:
- 5.10 Those prescribed in the Financial Regulations have been met except for the Balanced Budget and Operations Control bench marks.

- 5.11 Council meets the Balanced Budget benchmark if its revenue equals or is greater than its operating expenses. This measure was forecast to be achieved in all 10 years of the LTP with the exception of the 2017/18 year. This was after the anticipated grant income for Te Awahou Nieuwe Stroom was included for the two years 2015/16 and 2016/17. Refer to paragraph 5.3 above.
- 5.12 For the Balanced Budget prudential bench mark Council shows 95.37% against a target of 100%, similar to the 95% predicted for the 2016/17 financial year in the LTP Financial Strategy, if the capital subsidies for Te Awahou Nieuwe Stroom are excluded. Refer to paragraph 5.3 above.
- 5.13 The Operations Control benchmark is met if Council's actual net cash from operations, as disclosed in the Cashflow Statement, is equal to or greater than its planned net cash from operations.
- 5.14 This benchmark was not met at 67.94% against a target of 100%. This was not met due mainly to the delay in receipt of third party grant funding for the Te Awahou Nieuwe Stroom project. A further contributing factor is the combination of unbudgeted spending on professional services to cover the costs of the growth strategy work and other income and expenditure items.

#### Financial Position

- 5.15 Council spent \$25.415m on asset purchases against a budget of \$36.8m lower by \$11.4m. A number of capital projects have been delayed and carried forward to 2017/18.
- 5.16 Borrowings are below budget by \$6m due to the lower capital expenditure. Council has more short term loans than budgeted (\$12m) to take advantage of the historically low short-term interest rates.
- 5.17 Council's cash balance was \$5.1m which is lower than last year's high of \$7.4m. The high cash figure at 30 June 2016 was unusually higher than normal due to additional funds required to fund capital expenditure projects that occurred in June of 2016. This was disclosed as higher "payables" in the Statement of Financial Position for last year. The \$5.1m in cash for the current year is normal and sufficient to maintain liquidity.
- 5.18 The book value of the Pensioner housing portfolio (\$7.1m) is shown as a current asset as council has sold these assets in the current financial year. Any loss on sale will also be recorded in the current financial year in the month that the settlement proceeds are received.
- 5.19 This financial year Council has revalued all its assets. This shows as increase in assets value in the Statement of Financial Position but also in non-cash gains on revaluation of \$44.7m in the Statement of Comprehensive Revenue and Expense.
- 5.20 The revaluation of infrastructural Assets has resulted in the depreciation expense being above budget by \$2.6m as the revaluation increase was higher than anticipated in the Annual Plan. These assets were valued as at 1 July 2016.

## **6. Options**

There is no option but to adopt the Annual Report.

### **6.1 Cost**

The cost is the internal cost of producing the report, estimated at \$250k including the Audit cost of \$149k.

### 6.1.1 Rate Impact

There is no rating impact other than the annual cost of producing and auditing the Annual Report, both of which have been budgeted for.

### 6.2 Community Well Being

There is no impact on the Community Well Being of adopting the Annual Report.

### 6.3 Consenting Issues

There are no consenting issues related to the adoption of an Annual Report.

### 6.4 LTP Integration

The cost of the Annual Report is budgeted for in the LTP and Annual Plan.

## 7. Consultation

No consultation has been conducted in relation to the adoption of the Annual Report.

## 8. Legal Considerations

Legal considerations are that Council has to adopt the audited Annual Report within four months of the balance date of 30 June 2017.

## 9. Financial Considerations

The Annual Report was produced in-house, with no external input other than from Audit New Zealand and minimal valuation, treasury and legal costs. The cost of the Annual Report is funded from the General Rate and is costed to the Representation and Governance activity.

## 10 Other Considerations

- 10.1 These accounts have been prepared under the Public Benefit Entity (PBE) accounting standards. These standards add to the already complex nature and length of the annual report.
- 10.2 Most of the complexity and size of the document are caused by compliance with and complexity of the legislation, regulations and accounting standards that must be met.

## 11. Next Steps

Official copies of the Annual Report have to be signed and forwarded to the Auditor General, the Department of Internal Affairs, and to the Parliamentary Library. A full Annual Report and audited Summary Annual Report need to be completed and made available to the public. This will include posting to our website and an article in "Community Connection".

## 12. Supporting Information

### Strategic Fit/Strategic Outcome

There are no implications on Community outcomes on adopting an Annual Report

### Decision Making

The adoption of an Annual Report does not require consultation prior to its adoption and can only be adopted by a full Council meeting; it cannot be delegated to a sub-committee.

### Consistency with Existing Policy




There is no policy on the adoption of an Annual Report.

**Funding**

Funding is through the General Rate.

**6. Appendices**

No.	Title	Page
A	Annual Report for the year ended 30 June 2016 ( <i>Under Separate Cover</i> )	

Author(s)	Doug Law <b>Chief Financial Officer</b>	
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Approved by	Gallo Saidy <b>Acting Chief Executive</b>	
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# Monitoring Report to 11 October 2017

File No.: 17/442

## 1. Purpose

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

## 2. Recommendation

- 2.1 That Report 17/442 Monitoring Report to 11 October 2017 be received.
- 2.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

## Attachments

No.	Title	Page
A	Horowhenua District Council Monitoring Report	68

### Confirmation of statutory compliance

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

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

## Signatories

Author(s)	Gallo Saidy <b>Acting Chief Executive</b>	
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Approved by	Gallo Saidy <b>Acting Chief Executive</b>	
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**MONITORING REPORT**  
**HOROWHENUA DISTRICT COUNCIL**

<b>Item No.</b>	<b>Meeting Date</b>	<b>Item Description</b>	<b>Resolved / Action</b>	<b>Responsible Officer</b>	<b>Date to Action by</b>	<b>Date Completed</b>	<b>Officer Comment</b>
14/585	2 July 2014          26 April 2017	District Plan: Plan Change Timing	<p><i>THAT the preparation and processing by officers of the following plan changes to the District Plan be postponed from the 2014/15 financial year and be undertaken within 2015/16 financial year:</i></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Sites of Cultural Significance</li> <li><input type="checkbox"/> Historic Heritage</li> <li><input type="checkbox"/> Dunefields Assessment</li> <li><input type="checkbox"/> Coastal Hazards.</li> </ul> <p>Cr Campbell to be updated on the status of Paiaka Camp discussions</p>	D McCorkindale			<p>Research is continuing on the Sites of Cultural Significance. A Dunefields Assessment has been undertaken. Consideration is being given to the most appropriate District Plan response to the assessment findings.</p> <p>Historic Heritage Plan Change 1 has been adopted by Council 30 August 2018 and is scheduled for public notification mid October 2018.</p> <p>Paiaka Camp will be considered in the next phase of heritage</p>

MONITORING REPORT							
HOROWHENUA DISTRICT COUNCIL							
Item No.	Meeting Date	Item Description	Resolved / Action	Responsible Officer	Date to Action by	Date Completed	Officer Comment
							assessments subject to the agreement of the land owner.
16/38	1 Feb 2017	Amendment to Dog Control Policy and Bylaw 2015	<i>THAT Report 16/38 Amendment to Dog Control Policy &amp; Bylaw 2015 lay on the table to allow for consultation with the Foxton Community Board and other interested stakeholders, with Officers to bring a further report to the March 2017 Council meeting.</i>	V Miller	15 March 2017	Completed	25/9/17. Updates have now been made.
17/9	1 Feb 2017	Review of Dog Control Regime – National Action Plan	<i>THAT Council appoint Councillors Campbell and Mitchell to a subcommittee to work with Officers in the development of a submission on behalf of this Council in respect of proposed amendments to the Dog Control Act 1996 as it pertains to reducing the risk and</i>	V Miller			Still no further information available at this time.  25/9/17. Councillors may wish to resolve to remove this from the monitoring report and readdress this matter if/when progress is made

MONITORING REPORT							
HOROWHENUA DISTRICT COUNCIL							
Item No.	Meeting Date	Item Description	Resolved / Action	Responsible Officer	Date to Action by	Date Completed	Officer Comment
	26 April 2017		<p><i>harm of dog attacks.</i></p> <p><i>THAT authority be given for the subcommittee to make the submission on behalf of Council, and a copy of that submission be brought to an appropriate meeting of Council for receipt and information purposes.</i></p> <p>Crs Campbell &amp; Mitchell to be advised on timing and consultation process when confirmed.</p>				through Central Government.
17/7	1 Feb 2017	Policy on Dangerous and Insanitary Buildings 2017	<p><i>THAT the Horowhenua District Council resolves that the draft policy on Dangerous and Insanitary buildings as provided be used for consultation purposes using the Special Consultative Procedure as required by Section 132 of the Building Act 2002 (Statement of</i></p>	V Miller		Completed	25/9/17. New policy has been implemented.

MONITORING REPORT							
HOROWHENUA DISTRICT COUNCIL							
Item No.	Meeting Date	Item Description	Resolved / Action	Responsible Officer	Date to Action by	Date Completed	Officer Comment
			<i>Proposal).</i>				
17/97	15 March 2017  30 August 2017	Draft Land Transport Bylaw 2017	<i>That the Horowhenua District Council use the special consultative procedure to consult on the draft Land Transport Bylaw 2017 and the hearing of submissions be undertaken by the Hearings Committee</i>	K Peel			Submissions closed 24 April 2017. This was taken to the Hearings Committee on 28 June 2017. The Hearings Committee meeting adjourned awaiting some further work by officers. The work is ongoing at present.
17/73	15 March 2017	Fees and Charges 2017/18 : Food Act Premises and Resource Consenting (Planning)	<i>THAT the Horowhenua District Council resolves that the Food Act Fees and Resource Consent (Planning) Fees for the 2017/18 year, as presented, be used as the Statement of Proposal, and the</i>	M Lepper		Completed	Submissions closed 24 April 2017. Submissions considered by the Hearings Committee on 31 May 2017.  Report to the 30 August 2017

MONITORING REPORT							
HOROWHENUA DISTRICT COUNCIL							
Item No.	Meeting Date	Item Description	Resolved / Action	Responsible Officer	Date to Action by	Date Completed	Officer Comment
			<p><i>Summary of Information to be consulted on using the special consultative procedure as set out in section 83 of the Local Government Act 2002.</i></p> <p><i>THAT the hearing of any submissions on this matter be heard by the Hearings Committee of Council acting under delegated authority, and a subsequent recommendation be made by the Committee to Council on this matter.</i></p>				<p>meeting of Council to confirm fees and charges.</p> <p>25/9/17. Fees &amp; Charges have been implemented.</p>
17/146	26 April 2017	Draft Combined Foxton Reserves Management Plan	<p><i>THAT Council adopts the Draft Combined Foxton Reserves Management Plan and authorises Council Officers to consult on the draft document in accordance with the Reserves Act 1977.</i></p>	D McCorkindale			<p>Consultation has been undertaken on the Draft Combined Foxton Reserves Management Plans. Submissions closed on 3 July 2017. The submissions are now being considered. A hearing has been</p>



MONITORING REPORT							
HOROWHENUA DISTRICT COUNCIL							
Item No.	Meeting Date	Item Description	Resolved / Action	Responsible Officer	Date to Action by	Date Completed	Officer Comment
							held on 16 August 2017. Deliberations will take place before a final RMP is presented to Council for adoption later in 2017.
17/253	7 June 2017	Foxton Reservoir – Public Works Act	<p><i>THAT the Horowhenua District Council seeks permission from the Minister of Conservation using the Public Works Act to set aside an area of Foxton Recreational Reserve for the purpose of water treatment in order that a reservoir can be construction at Foxton Reserve, Seaview Gardens.</i></p> <p><i>THAT the Horowhenua District Council's Chief Executive be delegated full authority to carry out Council's responsibilities regarding the Public Works Act processes.</i></p>	G O'Neill			HDC's application is being considered by DoC. DoC have advised that our application is being treated as a priority.

MONITORING REPORT							
HOROWHENUA DISTRICT COUNCIL							
Item No.	Meeting Date	Item Description	Resolved / Action	Responsible Officer	Date to Action by	Date Completed	Officer Comment
17/335	30 August 2016	Proceedings of the Foxton Community Board 26 June 2017 – Nash Parade and Bond Street Upgrade Project	<i>THAT, subject to the approval of a Business Case by NZTA, up to \$432,000 (+/- 10%) be made available from the Foxton Beach Freeholding Account for the purpose of funding the local share of the Nash Parade and Bond Street upgrade project.</i>	G Saily		Completed	Currently under Design.  Council resolution passed on 30 August 2017
17/303	30 August 2017	Chief Executive's Report – Potential Sale of Civic Assurance House	<i>THAT the Chief Executive be authorised, on behalf of the Horowhenua District Council, to vote in favour of selling "Civic Assurance House" at a special general meeting of Civic Financial Services Ltd to be held on 5 October 2017 at 11:30 am.</i>	D Clapperton			
17/160	30 August 2017	Draft Easter Sunday Shop Trading Policy	<i>THAT Council resolves that it wishes to implement an Easter Sunday Shop Trading Policy that allows trading</i>	M Leyland			Consultation closed 6 October 2017.

MONITORING REPORT							
HOROWHENUA DISTRICT COUNCIL							
Item No.	Meeting Date	Item Description	Resolved / Action	Responsible Officer	Date Action by	to Date Completed	Officer Comment
			<p><i>throughout the Horowhenua District area.</i></p> <p><i>THAT Council resolves to consult on the draft policy as the Statement of Proposal, using the Special Consultative Procedure as required by s5B(1) of the Shop Trading Act 1990 (as amended by the Shop Trading Hours Amendment Act 2016).</i></p> <p><i>THAT Council resolve that the Summary of Information is a fair representation of the major matters in the Statement of Proposal; is in a form determined by Council; indicates where the Statement of proposal is available; and states the period within which interested persons may present</i></p>				

MONITORING REPORT							
HOROWHENUA DISTRICT COUNCIL							
Item No.	Meeting Date	Item Description	Resolved / Action	Responsible Officer	Date to Action by	Date Completed	Officer Comment
			<p><i>their views to Council – s83AA Local Government Act 2002.</i></p> <p><i>THAT the hearing of submissions following consultation be heard by the Hearings Committee of Council acting under delegation of Council, for a subsequent recommendation from the committee to Council.</i></p>				
17/423	30 August 2017	Additions to Resource Consenting (Planning) Schedule of Fees and Charges	<p><i>THAT the Horowhenua District Council resolves that the additions to Resource Consent (Planning) Fees for the 2017/18 year be used as the Statement of Proposal, and the Summary of Information be consulted on using the special consultative procedure as set out in section 83 of the Local Government Act 2002.</i></p>	M Leyland			Consultation closes 29 September 2017.

MONITORING REPORT							
HOROWHENUA DISTRICT COUNCIL							
Item No.	Meeting Date	Item Description	Resolved / Action	Responsible Officer	Date to Action by	Date Completed	Officer Comment
			<i>THAT the hearing of any submissions on this matter be heard by the Hearings Committee of Council acting under delegated authority, and a subsequent recommendation be made by the Committee to Council on this matter.</i>				
17/386	30 August 2017	Class 4 Gambling Venue Policy 2014 and NZ Racing Board (TAB) Venue Policy 2014 – Review	<i>THAT Council resolves that the Special Consultative Procedure as detailed in the Local Government Act 2002 be used for consultation purposes in the review of these policies,</i>  <i>THAT the hearing of submissions be undertaken by the Hearing Committee acting under delegated authority, for a subsequent recommendation to Council.</i>	M Leyland			Consultation closes 29 September 2017.

MONITORING REPORT							
HOROWHENUA DISTRICT COUNCIL							
Item No.	Meeting Date	Item Description	Resolved / Action	Responsible Officer	Date to Action by	Date Completed	Officer Comment
17/321	30 August 2017	Draft Local Alcohol Policy Adoption	<p><i>THAT the Horowhenua District Council resolves to continue with the process of implementing a Local Alcohol Policy (LAP).</i></p> <p><i>THAT Council adopts the draft policy as a Provisional Local Alcohol Policy effective 31 August 2017.</i></p>	M Leyland			Appeal period closed 30 September 2017. A report will come to the November Council meeting.

# Electronic Communications (E-mail Quarantine) Policy

File No.: 17/497

## 1. Purpose

To present to Council an Electronic Communications (E-mail Quarantine) Policy for consideration and adoption.

## 2. Recommendation

- 2.1 That Report 17/497 on Electronic Communications (E-mail Quarantine) Policy be received.
- 2.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.
- 2.3 That, as recommended by the Finance, Audit & Risk Subcommittee, the Horowhenua District Council adopts the Electronic Communications (E-mail Quarantine) Policy, with suggested amendments, noting that it has been sent to the Office of the Ombudsman, the Office of the Privacy Commissioner, Netsafe and Council's legal advisors for comment/feedback.

## 3. Background/Previous Council Decisions

As set out in the attached report that was presented to the Finance, Audit & Risk Subcommittee on 20 September 2017.

## 4. Issues for Consideration

Council's ratification is sought for the adoption of the Policy.

## Attachments

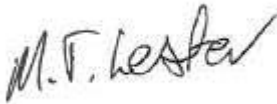

No.	Title	Page
A	Finance, Audit & Risk Subcommittee Report Electronic Communications (E-mail Quarantine) Policy 20 September 2017	81
B	DRAFT - Electronic Communications (E-mail Quarantine) Policy - September 2017	87

### **Confirmation of statutory compliance**

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

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

## Signatories

Author(s)	Mark Lester <b>Group Manager - Corporate Services</b>	
Approved by	Gallo Saidy <b>Acting Chief Executive</b>	



File No.: 17/484

## Electronic Communications (E-mail Quarantine) Policy

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### 1. Purpose

To present for the Finance Audit and Risk Subcommittee's (Committee) consideration a draft Electronic Communications (E-mail Quarantine) Policy as resolved during the confidential part of the Committee's meeting on 9 August 2017.

### 2. Recommendation

- 2.1 That Report 17/484 Electronic Communications (E-mail Quarantine) Policy be received.
- 2.2 That this decision is recognised as not significant in terms of S76 of the Local Government Act
- 2.3 That the draft Electronic Communications (E-mail Quarantine) Policy be recommended to Council for adoption subject to any comment/feedback received from the Office of the Ombudsman, Office of the Privacy Commissioner and external legal review.

### 3. Background / Previous Council Decisions

- 4.1 On 9 August 2017 the Committee considered a Peer Review of the original (unaccepted) Sensitive Expenditure Internal Audit Report undertaken in March of this year.
- 4.2 In summary the KPMG Peer Review found:
  - That the original (unaccepted) Sensitive Expenditure Internal Audit Report was not supported by appropriate working papers and therefore the findings could not be validated.
  - That six of the findings those being; KPI's, performance management, restructuring, council vehicle speeding, GPS removal, and email "blocking" process would not normally be included in the scope of a sensitive expenditure review.
  - That the Horowhenua District Council (HDC) should cease quarantining / vetting of emails into the domain in order to develop a robust process in order to protect all staff and elected officials health and safety.
- 4.3 The six findings were grouped in to three categories and assigned a risk rating by the original (unaccepted) Sensitive Expenditure Internal Audit as below:
  - Issues of Governance by Chief Executive (CE) of HDC (Extreme Risk)
  - Blocking of Emails (Extreme Risk)
  - Issues of Fleet Management (High Risk)
- 4.4 Importantly the KPMG Peer Review reviewed the risk associated with these issues and found the following:
  - Issues of Governance CE – **LOW Risk**
  - Blocking of Emails - **Not able to Determine**
  - Issues of Fleet Management - **LOW Risk**

- 4.5 On 9 August 2017 the Committee resolved that the practice of quarantining emails was to cease pending the development of a policy framework designed to protect staff and others with an HDC email address from inappropriate emails. It was requested that a policy (including an appropriate reporting framework) be brought back to the Committee for consideration and approval.

#### 4. Discussion

- 5.1 The draft Electronic Communications (E-mail Quarantine) Policy (“**the policy**”) has been developed by a working group consisting of Officers who are familiar with relevant legislation such as the Privacy Act 1993, New Zealand Bill of Rights Act 1990 (“**NZBORA**”), Local Government Official Information and Meetings Act 1987 (“**LGOIMA**”), Public Records Act 2005 and the Local Government Act 2002 as well as having a broad range of experience in relevant fields (for instance, information management and information technology) in local government and/or the private sector.
- 5.2 The policy balances Council’s obligations and individuals’ rights under the Privacy Act 1993, LGOIMA, Public Records Act 2005, Local Government Act 2002 and NZBORA against Council’s obligations to protect its staff’s health and safety and the health and safety of elected representatives. It is important to note that health and safety includes an individual’s mental wellbeing.
- 5.3 The policy and associated procedures largely document and strengthen what has been historic practice around the quarantining of e-mails.

##### What is quarantining?

- 5.4 Under the policy, the quarantining of e-mails means the redirection of e-mails from the individual staff member(s) the e-mail is addressed to, to a separate and restricted electronic storage location (for instance, another e-mail inbox) prior to that e-mail being received by the specific recipient.
- 5.5 In many ways this can be compared to the practice of envelopes being opened by a dedicated Officer or team who then ensure the letter is stored appropriately and delivered to the intended recipient.

##### What is the ‘quarantine list’?

- 5.6 The quarantine list is a term used in the policy to describe the records kept of individuals and their e-mail addresses which are subject to the quarantine.

##### What happens to quarantined e-mails?

- 5.7 Under the policy, when an e-mail is redirected, the e-mail will be reviewed by a Privacy Officer (Council currently has two Privacy Officers, the Information Manager and Legal Counsel) who will review the contents of the e-mail and will make a determination as to whether:
- the e-mail will be released in full;
  - the e-mail will be released with any breaches of the policy redacted (for example, racist slurs would be redacted);
  - the e-mail will not be released but specific questions or comments (legitimate business content) will be provided to the appropriate staff member(s); or
  - the e-mail will not be released or responded to as it contains no legitimate business content.

- 5.8 The above does not limit Council's ability to refer the e-mail to the appropriate authorities (for example, the New Zealand Police).

**How does an individual get placed on the quarantine list?**

- 5.9 The policy provides for three categories of breaches, these are minor, major and extreme and are defined in section 5.
- 5.10 Both minor and major breaches permit Officer discretion for referral as we acknowledge that different people have different levels of tolerance to certain language and images. We also understand that some individuals naturally use colourful language but it is not done in an offensive or intimidating way.
- 5.11 If an Officer decides to refer a minor or major breach, the referral and offending e-mail will be sent to a Privacy Officer for a determination as to whether the e-mail breaches the policy and for appropriate record-keeping. If the breach is sufficiently serious, the Privacy Officer may also refer it to the Group Manager – Corporate Services and/or the Chief Executive Officer.
- 5.12 If an individual commits 3 minor breaches of the policy within a 12 month period then all further minor breaches will be treated as major breaches. The same applies for major breaches except all future breaches will be treated as extreme breaches.
- 5.13 If an individual has previously breached the policy, an extreme breach will result in the individual having all future e-mails quarantined for a period of 6 months unless the quarantine period is extended due to ongoing breaches. If an individual's first breach of the policy is an extreme breach they will be sent a warning letter.

**How will people know about the policy and its application?**

- 5.14 Each time an individual breaches the policy an e-mail will be sent to the individual informing them of the breach, the existence of this policy and the consequences of repeat breaches. In addition, when an individual is placed on the quarantine list they will be sent an e-mail advising them of this and what that means. Standardised responses have been provided in the policy to ensure consistent messaging.
- 5.15 Under the Privacy Act 1993, individuals can request information on the application of the policy to them. For example, an individual can request confirmation as to whether or not they are on the quarantine list or how many breaches they have committed in the last 12 month period.
- 5.16 Council Officers will also place a copy of the policy on Council's website and provide a link to the policy in the standard e-mail signature block/footer.
- 5.17 Under no circumstances would an individual be placed on the quarantine list without prior knowledge of this policy unless they are willfully ignorant, that is, they are provided with information on the policy but refuse to read it.

**What happens when an individual is removed from the quarantine list?**

- 5.18 When an individual is removed from the quarantine list, the escalation of breaches starts anew with the exception of extreme breaches. Individuals will not have the benefit of a warning if their first breach following removal from the quarantine list is an extreme breach.

### **Application to Elected Representatives**

- 5.19 The policy makes provision for elected representatives, notably section 7 (which deals with elected representatives) and section 11 (which deals with reporting to this Subcommittee). Sections 7 & 11 do not come into effect unless and until approved by resolution of this Subcommittee, and subsequently Council.
- 5.20 As mentioned earlier, the working group was conscious of democratic principles when drafting the policy as well as technological limitations. Accordingly, the quarantine process and quarantine functionality that applies to staff does not apply to elected members.
- 5.21 Elected members will instead be offered support to manage their existing software which enables an individual to have their e-mails treated as 'spam' and be sent to a spam/junk inbox; or have e-mails redirected to a specific folder. This is considered to be consistent with the principle of democratic accountability, in that an elected representative should decide whether or not they engage with an individual, and if they choose not to engage, they can be held to account through the election process.
- 5.22 Further, it was considered that a generic quarantine for all elected representatives was not appropriate for a democracy where individual members of the community will have very different relationships with different elected members.
- 5.23 In section 7, elected representatives are encouraged to follow the same processes as staff are required to follow. However, the ultimate discretion remains with elected representatives.
- 5.24 The reporting requirements provided in section 11 are considered to be suitable for the FAR Subcommittee to understand and monitor the policy's application without disclosing any personal information of those affected by the policy. Section 11 provides for mandatory reporting no less than half yearly.

### **What other safeguards are put in place?**

- 5.25 In addition to reporting to this Subcommittee, a Privacy Officer and Council's IT Operations and Projects Manager (who will be responsible for application of the IT components) will meet no less than once per month to reconcile their records and ensure no individuals are on the quarantine list who shouldn't be.
- 5.26 Further, the Chief Executive Officer must be informed if and when an individual is placed on the quarantine list. Reporting will also be provided to the Leadership Team through usual reporting processes.
- 5.27 Given the process required for an individual to be placed on the quarantine list, the risk of an individual being accidentally placed on the quarantine list is considered to be very low.
- 5.28 The policy also puts in place provision for individuals who are alleged to have breached the policy, and received correspondence to that effect, to complain to the Chief Executive Officer. This does not limit the Chief Executive Officers general power of delegation. If the Chief Executive Officer is the subject of a complaint then the complaint must be delegated to a Group Manager to investigate.

### **Review**

- 5.29 The policy has been sent for legal review by Council's solicitors and also sent to the Office of the Ombudsman and the Office of the Privacy Commissioner to provide comment prior to implementation of the policy.

## 5. Options

Council has the option to adopt the policy (as written) or adopt the policy (with amendments). Given the findings of the KPMG Peer review report Council would be placing itself at risk to not have a policy framework to guide any future necessary quarantining of emails.

### 5.1 Cost

There is no additional cost related to the adoption or implementation of the policy other than that associated with a proposed legal review by an external solicitor.

#### 5.1.1 Rate Impact

There will be no rate impact arising.

### 5.2 Community Wellbeing

The policy has been designed to ensure that there are no negative impacts on the well being of the Community. In particular the policy (and related procedures) ensure that any emails that are subject to quarantine are still reviewed by Council's Privacy Officer and any legitimate content is forwarded to the appropriate part of the HDC for action/response.

### 5.3 Consenting Issues

Not applicable.

### 5.4 LTP Integration

Not applicable.

## 6. Consultation

Comment/feedback has been sought from the Office of the Ombudsman, Office of the Privacy Commissioner and Council's lawyers.

## 7. Legal Considerations

The policy has been forwarded to Buddle Findlay for review. Any legal advice received will be tabled at the Committee meeting.

## 8. Financial Considerations

There are no financial considerations.

## 9. Other Considerations

There are no other considerations.

## 10. Next Steps

Following consideration by the Committee, it will go to full Council for adoption.

### **Confirmation of statutory compliance**

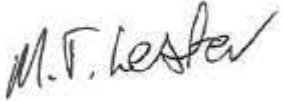
In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,

- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

## 11. Appendices

No.	Title	Page
A	DRAFT - Electronic Communications (E-mail Quarantine) Policy - September 2017	

Author(s)	Mark Lester <b>Acting Group Manager - Corporate Services</b>	
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Approved by	David Clapperton <b>Chief Executive</b>	
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# Electronic Communications (E-mail Quarantine) Policy

Departmental Responsibility	Executive
Contact	Chief Executive Officer
Approval	Council
Date Approved	11 October 2017
Next Review	11 October 2017
TRIM Doc. No.	D17/120559 (MS Word)

## 1. Purpose

The purpose of this policy is to ensure Council staff and elected members are protected from inappropriate e-mail correspondence whilst ensuring Council has robust processes around the quarantining of e-mails and to ensure it is transparent in how it applies the policy.

## 2. Scope

This policy applies to all e-mail correspondence to and from Council's e-mail domain (including Aquatics and Library Services) whether solicited or not.

## 3. Commencement

This policy comes into effect on 12 Month 2017.

## 4. Definitions

In this policy, unless the context otherwise requires:

- (a) **“Council”** means Horowhenua District Council.
- (b) **“Elected member”** means a member of the governing body of Council or community board elected under the Local Electoral Act 2001 (His Worship the Mayor, Councillors and Community Board Members).
- (c) **“Foul or offensive language”** means words, whether intended or not, that offend, intimidate, or otherwise cause emotional or psychological harm to the recipient and/or staff and includes content that incites hatred against, promotes discrimination of, or disparages an individual or group on the basis of their race, ethnic origin, religion (or lack thereof), disability, age, nationality, veteran status, sexual orientation, gender, gender identity, or other characteristic that is associated with systematic discrimination or marginalisation.



- (d) **“Inappropriate or explicit imagery”** means pictures, images or videos containing or promoting violent language, gruesome or disgusting imagery, graphic images of physical trauma, gratuitous portrayals of bodily fluids or waste, foul or offensive language, cruelty or gratuitous violence towards animals and/or pornographic images.
- (e) **“IT Operations and Projects Manager”** includes members of the IT Team who, from time-to-time, are delegated responsibilities under this policy by Council’s IT Operations and Projects Manager.
- (f) **“Privacy Officer”** means a staff member appointed as a Privacy Officer pursuant to section 23 of the Privacy Act 1993.
- (g) **“Senior staff member”** means a staff member who is a member of Council’s Leadership Team or has been designated as a ‘senior staff member’ by Council’s Chief Executive Officer for the purpose of this policy.
- (h) **“Staff member”** means an employee or agent of Council and does not include elected members.
- (i) **“Quarantine list”** means a list, in any form and in one or more parts, of individuals and their e-mail address/es who have breached this policy and a decision has been made to quarantine e-mails from those individuals under this policy.
- (j) A reference to any law, legislation or legislative provision includes any statutory modification, amendment or re-enactment, and any subordinate legislation or regulations issued under that legislation or legislative provision.
- (k) Where the context requires or admits, words importing the singular will import the plural and vice versa.
- (l) References to sections and schedules are references to sections and schedules of this policy.

## 5. Misuse of e-mail correspondence

Council accepts the benefits of e-mail correspondence when used appropriately. However, it is not acceptable for anyone to use e-mail to unduly interfere with staff and their decision-making processes, to criticise staff, or to simply abuse and harass staff. Due to the instantaneous nature of e-mails, significant criticism, abuse and harassment can occur in a relatively short period of time.

Council recognises the importance of the Harmful Digital Communications Act 2015 and the communication principles contained within. A copy of these principles is annexed to this policy. While this policy focuses on specific aspects of the principles, it does not limit Council’s ability to refer e-mails which breach other communications principles to an approved agency under that Act (for instance, NetSafe).

Council has three categories of misuse of e-mail correspondence, they are:

- (a) **Minor breach** being general name calling;
- (b) **Major breach** being the use of foul or offensive language; the dissemination of confidential information (whether or not that person has legitimately obtained that information); and/or inappropriate or explicit imagery; and
- (c) **Extreme breach** being threatening or explicit commentary; and/or the use of foul or offensive language and/or inappropriate or explicit imagery that is targeted at a specific staff member (whether or not that staff member is the recipient of the e-mail).



For clarity, criticism of a staff member or Council does not, on its own, constitute a breach of this policy.

If there is any question as to whether a breach is a breach or a minor, major or extreme breach a Privacy Officer will make a determination which shall be final.

## 6. Consequence of misuse of e-mail correspondence to staff members

In the event of misuse of e-mail correspondence Council will:

- (a) In the case of a **minor breach**, the staff member receiving the e-mail may either:
  - choose to ignore the breach; or
  - refer the e-mail to a Privacy Officer with the staff member's manager cc'd in; and
  - the Privacy Officer will ensure a record is kept of the referral from the staff member and the relevant e-mail itself and will send an e-mail to the person who breached this policy in accordance with the templates provided in the First Schedule
- (b) In the event of **three minor breaches** within a 12 month period, any further minor breach will be treated as a **major breach** and Council's Privacy Officer will send an e-mail to the person who breached this policy in accordance with the templates provided in the First Schedule.
- (c) In the case of a **major breach**, the staff member receiving the e-mail may either:
  - choose to ignore the breach; or
  - refer the e-mail to a Privacy Officer with the staff member's manager cc'd in; and
  - the Privacy Officer will ensure a record is kept of the referral from the staff member and the relevant e-mail itself and will send an e-mail to the person who breached this policy in accordance with the templates provided in the First Schedule.
- (d) In the event of **three major** breaches within a 12 month period, the sender will be placed on Council's quarantine list and a Privacy Officer will send an e-mail to the person who breached this policy in accordance with the templates provided in the First Schedule.
- (e) In the case of an **extreme breach**, the staff member receiving the e-mail **must**:
  - refer the e-mail to a Privacy Officer with the staff member's manager cc'd in; and
  - the Privacy Officer will ensure a record is kept of the referral from the staff member and the relevant e-mail itself and will send an e-mail to the person who breached this policy in accordance with the templates provided in the First Schedule; and
    - if the extreme breach is the first and only breach from that individual then the e-mail will be sent advising that any further breaches will result in that person's name being placed on Council's quarantine list; or
    - if the extreme breach is the second or subsequent breach (regardless of whether the previous breach was minor, major or extreme) from that individual then that individual will be placed on Council's quarantine list and an e-mail will be sent to the individual informing them of this.

Once an individual has been placed on the quarantine list, no further correspondence is required to be sent for subsequent breaches.

## 7. Consequences of misuse of e-mail correspondence to elected members

E-mails sent to elected members (His Worship the Mayor, Councillors and Community Board members) are not subject to Council's quarantining process.

If an e-mail to an elected member does get quarantined as a result of a decision to quarantine e-mails from a specific e-mail address to staff members, then that e-mail will, upon its discovery, be immediately released to the elected member/s the e-mail is addressed to.

Elected members may, in their absolute discretion, choose to 'block' an e-mail address or to redirect e-mails from an individual to their 'spam', 'junk mail' or other folder of their choosing using standard e-mail settings. In deciding whether to 'block' and e-mail address or redirect e-mails from an individual, an elected member should follow the same process contained in section 6.

It is for the elected member to decide whether and how to communicate their actions to the individual/s concerned. However, the elected member should follow the same process as set out in section 6.

Elected members will refer e-mails received which breach this policy, and which the elected member has chosen not to ignore, along-with details of action taken to the Governance and Executive Support Team Leader for referral to a Privacy Officer so that a record may be kept of the breach and action taken for reporting purposes.

Elected members may request support from, and that support will be provided by, Council's IT Team to block an e-mail address or have e-mails from a specific address redirected to the elected member's 'spam', 'junk mail' or other folder using standard e-mail software (e.g. Microsoft Outlook). Requests for support by elected members are to be sent to the Governance and Executive Support Team Leader for referral to the IT Team.

Staff members will not comment on any decision of an elected member to block an e-mail address or redirect e-mails from a specific address with the exception that a staff member may refer an individual to this policy and this section in particular.

## 8. Effect of quarantine list

Following an individual's name being placed on Council's quarantine list, any e-mails received by Council, for staff attention, from that individual will, for a period of six months:

- (a) initially be redirected to a separate and restricted electronic storage location;
- (b) be reviewed by a Privacy Officer and, if appropriate, escalated to the Group Manager Corporate Services and/or Chief Executive Officer and a decision made as to whether the e-mail will:
  - (i) be released in its complete form to the intended recipient/s; or
  - (ii) be released to the intended recipient/s with breaches of this policy redacted/removed; or
  - (iii) not be released to the intended recipient/s but specific questions and/or comments will be provided to the intended recipient/s or another staff member for a response by the intended recipient/s of the original e-mail or another staff member; or
  - (iv) not be released and will not be responded to as the e-mail contains no legitimate business content.

The six month quarantine period is to be calculated from, and includes, the day the individual is placed on the quarantine list.

## 9. End of quarantine period

At the end of the quarantine period, Council's Chief Executive Officer may, following a referral by a Privacy Officer, instruct a Privacy Officer to extend an individual's quarantine period for a period of no more than six months, where:

- (i) During the quarantine period, the individual has continued to send e-mails which contain **minor, major** and/or **extreme breaches**; and
- (ii) The last e-mail sent containing a **major** or **extreme breach** was received by Council within three calendar months of the end of the quarantine period.

The quarantine period may continue to be extended for multiple periods of no more than six months until such time as the above criteria for extension are not met.

If the quarantine period is not extended under the above provisions, the individual's name will be removed from the quarantine list and the quarantining of e-mails for that individual will cease. This policy will then apply to that individual as if they had not previously breached the policy and been on the quarantine list.

## 10. Internal reporting requirements

Council's Information Manager, in conjunction with all Privacy Officers, is responsible for ensuring the following records are kept and are readily accessible:

- Copy of e-mails forwarded under this policy;
- Copy of staff e-mails referring the above e-mails;
- Name of persons and associated e-mail addresses on the quarantine list;
- Where persons have been placed on the quarantine list, the reasons for the quarantine;
- Date when persons were placed on the quarantine list;
- Date when persons are due to be removed from the quarantine list;
- Date when persons had their quarantine extended;
- Where persons have had their quarantine extended, the reasons for the extension; and
- Date when persons were removed from the quarantine list.

Council's IT Operations and Projects Manager is responsible for ensuring the following records are kept and are readily accessible:

- Name of persons and associated e-mail addresses quarantined;
- Date when persons were quarantined; and
- Date when persons are due to be removed from the quarantine list.

The Information Manager and IT Operations and Projects Member will reconcile their records not less than once per calendar month to ensure records are accurate.

Records must be kept for sufficient time to ensure compliance with Council's Information Management Policy and associated legislation and legislative instruments.

A Privacy Officer will report to the Chief Executive Officer whenever a person has been placed on, or is due to be removed from, the quarantine list.

## 11. FAR Subcommittee reporting requirements

The Chief Executive Officer will report to the Finance, Audit and Risk ("FAR") Subcommittee no less than quarterly as to the operation of the quarantining system. The report will include:

- The total number of individuals on the quarantine list;
- Reasons for those individuals in terms of breaches committed.
- The length of time individuals have been on the quarantine list;
- The length of time until individuals are removed from the quarantine list;
- The number of individuals who have had their quarantine period extended, the length of the extension and the reason(s) for the extension;
- The total number of breaches which have occurred for the current financial year to date;
- The total number of complaints received under this policy;
- Non-identifying details of the complaints received (for example, 'complaint that alleged breach was not a breach');
- The number of complaints found to be justified; and
- Details of any breaches which have been referred to external authorities (e.g. NZ Police) and the outcome of those referrals.

No identifying details or information which would lead to the identification of the individuals on the quarantine list will be reported to the FAR Subcommittee regardless of whether or not elected members are aware of specific individuals on the quarantine list.

## 12. Complaints

Individuals who are alleged to have breached this policy and have received an e-mail or letter from Council acknowledging the breach may complain to the Chief Executive Officer on the grounds that:

- (a) The alleged breach was not a breach of this policy;
- (b) The alleged breach was of a lower category than that reported;
- (c) The complainant was incorrectly placed on the quarantine list;
- (d) The complainant was due to be removed from the quarantine list and has not been removed; or
- (e) There is any other non-adherence to this policy.

The Chief Executive Officer must refer an investigation to the Independent Chair of the FAR Subcommittee where the Chief Executive Officer's actions are the subject of the complaint.

Complaints are to be acknowledged within 5 working days of receipt.

Complaints are to be investigated and communicated to the individual within 10 working days of receipt of the complaint unless circumstances mean this is not practicable. Where a complaint cannot be investigated within 10 working days, the complainant is to be informed of the delay along with the reason for the delay.

Where a series of complaints show a systematic failure, steps will be taken to prevent a repeat of that failure. Such steps may include:

- Staff training;
- Amendment to this policy; and/or
- Amendment to process.

### **13. Effect on Secure E-mail Gateway software (aka Mail Marshal)**

This policy has no effect on the use of Council's Secure E-mail Gateway software (known as 'Mail Marshal') which is utilised to quarantine e-mails that contain spam, pornographic and sexually explicit words and phrases and common and mild profanity.

### **14. Effect on Privacy Act and LGOIMA**

This policy has no effect on an individual's rights or Council's obligations under the Privacy Act 1993 or Local Government Official Information and Meetings Act 1987. Council will ensure it continues to meet its obligations under these Acts.

### **15. Referral to Relevant Authorities**

This policy does **not** limit Council's ability to refer electronic communications, including e-mails, to the relevant authorities (for example, NetSafe or the New Zealand Police). Matters for referral will be assessed on a case-by-case basis.

### **16. Relevant Documents & Materials**

Electronic Communications Policy  
Information Management Policy

Privacy Act 1993  
Local Government Official Information and Meetings Act 1987

This policy was adopted by resolution of Council at its Ordinary Meeting on 11 Month 2017.

## FIRST SCHEDULE E-MAIL TEMPLATES

### Template 1: Minor breach reported (first or second)

Dear [Name],

We refer to your e-mail of XX Month 20XX. Council has a policy regarding misuse of e-mail correspondence, the Electronic Communications (E-mail Quarantine) Policy. A copy of this policy is **attached** to this e-mail and can also be viewed on Council's website [www.horowhenua.govt.nz](http://www.horowhenua.govt.nz) under the Local Bylaws & Policies section.

Your e-mail contains a **minor breach** of this policy, specifically: *[Insert relevant words &/or detail breach, use of asterisks may be required]*

If staff members report three or more minor breaches of this policy (including this breach) by you within a 12 month period any further minor breaches will be treated as major breaches under the policy for a period of 12 months.

Continual breach of this policy may result in your name and associated e-mail addresses being placed on Council's quarantine list. E-mail addresses on the quarantine list are subject to review by a senior member of staff upon receipt and may be subject to:

- Release of the e-mail in complete form to the intended recipient;
- Release to the intended recipient with breaches of this policy redacted/removed;
- Specific questions being addressed to the appropriate staff member without release of the e-mail and a response being provided by the intended recipient or another staff member;
- or
- If there is no legitimate business content in your e-mail, Council may choose to ignore your e-mail in its entirety and provide no response.

Yours faithfully,

[Signature Block]

### Template 2: Three minor breaches resulting in escalation to major breach

Dear [Name],

We refer to your e-mail of XX Month 20XX. Council has a policy regarding misuse of e-mail correspondence, the Electronic Communications (E-mail Quarantine) Policy. A copy of this policy is **attached** to this e-mail and can also be viewed on Council's website [www.horowhenua.govt.nz](http://www.horowhenua.govt.nz) under the Local Bylaws & Policies section.

Within the last 12 months, staff members have reported three or more **minor breaches** of this policy by you. Accordingly, for the next 12 months commencing on XX Month 20XX any further **minor breach** by you will be treated as a **major breach** under the policy.

The events reported include:

- XX Month 20XX e-mail to [e-mail address] and the words: *[Insert relevant words &/or detail breach, use of asterisks may be required]*

- XX Month 20XX e-mail to [e-mail address] and the words: *[Insert relevant words &/or detail breach, use of asterisks may be required]*
- XX Month 20XX e-mail to [e-mail address] and the words: *[Insert relevant words &/or detail breach, use of asterisks may be required]*

In the unfortunate event that you commit a further two major breaches, or a single extreme breach, within the next 12 months and these are reported by staff, your e-mail address/es will be placed on Council's quarantine list. E-mail addresses on the quarantine list are subject to review by a senior member of staff upon receipt and may be subject to:

- Release of the e-mail in complete form to the intended recipient;
- Release to the intended recipient with breaches of this policy redacted/removed;
- Specific questions being addressed to the appropriate staff member without release of the e-mail and a response being provided by the intended recipient or another staff member; or
- If there is no legitimate business content in your e-mail, Council may choose to ignore your e-mail in its entirety and provide no response.

Yours faithfully,

[Signature Block]

### Template 3: First major breach where not an escalation of minor breaches

Dear [Name],

We refer to your e-mail of XX Month 20XX. Council has a policy regarding misuse of e-mail correspondence, the Electronic Communications (E-mail Quarantine) Policy. A copy of this policy is **attached** to this e-mail and can also be viewed on Council's website [www.horowhenua.govt.nz](http://www.horowhenua.govt.nz) under the Local Bylaws & Policies section.

The content of your e-mail constitutes a major breach of this policy, specifically *[Insert relevant words &/or detail breach, use of asterisks may be required]*.

In the unfortunate event that a further two breaches of the Electronic Communications (E-mail Quarantine) Policy are reported within the next 12 months, your e-mail address/es may be placed on Council's quarantine list. This means any e-mails received from you by Council will be reviewed by a senior member of staff and may be subject to:

- Release of the e-mail in complete form to the intended recipient;
- Release to the intended recipient with breaches of this policy redacted/removed;
- Specific questions being addressed to the appropriate staff member without release of the e-mail and a response being provided by the intended recipient or another staff member; or
- If there is no legitimate business content in your e-mail, Council may choose to ignore your e-mail in its entirety and provide no response.

Yours faithfully,

[Signature Block]

### Template 4: Second major breach

Dear [Name],



We refer to your e-mail of XX Month 20XX. Council has a policy regarding misuse of e-mail correspondence, the Electronic Communications (E-mail Quarantine) Policy. A copy of this policy is **attached** to this e-mail and can also be viewed on Council's website [www.horowhenua.govt.nz](http://www.horowhenua.govt.nz) under the Local Bylaws & Policies section.

The content of your e-mail constitutes a major breach of this policy, specifically *[Insert relevant words &/or detail breach, use of asterisks may be required]*. This is the second major breach reported within a 12 month period.

In the unfortunate event that a further breach of the Electronic Communications (E-mail Quarantine) Policy is reported between now and [Insert end of 12 month period in format XX Month 20XX], your e-mail address/es will be placed on Council's quarantine list. E-mail addresses on the quarantine list are subject to review by a senior member of staff upon receipt and may be subject to:

- Release of the e-mail in complete form to the intended recipient;
- Release to the intended recipient with breaches of this policy redacted/removed;
- Specific questions being addressed to the appropriate staff member without release of the e-mail and a response being provided by the intended recipient or another staff member; or
- If there is no legitimate business content in your e-mail, Council may choose to ignore your e-mail in its entirety and provide no response.

Yours faithfully,

[Signature Block]

#### Template 5: Third major breach – on quarantine list

Dear [Name],

We refer to your e-mail of XX Month 20XX. Council has a policy regarding misuse of e-mail correspondence, the Electronic Communications (E-mail Quarantine) Policy. A copy of this policy is **attached** to this e-mail and can also be viewed on Council's website [www.horowhenua.govt.nz](http://www.horowhenua.govt.nz) under the Local Bylaws & Policies section.

The content of your e-mail constitutes a major breach of this policy, specifically *[Insert relevant words &/or detail breach, use of asterisks may be required]*. This is the third major breach reported within a 12 month period.

As this is the third major breach reported within a 12 month period, your e-mail address will be placed on Council's e-mail quarantine list. This means any e-mails received from you by Council will be reviewed by a senior member of staff and may be subject to:

- Release of the e-mail in complete form to the intended recipient;
- Release to the intended recipient with breaches of this policy redacted/removed;
- Specific questions being addressed to the appropriate staff member without release of the e-mail and a response being provided by the intended recipient or another staff member; or
- If there is no legitimate business content in your e-mail, Council may choose to ignore your e-mail in its entirety and provide no response.



You will remain on Council's e-mail quarantine list for a period of 6 months commencing XX Month 20XX and ending at 5.00 p.m. on XX Month 20XX. However, further breaches during this period may result in an extension to your quarantine period.

Yours faithfully,

[Signature Block]

**Template 6: First extreme breach – no previous breaches**

Dear [Name],

We refer to your e-mail of XX Month 20XX. Council has a policy regarding misuse of e-mail correspondence, the Electronic Communications (E-mail Quarantine) Policy. A copy of this policy is **attached** to this e-mail and can also be viewed on Council's website [www.horowhenua.govt.nz](http://www.horowhenua.govt.nz) under the Local Bylaws & Policies section.

The content of your e-mail constitutes an extreme breach of this policy, specifically *[Insert relevant words &/or detail breach, use of asterisks may be required]*. This is the most serious type of breach under this policy.

As you have not previously breached this policy, your e-mail address will not be placed on Council's e-mail quarantine list. However, any further breaches of this policy will be treated as an extreme breach and will result in your e-mail address/es being placed on Council's quarantine list. This means any e-mails received from you by Council will be reviewed by a senior member of staff and may be subject to:

- Release of the e-mail in complete form to the intended recipient;
- Release to the intended recipient with breaches of this policy redacted/removed;
- Specific questions being addressed to the appropriate staff member without release of the e-mail and a response being provided by the intended recipient or another staff member; or
- If there is no legitimate business content in your e-mail, Council may choose to ignore your e-mail in its entirety and provide no response.

Yours faithfully,

[Signature Block]

**Template 7: First extreme breach following a previous breach – on quarantine list**

Dear [Name],

We refer to your e-mail of XX Month 20XX. Council has a policy regarding misuse of e-mail correspondence, the Electronic Communications (E-mail Quarantine) Policy. A copy of this policy is **attached** to this e-mail and can also be viewed on Council's website [www.horowhenua.govt.nz](http://www.horowhenua.govt.nz) under the Local Bylaws & Policies section.

The content of your e-mail constitutes an extreme breach of this policy, specifically *[Insert relevant words &/or detail breach, use of asterisks may be required]*. This is the most serious type of breach under this policy.

As you have previously breached this policy, your e-mail address/es will be placed on Council's e-mail quarantine list. This means any e-mails received from you by Council will be reviewed by a senior member of staff and may be subject to:

- Release of the e-mail in complete form to the intended recipient;
- Release to the intended recipient with breaches of this policy redacted/removed;
- Specific questions being addressed to the appropriate staff member without release of the e-mail and a response being provided by the intended recipient or another staff member; or
- If there is no legitimate business content in your e-mail, Council may choose to ignore your e-mail in its entirety and provide no response.

You will remain on Council's e-mail quarantine list for a period of 6 months commencing XX Month 20XX and ending at 5.00 p.m. on XX Month 20XX. However, further breaches during this period may result in an extension to your quarantine period.

Yours faithfully,

[Signature Block]

#### **Template 8: Quarantine period renewed for up to 6 months**

Dear [Name],

As you will be aware you were placed on Council's quarantine list on XX Month 20XX. You were due to be removed from the quarantine list on XX Month 20XX.

During the quarantine period you have continued to send e-mails which constitute a breach of Council's Electronic Communications (E-mail Quarantine) Policy. This has included e-mails which would constitute a breach being sent in the last three months of your quarantine period.

Given your ongoing breaches, we have made the decision to extend your quarantine period for a further period of X months.

This is not a decision we make lightly. However, our staff must be protected from your ongoing behaviour.

At the end of the new quarantine period, a decision will be made as to whether or not to renew your quarantine period for a further period of up to six months. We trust this will not be necessary.

Yours faithfully,

[Signature Block]

#### **Template 9: End of quarantine**

Dear [Name],

As you will be aware you were placed on Council's quarantine list on XX Month 20XX. You were/are due to be removed from the quarantine list on XX Month 20XX.

We are pleased to inform you that due to a lack of ongoing breaches of Council's Electronic Communications (E-mail Quarantine) Policy your name has been removed from Council's

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quarantine list and your e-mails to Council staff will no longer be quarantined upon receipt by Council.

We remind you that any further breaches may result in your name being returned to the quarantine list. We trust this will not be necessary and look forward to communicating with you in future.

Yours faithfully,

[Signature Block]

ANNEXURE  
COMMUNICATION PRINCIPLES

## The 10 Communication Principles

A digital communication shouldn't:

- 1 disclose sensitive personal facts about an individual;
- 2 be threatening, intimidating, or menacing;
- 3 be grossly offensive to a reasonable person in the position of the affected individual;
- 4 be indecent or obscene;
- 5 be used to harass an individual;
- 6 make a false allegation;
- 7 contain a matter that is published in breach of confidence;
- 8 incite or encourage anyone to send a message to an individual for the purpose of causing harm to the individual;
- 9 incite or encourage an individual to commit suicide; or
- 10 denigrate an individual by reason of his or her colour, race, ethnic or national origins, religion, gender, sexual orientation or disability.

File No.: 17/507

## Provision of Loan to Levin Cricket Foundation Incorporated

### 1. Purpose

To obtain Council approval to the provision of a loan to Levin Cricket Foundation Incorporated (**LCF**) of \$100,000 to enable the addition of a second level to the LCF pavilion at Donnelly Park which will incorporate facilities to obtain New Zealand Cricket First Class Standards.

### 2. Executive Summary

- 2.1 LCF has approached Council seeking funding to expand HKCAs existing facilities at Donnelly Park. The proposal will enable the playing of First Class Cricket matches in the Horowhenua District.
- 2.2 The loan sought is \$100,000 to be paid as soon as possible to be repaid over a period of up to 10 years at a 0% interest rate.

### 3. Recommendation

- 3.1 That Report 17/507 Provision of Loan to Levin Cricket Foundation Incorporated be received.
- 3.2 That this decision is recognised as not significant in terms of S76 of the Local Government Act 2002.
- 3.3 That Council provide a loan of \$100,000 to Levin Cricket Foundation Incorporated at 0% interest, or such other interest rate as agreed, to be repaid over a term of no more than 10 years and subject to such terms and conditions as determined by Council's Chief Executive Officer and subject to Levin Cricket Foundation showing its ability to repay the loan.
- 3.4 That the loan be subject to a condition requiring any grant money raised by Levin Cricket Foundation Incorporated for the purpose of this development be used for the repayment of the loan in the first instance, unless otherwise agreed by Council's Chief Executive Officer.

### 4. Background / Previous Council Decisions

- 4.1 Council leases to LCF an area of 702m<sup>2</sup> (more or less) at Donnelly Park, Levin upon which LCF has erected a single level cricket pavilion. The current facilities do not meet the requirements of New Zealand Cricket to play First Class cricket at Donnelly Park. There are currently no facilities in the Horowhenua District upon which First Class Cricket can be played.
- 4.2 LCF as Lessee has sought approval from Council's Parks and Property Team as landlord to undertake the building work and approval has been granted subject to meeting the necessary regulatory requirements. LCF have applied for a building consent to undertake the proposed works.
- 4.3 Council's Investment Policy (approved 13 April 2016) provides the following:

#### ***7. Community group advances***

*As at 30 June 2014 Council held secured advances to community groups to the value of \$0.15m.*

*Interest from these advances is used to offset general rates.*

*Advances may only be made pursuant to a specific resolution of Council.*

*Such advances will only be made in the future where such advances will strategically fit Council's core activities.*

## 5. Discussion

- 5.1 LCF encompasses the Horowhenua Kapiti Cricket Association Inc., Weraroa Cricket Club Inc. and Levin Old Boys Cricket Club Inc. the arrangement can be viewed as a shared services model.
- 5.2 The proposal put forward would see additional changing facilities, tea rooms and an umpire room constructed as a second level to the existing LCF pavilion. There is to be no change to the existing ground floor footprint. A copy of the proposed plans is **annexed** to this report as Appendix A.
- 5.3 The facilities, along-with other improvements being undertaken by LCF will enable the playing of First Class Cricket matches at Donnelly Park.
- 5.4 The loan sought is for a maximum 10 year term at 0% interest. Payment is required as soon as possible as a First Class Women's Fixture (*Central Districts Hinds vs Wellington Blaze*) is set to be played at Donnelly Park on 25-27 November 2017. While time-frames are tight, it is anticipated that the build will be completed in time if funding is provided.
- 5.5 Council's Parks and Property Team have provided written approval as landlord to the proposed addition. A Building Consent Application has been submitted with Council's regulatory Building Team.
- 5.6 Council's 2015-2025 Long Term Plan (**LTP**) identifies the following community outcomes for the maintenance of Sports Grounds for public use:
  - **A healthy local economy and a District that is growing:**
    - *We are a welcoming, enabling and business friendly district that encourages economic development;*
    - *We have a shared respect for both economic development and environmental protection;*
    - *We provide opportunities for people of all ages and at all phases of life to enjoy a standard of living within our District that is economically sustainable and affordable;*
    - *We recognise the importance of population growth and actively promote the District as a destination; and*
    - *Our facilities and infrastructure services are planned and developed to meet future demand.*
  - **A sustainable environment:**
    - *We are proud of our natural environment;*
    - *We sustainably manage our environment so it can be enjoyed by future generations;*
    - *Waste reduction, recycling, energy conservation and efficiency are promoted as part of how we all live;*
    - *We recognise the importance and value of our District's natural resources; and*

- *We actively support improving the health of our District's rivers, lakes and waterways.*
- **A community of knowledge, culture and diversity where people are proud to live:**
  - *We are proud of our heritage and diversity of our District and our people;*
  - *We respect each other and what we contribute to the District through our traditions and culture;*
  - *We acknowledge the special role Tangata Whenua have in our District;*
  - *We invest in our knowledge and skills of our people so they can fully participate in society;*
  - *We are advocates for the provision of quality social, education, health and training services; and*
  - *Our communities have a 'sense of place' that make people proud to live here.*
- **Safe, resilient and healthy communities:**
  - *We have reliable, efficient and well planned infrastructure and services;*
  - *We advocate for personal safety and security within our District;*
  - *We are organised and prepared to deal with natural hazards;*
  - *Our young people live in a safe and supportive environment and are empowered to make positive and healthy lifestyle choices;*
  - *Our community has access to health, social and recreation facilities to enjoy long and healthy lives; and*
  - *Our older people have access to opportunities that enable them to live a satisfying and healthy lifestyle.*
- Positive leadership and effective partnerships.
  - *Our leaders consult with, and understand their communities and work for the good of all;*
  - *We provide strong leadership in planning for the District's future;*
  - *All our people and communities have the opportunity to participate in local decision making;*
  - *We keep our District well-informed and ensure information is easily accessible for all;*
  - *We work together with Iwi and Hapū in mutually beneficial partnerships; and*
  - *All sectors of the community are encouraged to work effectively together to achieve the best for the District.*

In this respect, Council's role is identified as being a "**Funder/Provider**" [*emphasis added*].

- 5.7 The proposal put forward is considered to be consistent with the desired outcomes for the following reasons:
- The proposal will provide opportunities for people of all phases of life to enjoy a standard of living that is sustainable and affordable by providing the opportunities to participate in and spectate in cricket including First Class cricket;
  - The proposal will promote the District as a destination through the provision of First Class cricket fixtures;
  - The proposed facility is designed to meet future demand;
  - The proposed amendment is in-keeping with the character of Donnelly Park as other pavilions consist of two levels, further, the proposal means a larger building footprint or an additional building is not required;
  - The proposal will invest in the knowledge and skills of our people;
  - The proposal will provide LCF with a sense of place in the District to be proud of;
  - The proposal will encourage our young people to make healthy life choices ;
  - The proposal will provide access to recreation facilities that will enable our people to enjoy long healthy lives;



- Our elderly population will have the opportunity to view First Class cricket without leaving the District; and
- Council will be working effectively with the not-for-profit recreational sector to achieve the best for the District.

5.8 It is understood that Council's other lessees at Donnelly Park are supportive of the proposal.

5.9 LCF are currently seeking grants to fund the proposal but these applications will not be processed in sufficient time for the 25-27 November 2017 fixture. LCF have advised these grants will be used to repay the loan if granted.

5.10 Council has previously provided an interest free loan to the Events Centre Trust for the construction of the stadium.

## 6. Options

### Option 1: Approve loan as per recommendation

This will enable the construction of the pavilion to commence as soon as possible.

### Option 2: Approve loan with amendments to interest rate and/or term

This may delay the granting of a loan or prevent granting if the proposal is unacceptable to LCF meaning that construction of the second level is unable to be undertaken prior to the 25-27 November 2017 fixture.

### Option 3: Decline the loan

LCF may be unable to obtain the necessary funding in time to construct the second level prior to the 25-27 November 2017 fixture.

## 6.1 Cost

Option	Cost
1 – Approve as per recommendation	\$100,000 for loan, no more than 5 hours of staff time, no more than \$500 in legal fees for peer review/provision of loan documents. Whilst borrowing is not required, there will be a flow-on effect as the \$100,000 will not be available for other requirements.
2 – Approve subject to amendments	\$100,000 for loan, no more than 5 hours of staff time, no more than \$500 in legal fees for peer review/provision of loan documents. Whilst borrowing is not required, there will be a flow-on effect as the \$100,000 will not be available for other requirements.
3 – Do not approve	No cost, less than 1 hour staff time to advise LCF of decision.

### 6.1.1 Rate Impact

The loan can be funded from Council's cash reserves. No impact on rating levels.

## 6.2 Community Wellbeing

These are detailed in the discussion section.



### 6.3 Consenting Issues

LCF responsible for obtaining all necessary consents.

### 6.4 LTP Integration

The expenditure is not specifically referenced in the LTP. Refer Background and Discussion sections for further information.

## 7. Consultation

No consultation is required to be undertaken.

## 8. Legal Considerations

No security is proposed for the loan. The building is on Council land. Peer review of loan documents to occur.

## 9. Financial Considerations

Funding of the loan can be met from existing cash reserves.

## 10. Other Considerations

The Donnelly Park Reserve Management Plan makes specific reference to the provision of cricket pitches and notes HKCA as a regular user. The proposal is consistent with policies:

- *4.1.4 The Park shall be maintained regularly, with particular emphasis on playing surfaces to ensure that they are kept in top condition.*
- *4.5.2 Investigate ways to better market the Park and raise its profile to the public.*
- *5.1.1 The landscape and open space character and the scenic amenity of the Park shall be protected and enhanced.*
- *4.8.1 All playing surfaces shall be maintained to a high standard.*
- *6.1.2 The Council shall promote the recreational value and use of the Park.*
- *6.1.3 Events and activities in the public interest (e.g. school sports festivals, fairs etc) shall be encouraged, provided that they do not unnecessarily conflict with the established use and enjoyment of the Park.*
- *6.1.7 New buildings and facilities shall be designed, built and maintained to an agreed standard, and in accordance with the appropriate building code.*
- *6.2.1 Only developments that are in accordance with the aim and objectives of the Management Plan shall be permitted.*

## 11. Next Steps

If approved, necessary documentation will be prepared.

## 12. Supporting Information

<b>Strategic Fit/Strategic Outcome</b>
Refer discussion section.
<b>Decision Making</b>
Refer discussion section.
<b>Consistency with Existing Policy</b>

Refer discussion section and other considerations.

**Funding**

Refer discussion section.

**Confirmation of statutory compliance**

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

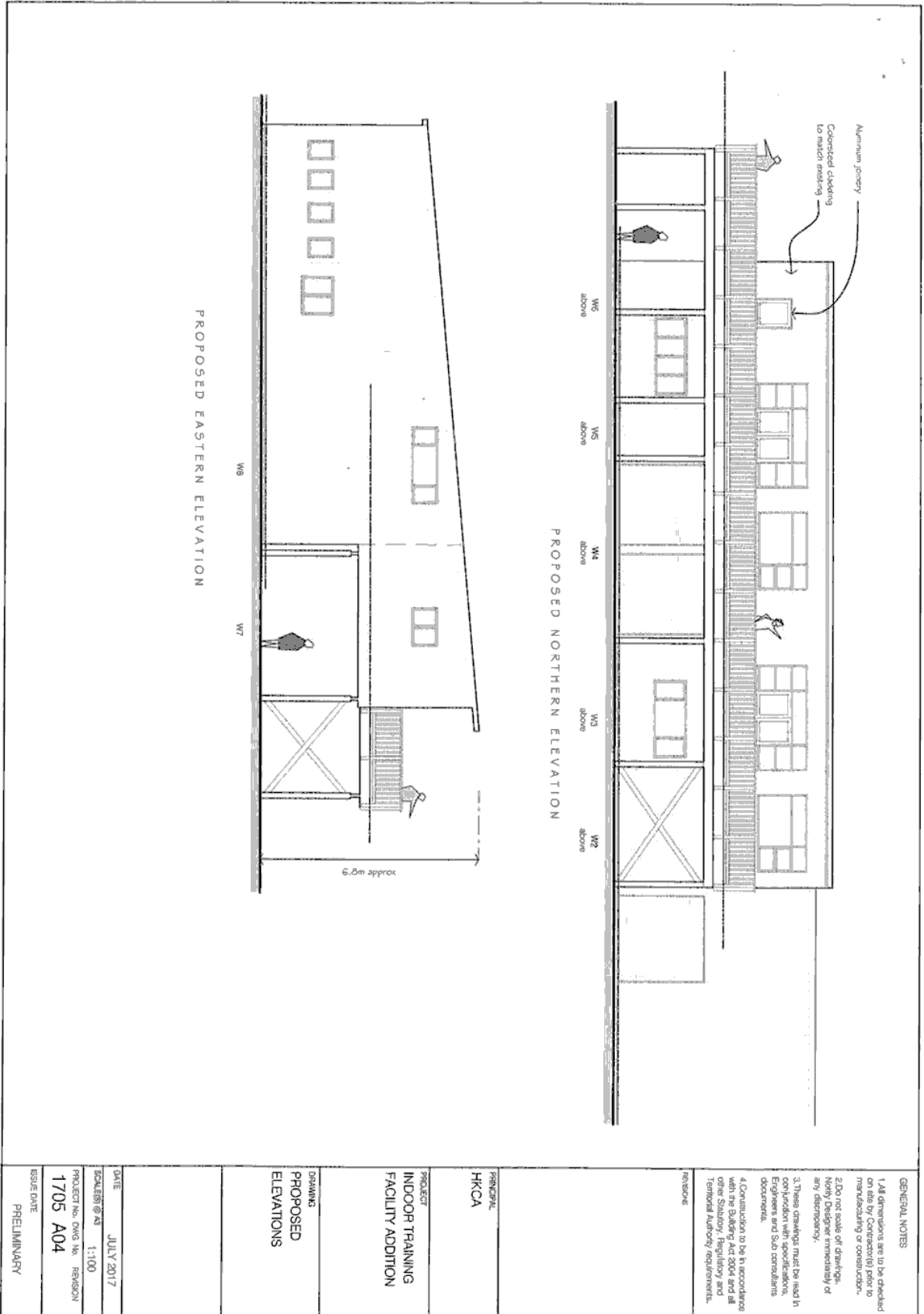
- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance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

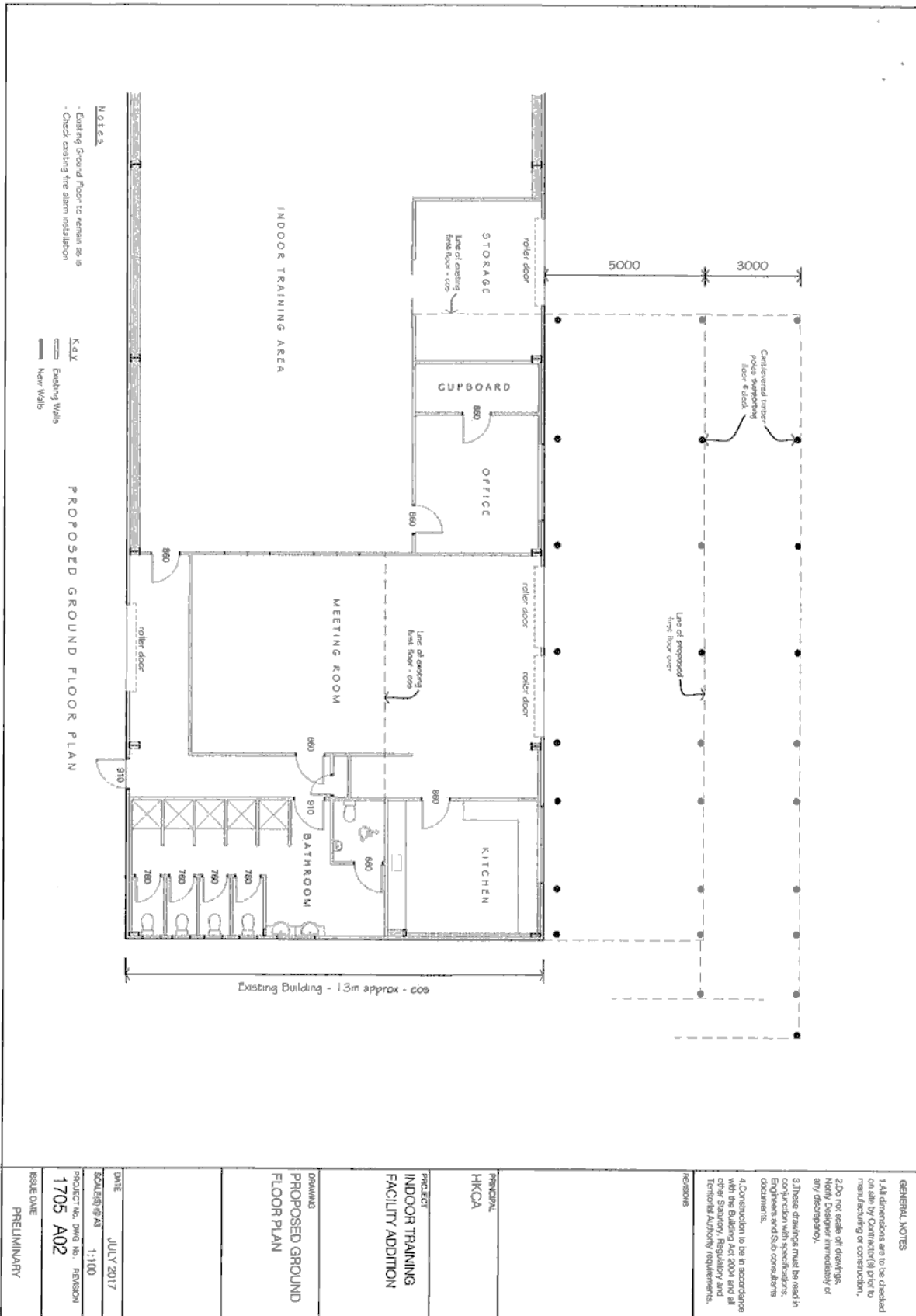
**13. Appendices**

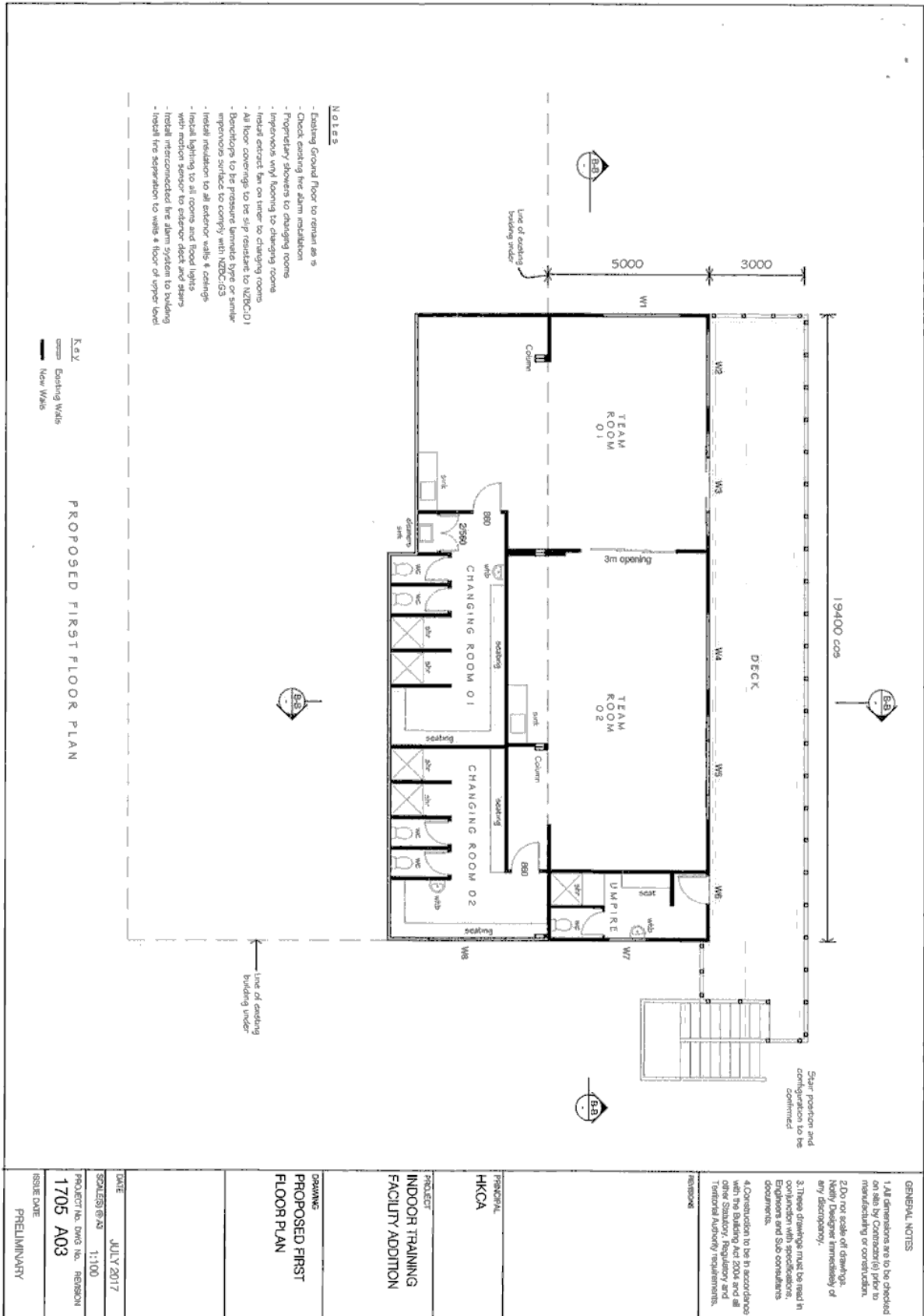
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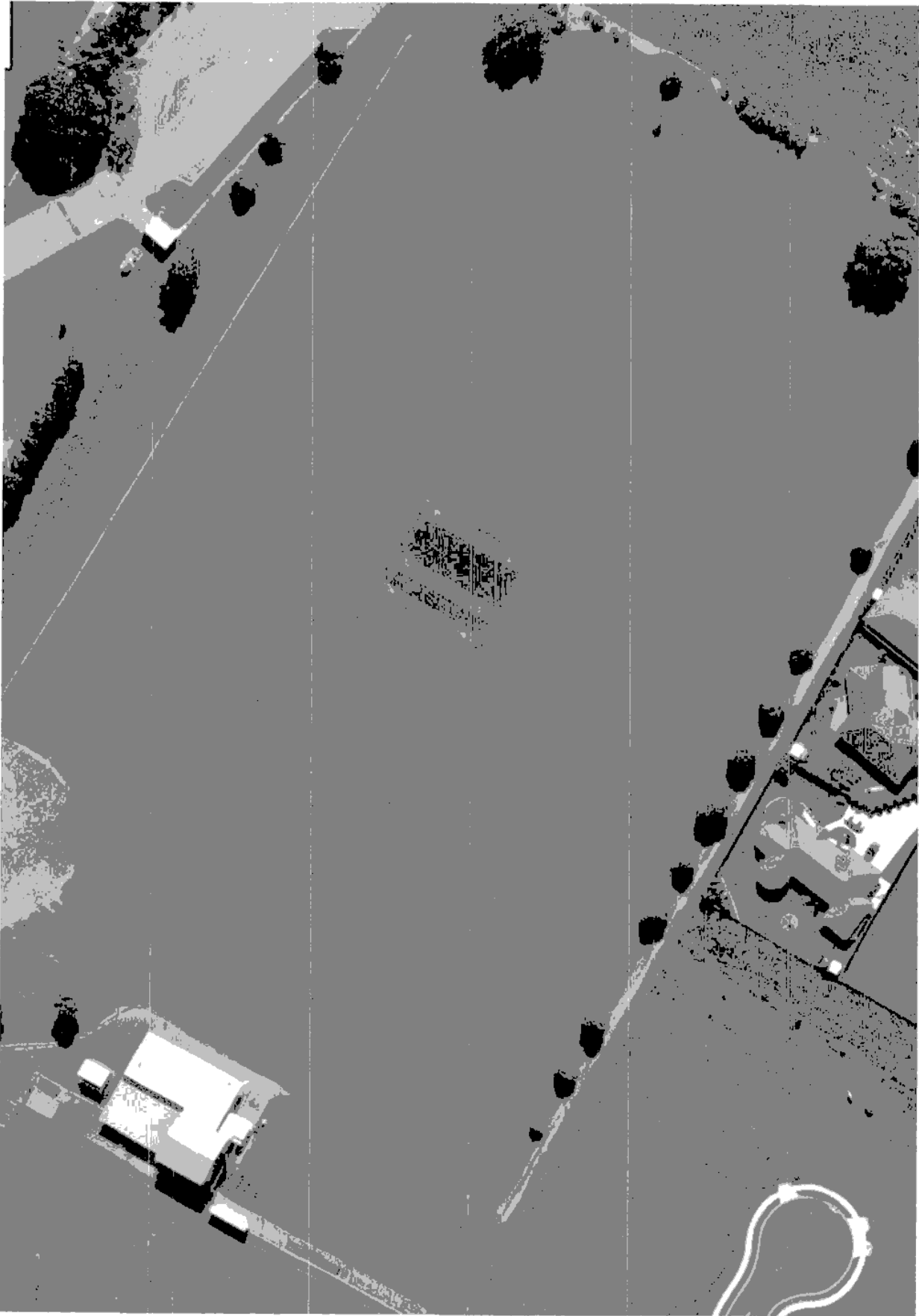
Author(s)	Sam Wood <b>Legal Counsel</b>	
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Approved by	Gallo Saily <b>Acting Chief Executive</b>	
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File No.: 17/508

## Provision of Suspensory Loan to Foxton and Beach Bowling Club

### 1. Purpose

To obtain Council approval to the provision of a suspensory loan from the Foxton Beach Endowment Fund to the Foxton and Beach Bowling Club Incorporated (**FBBC**) to the sum of \$200,000 to enable work to proceed on the construction of an artificial bowling green and remedial works to the FBBC carpark.

### 2. Executive Summary

- 2.1 The FBBC have approached Council seeking a grant of \$200,000 to be paid from the Foxton Beach Endowment Fund (**Endowment Fund**). Due to timeframes required for work to occur Council is unable to undertake the necessary consultation prior to payment of a grant.
- 2.2 A suspensory loan has been proposed whereby the Endowment Fund will provide a loan that is not required to be repaid if following consultation a decision is made to provide a grant.

### 3. Recommendation

- 3.1 That Report 17/508 Provision of Suspensory Loan to Foxton and Beach Bowling Club be received.
- 3.2 That this decision is recognised as not significant in terms of S76 of the Local Government Act
- 3.3 That Council provides a suspensory loan of \$200,000 to the Foxton and Beach Bowling Club Incorporated at 0% interest, to be repaid if community support for the use of the Endowment Fund is not forthcoming, on such other terms and conditions as determined by Council's Chief Executive Officer and subject to Foxton and Beach Bowling Club Incorporated showing its ability to repay the loan.
- 3.4 That the loan be subject to the Foxton and Beach Bowling Club Incorporated ensuring the clubrooms and facilities may be utilised by members of the public.
- 3.5 That Council consult with the community to determine the level of support for use of the Endowment Fund to provide a grant of \$200,000 to the Foxton and Beach Bowling Club Incorporated for the purpose of installing an artificial turf, surrounding apron and to upgrade the existing car park.

### 4. Background / Previous Council Decisions

- 4.1 This matter has previously been brought to the attention of the Foxton Community Board (**FCB**). At its meeting of 18 September 2017, the FCB resolved:

*THAT THE Foxton Community Board agrees in principle to exploring the possibility of a suspensory loan from the Foxton Beach Endowment Fund for the Foxton and Beach Bowling Club to build an artificial green and surrounding apron and upgrading the carpark subject to confirmation from the Club that it will pay back the loan if community support for the use of Endowment Funds was not forthcoming.*

- 4.2 The land upon which the club is situated was previously owned by Council and was sold to FBBC by agreement for sale and purchase of real estate dated 15 November 1993. An encumbrance is recorded against the title of the land providing Council with a first right of refusal to purchase the land at the specific sum of \$9,500.00.
- 4.3 Council's Investment Policy (approved 13 April 2016) provides the following:

### **7. Community group advances**

*As at 30 June 2014 Council held secured advances to community groups to the value of \$0.15m.*

*Interest from these advances is used to offset general rates.*

*Advances may only be made pursuant to a specific resolution of Council.*

*Such advances will only be made in the future where such advances will strategically fit Council's core activities.*

## **5. Discussion**

- 5.1 The FBBC seeks funding to install an artificial green (and surrounding apron) and to upgrade the existing carpark to a finished surface of asphalt at the Foxton and Beach Bowling Club situated on the corner of Seabury Avenue and Nash Parade, Foxton Beach.
- 5.2 The FBBC has set aside \$100,000 for the work which, based on quotes provided, comes to a total of \$285,325. The FBBC are seeking \$200,000 in funding from the Endowment Fund. Previous applications for funding have been declined by the Lottery Grants Board, Pelorus Trust and Pub Charities. **Annexed** to this report as Appendix A is a copy of a letter from FBBC to the Foxton Community Board outlining the proposal and providing the relevant quotes.
- 5.3 If Council is not prepared to fund the full \$200,000, FBBC have requested in the alternative that Council provide funding to the sum of \$138,500 for the installation of an artificial green (and surrounding apron).
- 5.4 Due to quotes being due to expire and having received an indication that the cost of work will increase after the quote period, it has been requested that a suspensory loan be provided to enable work to progress whilst Council consult with the community to determine community support for the provision of a grant using the Endowment Fund.
- 5.5 Council has previously provided an interest free loan to the Events Centre Trust for the construction of the stadium. This was repaid over a period of time with some funding support coming through from Council.

## **6. Options**

### **Option 1: Approve suspensory loan as per recommendation**

This will enable the proposed works to continue as per quotes received by FBBC.

### **Option 2: Approve suspensory loan at the reduced sum of \$138,500**

This will enable the installation of an artificial turf (and surrounding apron) to continue as per quotes received by FBBC. The FBBC will be unable to upgrade the carpark at this time.

### **Option 3: Decline the suspensory loan**



FBBC will be unable to continue with the proposed work and it is anticipated the cost of the works will increase as a result.

## 6.1 Cost

Option	Cost
1 – Approve as per recommendation	\$200,000 for loan, no more than 40 hours of staff time, no more than \$500 in legal fees for peer review/provision of loan documents. Whilst borrowing is not required, there may be a flow-on effect as the \$200,000 will not be available for other requirements.
2 – Approve loan of \$138,500	\$138,500 for loan, no more than 40 hours of staff time, no more than \$500 in legal fees for peer review/provision of loan documents. Whilst borrowing is not required, there may be a flow-on effect as the \$200,000 will not be available for other requirements.
3 – Decline suspensory loan	No cost, less than 1 hour staff time to advise FBBC of decision.

### 6.1.1 Rate Impact

The loan can be funded from existing reserves. No impact on rating levels.

## 6.2 Community Wellbeing

The proposal supports the following Community Wellbeing principles as contained in Council's 2015-2025 Long Term Plan (LTP):

- **A healthy local economy and a District that is growing:**
  - *We provide opportunities for people of all ages and at all phases of life to enjoy a standard of living within our District that is economically sustainable and affordable;*
  - *We recognise the importance of population growth and actively promote the District as a destination; and*
  - *Our facilities and infrastructure services are planned and developed to meet future demand.*
- **A community of knowledge, culture and diversity where people are proud to live:**
  - *We are advocates for the provision of quality social, education, health and training services; and*
  - *Our communities have a 'sense of place' that make people proud to live here.*
- **Safe, resilient and healthy communities:**
  - *Our community has access to health, social and recreation facilities to enjoy long and healthy lives; and*
  - *Our older people have access to opportunities that enable them to live a satisfying and healthy lifestyle.*
- Positive leadership and effective partnerships.
  - *Our leaders consult with, and understand their communities and work for the good of all.*

### 6.3 Consenting Issues

Nil.

### 6.4 LTP Integration

The proposed expenditure is not considered in the LTP.

## 7. Consultation

Consultation to be undertaken as to whether or not FBBC should repay the loan or whether it should be provided as a grant.

## 8. Legal Considerations

No security is proposed for the loan. Council has an encumbrance registered against the title of the land providing for first right of refusal should FBBC decide to sell the land. Peer review of loan documents to occur.

## 9. Financial Considerations

Funding of the loan can be met from existing cash reserves.

## 10. Other Considerations

Nil.

## 11. Next Steps

If approved, necessary documentation will be prepared and Council Officers will proceed with planning for necessary community consultation as to use of the Endowment Fund.

## 12. Supporting Information

### Strategic Fit/Strategic Outcome

Refer Community Wellbeing section.

### Decision Making

This matter is not significant in terms of s 76 of the Local Government Act 1974. Consultation to be undertaken prior to final decision as to whether matter to be a grant or a loan.

### Consistency with Existing Policy

Refer discussion section and other considerations.

### Funding

Funding is not anticipated in the LTP or Annual Plan. Use of the Endowment Fund to be consulted on as to grant or loan.

### Confirmation of statutory compliance


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

- a. containing sufficient information about the options and their benefits and costs, bearing in

- mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

### 13. Appendices

No.	Title	Page
A	Foxton and Beach Bowling Club letter to Foxton Community Board dated 8 August 2017	116

Author(s)	Sam Wood <b>Legal Counsel</b>	
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Approved by	Gallo Saidy <b>Acting Chief Executive</b>	
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Foxton and Beach Bowling Club

8<sup>th</sup> August 2017.

To: Foxton Community Board.

Further to the Board meeting on Monday 7<sup>th</sup> Aug 2017, where I presented a request to the Board for funding from the Foxton Beach Freeholding Account. This is towards the cost of the installation of an artificial green and surrounding apron, at the Foxton and Beach Bowling Club.

As I stated at the meeting I had previously applied for funding to the Lottery Grants Board for the sum of \$200,000.00 which included a carpark upgrade, to a finished surface of asphalt. This was on the recommendation of the installer of the green, to prevent grit, mud, fungi and other contaminants from being transferred onto the new green. The grant request was denied, as was a request to Pelorus Trust and Pub Charities.

At the meeting, I omitted to point out another facility available to the members and the general community, that the club is also used for functions, be it Business presentations, Anniversaries, birthdays for a small fee of \$50.00 to cover power, cleaning etc. In the case of funerals, the club however has never charged any fee for members.

As Tricia Metcalf, the Deputy Chair pointed out that she had recently attended a funeral at the club and thought at the time the carpark could do with some attention. This also goes for the attendance of members and the public using the bar and restaurant facilities and any truck deliveries to the club.

We withdrew the carpark from the grant request in the hope that it would increase the chances of success

However, ideally, I would like to change the request for funding, if it is possible, to include the carpark. Which would take the amount from \$138,500.00 for the artificial green and apron, plus the carpark at \$61,500.00 to a total of \$200,000.00.

Obviously If this request reduces our chances then we would gratefully accept the \$138,500.00 if approved.

Yours Sincerely,

Oriel Martin.

# SPORTS BASE



30<sup>th</sup> August 2017

## Quotation for the Synthetic Surfacing at Foxton & Beach Bowling Club.

Club: Foxton & Beach Bowling Club  
Mr Oriel Martin  
32 Pratt Ave  
Foxton Beach  
New Zealand 4815  
Email: [kando2@vodafone.co.nz](mailto:kando2@vodafone.co.nz)

Dear Oriel,  
It is a pleasure to submit our quotation for the supply and installation of a TD2000 Bowls surface, 36.5m x 36.5m at Foxton & Beach Bowling Club.

Our quoted price to install a TD2000 polyester needlepunch carpet, complementing underlay and associated base construction is \$217,500.00 plus GST.

**Additional Pathways @ 1.8 wide to four sides \$6,325.00 plus Gst**

### Scope of works

Our quote is to,

- (a) Establish equipment and personnel on site.
- (b) Excavate the existing base material to a depth of 100mm and stock pile on site for removal by others.
- (c) Compact and stabilise the excavated base.
- (d) Supply and install geo tech lined sub soil drainage as per plan.
- (e) Provide and install geo textile fabric to the full area of the green.
- (f) Supply and install a new timber plinth to the full perimeter.
- (g) Supply and install graded metal aggregate base 100mm thick.
- (h) Laser grade to level the metal base.
- (i) Apply cement binder to base and rotary hoe to blend.
- (j) Water and compact base and then laser level to required levels.
- (k) Supply and install fine aggregate levelling layer and laser level.
- (l) Hand screed to final levels to World Bowls standards.
- (m) Supply and install polypropylene shock pad to the full area of the surface.
- (n) Supply and install TD2000 polyester bowls surface sewn with PTFE thread.
- (o) Install 30mm pile Terracotta artificial grass rebound curtain to the ditch walls and ditch holding surface.
- (p) Provide PDF True Draw 5 year warranty and Maintenance schedules.
- (q) Supply and install to new concrete perimeter pathways synthetic grass at 1.8m wide on four sides.

Our quote does not allow for any, excavated levels or fill outside above dimensions, any remedial work to pathways or removal from site any materials associated with existing surface.

All material arriving to site via truck and trailer to be deposited in carpark ready for installation to greens.

Terracotta return on banks, assuming ditch width is approx. 300mm wide will be 300mm wide.

Australian Office: Sports Base Construction PTY Ltd  
PO Box 2418 Dangar NSW  
Newcastle 2309  
Australia  
+61 468327212

NZ Office: Sports Base Construction Limited  
PO Box 1033, Tauranga.  
New Zealand  
+64 27 221 2275

Email: [tony@sportsbaseconstruction.com](mailto:tony@sportsbaseconstruction.com)

# SPORTS BASE



## Pathways

I have allowed for new synthetic grass to four sides at approx. 1.8m wide glued to new concrete surface. There has been no allowance for any remedial work to existing banks or the preparation or installation of any pathways. It is our strongest recommendation that new concrete paths be installed, as the required weight of installed sand into the pile will then not be required to hold the synthetic grass in place. The use of sand (as a weight) will only be transported onto the new green surface by foot traffic and assist in the growth of moulds and mildews. SBC uses an outdoor sports contact glue to hold perimeter synthetic grass surfaces in place. All new concrete surfaces can then be sloped away from the green from storm water runoff.

## Plinth construction

Typical plinth construction as per plans supplied. All timber is ground treated H4 rated as per Australian/New Zealand building code.

## GUARANTEE

### Base Warranty

- All workmanship, guaranteed 12 months under normal usage conditions.
- Warranty does not apply to natural disasters, abuse, misuse, flooding, reactive soils or the improper use of cleaning/maintenance equipment.
- Carpet warranty is covered by True Draw Bowls Surfaces.

### Carpet Warranty

- 5 year pro rata carpet warranty supported by "True Draw Bowls Surfaces". Warranty attached.
- Year 1 of Installation. Full replacement of surface
- Year 2 of Installation 50% value of surface
- Year 3 of Installation 40% value of surface
- Year 4 of Installation 30% value of surface
- Year 5 of Installation 20% value of surface
- Warranty covers defects in materials and workmanship of the surface and shock pad. For the purpose of warranty, the product will be deemed to maintain its ultra violet stability and tensile strength if the original tensile strength of the product does not reduce by more than 50%.

## Project Time Frame

Contract completion date to be negotiated upon acceptance of quotation.

## Maintenance Requirements

A maintenance schedule will be supplied on completion.

## Payment Schedule:

Deposit upon signing of contract	50%
Progress payment due upon receipt of carpet/base works completed	40%
Full and final payment 7 days after completion/hand over green	10%

Australian Office: Sports Base Construction PTY Ltd  
PO Box 2418 Dangar NSW  
Newcastle 2309  
Australia  
+61 468327212

NZ Office: Sports Base Construction Limited  
PO Box 1033, Tauranga.  
New Zealand  
+64 27 221 2275

Email: [tony@sportsbaseconstruction.com](mailto:tony@sportsbaseconstruction.com)

# SPORTS BASE



**Validity Date:** 90 Days

**Site Access**

Club to supply suitable access to site for trucks and machinery. All care will be taken as to not damage drive ways etc, Sports Base Construction Ltd does not take responsibility of any areas outside of the immediate green and green surrounds.

We look forward to bringing this project to fruition, should you require any further information; please feel free to contact us.

Kind regards



Tony Pellett  
**Director**

Australian Office: Sports Base Construction PTY Ltd  
PO Box 2418 Dangar NSW  
Newcastle 2309  
Australia  
+61 468327212

NZ Office: Sports Base Construction Limited  
PO Box 1033, Tauranga.  
New Zealand  
+64 27 221 2275

Email: [tony@sportsbaseconstruction.com](mailto:tony@sportsbaseconstruction.com)

**kando2@vodafone.co.nz**

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**From:** "Tony Pellett Sports Base Construction" <tonypellett@xtra.co.nz>  
**Date:** Wednesday, August 30, 2017 11:55 AM  
**To:** "kando2" <kando2@vodafone.co.nz>  
**Attach:** Proposal Foxton & Beach BC August 2017.pdf  
**Subject:** RE: Artificial Green.

Hi Oriel,  
As requested please find attached updated quotation.

I have been able to hold this quote after discussion with factory for another 90 days. I unfortunately believe that to continue to hold further will be most unlikely due to manufacturing cost increases and potential currency fluctuations. Fingers crossed that your extensive efforts come to fruition soon.

Regarding my schedule I'm taking orders now for Feb/March 2018. These will need to be confirmed/ordered by mid December 2017 to allow for manufacture and delivery to site

Regards Tony

**SPORTS BASE**



CONSTRUCTION.

Tony Pellett  
Director

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[www.sportsbaseconstruction.com](http://www.sportsbaseconstruction.com)

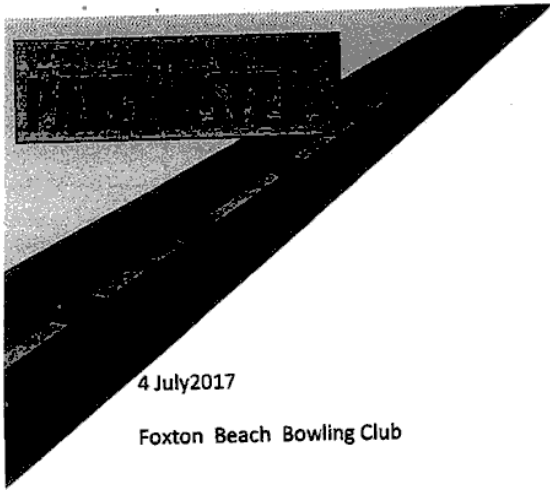
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**From:** kando2 [mailto:kando2@vodafone.co.nz]  
**Sent:** Wednesday, 12 April 2017 9:43 AM  
**To:** tony@sportsbaseconstruction.com  
**Subject:** Artificial Green.

Hi Tony,  
Have not heard a thing yet. However just wondering if I saw a recording of the construction of a green on your web site.  
May have been just photographs. If you have a recording I would like to Mirror it onto our Club TV, so everyone can see what its all about.  
If I imagined it, maybe you have some photos I can put on a flashdrive and show it that way.  
Thanks  
Oriel.

31-Aug-17





PO Box 5484  
Palmerston North 4441  
Milton 0274 420 372

4 July 2017

Foxton Beach Bowling Club

Dear Oriol

Site visit to view carpark for extension and new surface

To excavate carpark extension backfill with 200 mm of crushed hardfill prepare tac coat and place 25 mm of mix 10 hotmix \$61500.00

To prepare tac coat and place 25 mm of mix 10 hotmix over existing metal cark

\$12920.00 *NOT REQ'D*

To excavate 150 mm of topsoil off green and stockpile on site

\$2700.00 *NOT REQ'D.*

All prices plus GST

Yours Faithfully

Milton Passey

Managing Director+



45 Andrews Street  
Foxton Beach 4815  
021 932 730 or  
GST No 91-666-219  
(06) 36 38448

DATE 2 / 4 / 2017

Name Foxton Beach Bowling Club  
Address Seabury Avenue

Description	Amount
Price for preparation work at Foxton Beach Bowling Club for New Artificial Green	
Supply 160 lm of 100 x 25 RS H4 ex Bunnings \$2.76 per lm (Placing as boxing around apron of already excavated area)	\$ 441.60
Supply 160 lm of 90 x 50 RS H4 Ex McIlwaine at \$4.58 Lm	\$ 732.80
Obtain 24.5 CM 20 MPA grade concrete at \$213.00 cm	\$5,218.50
Clean and reuse 100 x 25 boxing for rebound curtain around gutter The 90 x 50 rail when fixed will be the other side of the boxing	
The material add up to \$6,392.90 On the contract it shows as \$9,241.00 plus GST which leaves \$2,849.00 plus GST (Placing of pegs and boxing, concrete placing, fixing of top rail and fixing of rebound rail – also included in this price are dynabolts and pegs)	
<b>Sub Total</b>	<b>\$ 9,241.90</b>
<b>Plus GST</b>	<b>\$ 1,386.28</b>
<b>Total</b>	<b>\$10,628.18</b>

Terms : Payment is due on the 20<sup>th</sup> of the month following date of invoice.

**Additional Information**

**Re: Roger Wells Builders Quote**

This is to modify and improve rails and fixings and to remove the necessity of a complete rebuild of the apron, rails and rebound.

His is the only quote for the work because he is quite happy to allow Club members to hold a working bee, under my control and for us to benefit by the savings, as well as giving the volunteers a feeling of input into the project.

Roger Wells is also a supporter of the Club and a valued Sponsor of our Tournament's.

**Re: The PaveMasters Quote**

The reason for 1 contractor only for the Carpark, Apron and Drain is that I rang Higgins on 4 occasions and actually spoke to them on 1 occasion to no avail, no contact at all.

As these are the only Contractors in the area that I could find, we have only one.



# Documents Executed and Electronic Transactions Authorities Signed

File No.: 17/443

## 1. Purpose

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

## 2. Recommendation

- 2.1 That Report 17/443 Documents Executed and Electronic Transactions Authorities Signed be received.
- 2.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.
- 2.3 That the Horowhenua District Council hereby ratifies the signing of documents and Electronic Transaction Authorities as scheduled:
  - (a) Electronic Transaction Authority relating to sale of 6 Oxnam Place, Foxton Beach, contained in Certificate of Title 399507.
  - (b) Consent Form – Land Transfer Act 1952 – transferring existing leasehold interest for 69 Nash Parade, Foxton Beach to Dion Rusell Fleming, Gennavieve Waverley Ana Fleming & Keith Donald Stewart as trustees of the D & G Fleming Family Trust.
  - (c) Electronic Transaction Authority for the surrender of water supply easement in favour of HDC created by Proclamation 3954 - Tararua Road/Arapaepae Road.

## 3. Issues for Consideration

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

## Attachments



There are no attachments for this report.

### **Confirmation of statutory compliance**

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

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

## Signatories

Author(s)	Gallo Saily <b>Acting Chief Executive</b>	
Approved by	Gallo Saily <b>Acting Chief Executive</b>	

# Adoption of Additions to the Resource Consenting (Planning) Schedule of Fees and Charges

File No.: 17/499

## 1. Purpose

To seek a resolution of Council to adopt additions to the schedule of fees and charges in respect of Resource Consenting (Planning) for the 2017/18 year, commencing 18 October 2017.

## 2. Recommendation

- 2.1 That Report 17/499 Adoption of Additions to the Resource Consenting (Planning) Schedule of Fees and Charges be received.
- 2.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.
- 2.3 That the additions to Resource Consent (Planning) Schedule of Fees and Charges attached as **Attachment A** be adopted as operative fees and charges for the 2017/18 year, effective 18 October 2017.

## 3. Background/Previous Council Decisions

- 3.1 Report 17/423 to the 30 August 2017 meeting of Council provided the background to the need for additional fees to be proposed – in summary this was a requirement following changes to the RMA introducing new consent categories that Council did not have a fee or charge for, therefore work undertaken by staff was not recoverable under the current fee and charge structure.
- 3.2 At the 30 August 2017 meeting of Council It was resolved to consult on proposed additions to fees and charges using the special consultative procedure.
- 3.2 No submissions were received on the proposed additions to the schedule of fees and charges.

## 4. Issues for Consideration

There are no issues requiring consideration of Council other than adoption of the additions to the schedule of fees and charges.

## Attachments

No.	Title	Page
A	Additions to Resource Consenting (Planning) Schedule of Fees and Charges	129

### Confirmation of statutory compliance

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

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,

b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

### Signatories

Author(s)	Megan Leyland <b>Compliance Lead</b>	
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Approved by	Mike Lepper <b>Customer and Regulatory Services Manager</b>	
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## PROPOSED ADDITIONS TO SCHEDULE OF RESOURCE CONSENTING (PLANNING) FEES AND CHARGES

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

The fees are made in accordance with section 36 of the Resource Management Act 1991.

All fees and charges are GST inclusive and are effective from 18 October 2017.

Description	Fee/Charge
Boundary Activities	\$150 per hour or part thereof
Marginal or Temporary Activities	\$150 per hour or part thereof



# Resource Consenting (Planning) Matters Considered Under Delegated Authority

File No.: 17/444

## 1. Purpose

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

## 2. Recommendation

- 2.1 That Report 17/444 Resource Consenting (Planning) Matters Considered Under Delegated Authority be received.
- 2.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

## 3. Issues for Consideration

The following decisions were made under delegated authority:

- (i) Subdivision and Land Use Consents Approved:

### Subdivision Resource Consents Approved –17/08/17 to 23/09/17

Approved Date	File Ref	Applicant	Address
30/08/2017	2017/46	Craig Warren Diffey	19 Fairfield Road, Levin
05/09/2017	2017/48	Caldow Buildings Ltd	56A Signal Street, Foxton Beach
06/09/2017	2017/47	Tony & Ping Thompson	32 Tame Porati Street, Manakau
14/09/2017	2017/49	M L & S E Hanlon	7 Ngati Huia Place, Waitarere Beach
21/09/2017	2017/52	Ross Edward Lill	6 Trafalgar Street, Levin

### Land Use Resource Consents Approved – 17/08/17 to 23/09/17

Approved Date	File Ref	Applicant	Address
17/08/2017	2017/48	James Edward Harper	30 Harbour Street, Foxton
28/08/2017	2017/49	S T & LJ Read	46 Shortt Street, Foxton Beach
18/08/2017	2017/51	Bruce James Eccles	144 Winchester Street, Levin
22/08/2017	2017/50	Lyndon Craig Wood	236 Potts Road, Levin Rural
30/08/2017	2017/53	P J & V K O'Sullivan	14 Drake Street, Waikawa Beach
01/09/2017	2017/52	Stephen William Dunn	2 Carter Crescent, Foxton Beach
08/09/2017	2017/58	Marie Pascoe	427 Muhunoa West Road, Levin Rural
20/09/2017	2017/59	Jason Frederick Schwabe	Te Whanga Road, Levin Rural

- (ii) Road Names Approved

None during the reporting period.

## Attachments



There are no attachments for this report.

### Confirmation of statutory compliance

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

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

## Signatories

Author(s)	Mike Lepper <b>Customer and Regulatory Services Manager</b>	
Approved by	Nicki Brady <b>Group Manager - Customer &amp; Regulatory Services</b>	

File No.: 17/501

## **Proposed Plan Change 2: Review of Residential Development Provisions including the revised Medium Density Residential Development Design Guide**

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### **1. Purpose**

To present the amended Proposed Plan Change 2: Review of Residential Development Provisions (including supporting evaluation/technical reports) to Council for its adoption and that officers proceed with public notification.

### **2. Executive Summary**

- 2.1 This report outlines the reasons for incorporating the revised Medium Density Residential Development Design Guide (Medium Density Design Guide) with the previously adopted Proposed Plan Change 2: Review of Residential Development Provisions.
- 2.2 The report seeks for Council to adopt Proposed Plan Change 2 including the revised Medium Density Design Guide for public notification. It is important to note that the proposed plan changes will not have any legal effect until those changes are 'beyond legal challenge'.
- 2.3 A resolution of Council is required to adopt the proposed plan change in its current form for public notification. Therefore officers preferred option is that the Council adopts the amendments to Proposed Plan Change 2 and officers proceed with public notification.

### **3. Recommendation**

- 3.1 That Report 17/501 Proposed Plan Change 2: Review of Residential Development Provisions including the revised Medium Density Residential Development Design Guide be received.
- 3.2 That this decision is recognised as not significant in terms of S76 of the Local Government Act
- 3.3 That Council adopts Plan Change 2: Review of Residential Development Provisions including the revised Medium Density Design Guide and the associated Section 32 Evaluation Report for the purpose of public notification in accordance with Clause 5 of the First Schedule of the Resource Management Act 1991.
- 3.4 That, if necessary, the Group Manager – Strategy and Development, in consultation with the Chair of the Hearings Committee be authorised (prior to public notification) to correct any minor errors or omissions in the text and maps of Proposed Plan Change 2 and the associated Section 32 Evaluation Report.
- 3.5 That officers be authorised to proceed with public notification of the amended Proposed Plan Change 2: Review of Residential Development Provisions, in accordance with the statutory requirements set out in the First Schedule of the Resource Management Act 1991.

### **4. Background / Previous Council Decisions**

- 4.1 Since the operative Horowhenua District Plan 2015 was reviewed between 2011-2013 there has been a noticeable change in the level of projected population and housing growth in the District (i.e. the District is now anticipating a much higher level of growth). The increased

projected growth is primarily due to the improvements to State Highway 1 from Wellington north, which is part of the Government's Roads of National Significance project.

- 4.2 The Proposed Plan Change 2: Review of Residential Development Provisions was taken to the Strategy Committee's meeting 5 July 2017 and recommended by this Committee for adoption by the Council. Council then adopted Proposed Plan Change 2 along with Proposed Plan Change 1: Historic Heritage at its meeting on the 30 August 2017. Since this meeting council officers have continued working on a piece of review work relating to the Medium Density Design Guide and have advanced it to where it could be included in a plan change. The Medium Density Residential Development Design Guide (Medium Density Design Guide) was introduced to the Plan as part of the whole District Plan Review process.
- 4.3 Since it has been operative the Design Guide Council officers have been monitoring its application and implementation. To assist in understanding how the Design Guide could be improved Officers held workshops with local surveyors, developers, builders and the Council's Resource Consents team to review the Medium Density Design Guide. The feedback received at the workshops highlighted the Design Guide is considered in places to be ambiguous and is fairly complex to use. This feedback provided officers with insight into what is not working with the Guide and helped identify what changes could improve its usability.
- 4.4 These changes are relevant to the changes proposed as part of Proposed Plan Change 2, which proposes to significantly increase the extent of the Medium Density Overlay area in Levin.
- 4.5 As Plan Change 2 relates to residential development and includes the changes to the Medium Density Overlay, it is considered appropriate to include the changes to the Medium Density Design Guide within Proposed Plan Change 2. Plan Change 2 has already been adopted by Council on 30 August 2017, however it has yet to be publicly notified. The opportunity exists to include revised Medium Density Design Guide within the Plan Change and notify it as a single plan change. To do this the whole plan change including the revised Design Guide will be presented to Council for adoption as Plan Change 2.

## 5. Discussion

### *Change to the Proposed Plan Change 2*

- 5.1 From what was adopted by Council on 30 August 2017, the change is that a revised Medium Density Design Guide has been included as part of the Plan Change. This revised Design Guide is intended to replace the existing Medium Density Design Guide which is in Schedule 10 of the Operative District Plan. The changes to the Design Guide aim to: reduce the ambiguity and duplication; ensure the guidance is not cast as standards; improve the flow of the Design Guide; and overall be a better fit for purpose and the Horowhenua context. These proposed changes are reflective of the feedback stakeholder received in reviewing the Design Guide.

### *Legal effect of the changes*

- 5.2 This proposed plan change will not have legal effect at the time of notification. An amendment to the Resource Management Act in 2009 introduced a change in legislation that the rules within a proposed plan change would not have legal effect until they are beyond legal challenge. What this means is that if there are no submissions received on a particular rule change then the rule would have legal effect from the time that the submission period closes. If submissions are made on a rule change then the rule will not have legal

effect until a decision on those submissions has been notified and the period for lodging appeals to the Environment Court has closed.

### *Consultation*

- 5.3 Given that the Proposed Plan Change is relatively narrow in scope widespread pre-consultation has not been undertaken. However, officers did hold workshops with key stakeholders including local surveyors, developers, builders and the Council's Resource Consents Team to help understand what amendments might be required to the Design Guide and how these amendments would work.
- 5.4 The consultation that occurs as part of the notification process is set out in Section 11 of this report.

## **6. Options**

At this stage of the process there are two options available to Council:

**Option 1:** Adopt Proposed Plan Change 2 including the revised Medium Density Design Guide and officers proceed with public notification of the proposed plan change

**Option 2:** The revised Medium Density Design Guide and Proposed Plan Change 2 are not adopted and officers proceed with Proposed Plan Change 2 as it was previously adopted 30 August 2017.

**Option 1:** Adopt the amendments to Proposed Plan Change 2 and officers proceed with public notification of the proposed plan change

This is officers preferred and recommended option. The timing means that the changes to the Medium Density Design Guide can be synchronised with Proposed Plan Change 2. This plan change is similar in nature as the amendments both relate to residential development and Medium Density development. There would also be certain synergies and cost savings to be achieved if the amendments are included in Proposed Plan Change 2 now rather than a separate plan change in the future. It also would make more sense of r those who may wish to submit on the extent of the Medium Density Overlay area to be able to contemplate the type, form and quality of design that could occur within this area.

**Option 2:** The revised Medium Density Design Guide and Proposed Plan Change 2 are not adopted and officers proceed with Proposed Plan Change 2 as it was previously adopted 30 August 2017.

This option would be appropriate if Council considered there needed to be significant changes to what has been proposed in the Medium Density Design Guide and were comfortable with either there being a delay in notification or for the Medium Density Design Guide to be subject of a separate plan change at a different time to the Residential Development plan change.

### **6.1 Cost**

This amended proposed plan change is funded as part of the District Plan Review project which is identified as part of 'Planning Policy' under the Long Term Plan (LTP) 2015-2025. The project remains on track to be undertaken within the available budget.

#### **6.1.1 Rate Impact**

This plan change forms part of the Proposed Plan Change work identified in the LTP 2015-2025 as a major project for the District Planning activity. This proposed plan

change is on track to be undertaken within the available budget and there would be no rate impact as a result of this project.

## 6.2 Community Wellbeing

The amended proposed plan change aligns with the LTP Community Outcome: 'A Sustainable Environment' which seeks (among other things) to sustainably manage our environment so it can be enjoyed by future generations. The overarching purpose of the District Plan, and the associated plan change, is to achieve sustainable management of the District's natural and physical resources.

## 6.3 Consenting Issues

There are no consents required or consent issues arising.

## 6.4 LTP Integration

This plan change forms part of the Proposed Plan Change work identified in the LTP 2015-2025 as a major project for the District Planning activity.

## 7. Consultation

- 7.1 The adoption and public notification of the amended proposed plan change triggers the start of a legally prescribed process that must be followed in terms of progressing the proposed plan change from notification to becoming operative. Included in this process are very specific requirements for the submission and further submission processes and timeframes.
- 7.2 As part of the notification process property owners who are directly affected by the proposed changes are directly notified. Public notification also extends the opportunity for anyone to make a submission in support or opposition to Proposed Plan Change 2.

## 8. Legal Considerations

This proposed plan change is being undertaken in accordance with statutory processes and to fulfil Council's statutory obligations set out in the Resource Management Act 1991.

## 9. Financial Considerations

The costs of the amended proposed plan change are being met from the LTP 2015-2025 project funding for 'Planning Policy'.

## 10. Other Considerations

There are no other considerations.

## 11. Next Steps

- 11.1 Should Proposed Plan Change 2 including the Medium Density Design Guide be adopted by Council the next step is for Proposed Plan Change 2 to be publicly notified including the proposed changes to the Design Guide. Public notification will start the formal submission period. As part of the notification process property owners directly affected by the proposed changes will be sent information advising them of the proposed plan change and inviting them to make submissions in support or opposition to it.
- 11.2 Officers anticipate notifying the proposed plan change in late October 2017 with a closing date of late November 2017 (the minimum statutory period for submissions is 20 working days).



11.3 Following the closing of the submission period, Officers are required to prepare a Summary of Submissions for public notification. A further submission period for cross submissions will then follow once the Summary of Submissions has been publicly notified. The timing for hearing submitters and the composition of the Hearings Committee for this hearing will be dependent on the number and technical nature of submissions received.

## 12. Supporting Information

### **Strategic Fit/Strategic Outcome**

The proposed plan change as part of the ongoing review of the District Plan has been informed by and is consistent with the Council's relevant strategic documents such as the Horowhenua Development Plan (2008) and LTP 2015-2025.

### **Decision Making**

Not applicable.

### **Consistency with Existing Policy**

Not applicable.

### **Funding**

Funding is identified for this work within the LTP 2015-2025.

### **Confirmation of statutory compliance**


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

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

### 13. Appendices

No.	Title	Page
A	PC2 - Section 32 Report - Residential Development Provisions - October 2017 <i>(Under Separate Cover)</i>	
B	PC2 - Plan Text Amendments - Review of Residential Development Provisions - October 2017 <i>(Under Separate Cover)</i>	
C	PC2 - Medium Density Design Guide - October 2017 <i>(Under Separate Cover)</i>	
D	PC2 - Chapter 6 Urban Environment proposed amendments - July 2017 <i>(Under Separate Cover)</i>	
E	PC2 - Chapter 15 Residential Zone proposed amendments - July 2017 <i>(Under Separate Cover)</i>	
F	PC2 - Chapter 26 Definitions proposed amendments - July 2017 <i>(Under Separate Cover)</i>	

Author(s)	David McCorkindale <b>Group Manager - Strategy &amp; Development</b>	
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Approved by	Gallo Saidy <b>Acting Chief Executive</b>	
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## Exclusion of the Public : Local Government Official Information and Meetings Act 1987

The following motion is submitted for consideration:

That the public be excluded from the following part(s) of the proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

### **C1 Sale of Council Property & Support for the Provision of Community Services**

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information. s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.