

**MINUTES OF A MEETING OF THE HOROWHENUA LAKE DOMAIN BOARD HELD IN THE HOROWHENUA DISTRICT COUNCIL CHAMBERS, 126-148 OXFORD STREET, LEVIN, ON MONDAY, 15 MAY 2017, COMMENCING AT 10.00 AM**

**PRESENT**

Mr A McKenzie	(Chair, Department of Conservation)
Mr R Warrington	(Board Member, Iwi Representative)
Mr M Wiremu-Matakatea	(Board Member, Iwi Representative)
Dr J Procter	(Board Member, Iwi Representative)
Cr V Kaye-Simmons	(Board Member, Horowhenua District Council)
Cr P Tukapua	(Board Member, Horowhenua District Council)

**IN ATTENDANCE**

Mrs K J Corkill (Meeting Secretary)

**PUBLIC IN ATTENDANCE**

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

1. WELCOME AND KARAKIA

The meeting commenced with a karakia (Mr Marokopa Wiremu-Matakatea).

PUBLIC FORUM / SPEAKING RIGHTS

Mr Ten Have read out a statement from Mrs Anne Hunt who was not able to be present, but who had requested the opportunity to speak. Mrs Hunt's comments covered her views with regard to the legislation that pertains to the Lake and what could occur with regard to that legislation in the future.

Mr Bryan Ten Have spoke in relation to the buildings at the Domain and, because of the Domain Board's relationship with the Lake Trustees, queried the status of the Lake Trust suggesting it did not legally exist.

Having requested comprehensive information on Lake monitoring some two years ago, Mr Tama Ruru raised the fact that that information had not been received and as a majority owner he was entitled to that information. He also raised a concern about a picture he had been shown of the Hokio Stream taken a month and a half ago which showed the stream was green.

Whilst the Chair suggested that going directly to Horizons might facilitate the process, Dr Procter said he would be happy to work with Mr Ruru to assist him get the information he was seeking which was on Horizons' website. Dr Procter also directed Mr Ruru to the Lake Trustees' website.

In his Public Forum comments Mr Charles Rudd called DOC to account for not maintaining the Arawhata Stream; raised the fact that the Lake Domain Board did not participate in the 2016 review of the resource consent conditions for the Levin Landfill; spoke about toxic leachate from the Landfill; concerns about cow track widening; the destruction by mechanical means of a rare plant; and issues with regards to Kohitere.

Under Speaking Rights, Mr Rudd raised a number of issues with regard to Agenda items, including iwi representation on the Board; the Taueki Proceedings and current issues at the Domain; his disagreement with the Board holding In Committee meetings; and the \$5,000 received from DOC for pest management.

Mr Heremia raised the 'contentious' subject of the replacement iwi member, his interpretation of s18 of the ROLD Act in that regard, his concerns with regard to the process that had taken place to date and whether the Board should in fact be meeting until the matter was resolved. Mr Heremia also expressed the view that the Board should not be managing or trespassing owners from their own buildings.

Mr Harvey Tukapua stated that down at the Lake there were squatters and whoever they were, they needed to be removed.

Commenting on the situation at the Lake with regard to the Canada geese, about which the Horowhenua Obedience Dog Training Club had submitted to the Regional Council's Annual Plan, Mrs Rosemary Cleator also raised the chooks, whose numbers were increasing rapidly. Not only were the chooks causing pollution, but people were either feeding them or abusing them and she requested that the Board look at addressing this.

Mrs Vivienne Bold queried the work being undertaken where the Arawhata Stream entered the Lake.

Dr Procter advised that that work was outside the Domain Board's jurisdiction, but was part of the Lake Accord restoration efforts with Horizons Regional Council building a sediment trap to reduce sediment and nutrients entering the Lake.

## 2. APOLOGIES

An apology was recorded for Mayor Feyen.

NOTED

## 3. PUBLIC SPEAKING RIGHTS

These were addressed during Public Forum.

## 4. CONFIRMATION OF MINUTES – 13 FEBRUARY 2017

Moved: Wiremu-Matakatea                      Seconded: Kaye-Simmons

*"THAT the Minutes of the Horowhenua Lake Domain Board meeting held on 13 February 2017 be confirmed as a true and correct record."*

CARRIED

## 5. MATTERS ARISING

There were no matters arising.

## 6. MONITORING REPORT

### Item 9 The Community Group Licences

In this regard, the Chair advised there was no update; however he noted that some of the comments made during public forum had been incorrect. The Courts had made it quite clear the buildings were owned by the Lake Trust and it was also quite clear that the buildings were administered by the Lake Domain Board. As a consequence, any action in relation to the buildings needed to be taken jointly.

### Item 35 Resignation of Board Member and Appointment of a Replacement

For clarity, the Chair noted that the Domain Board had been set up by the ROLD Act; however in 1977 the Reserves was introduced by the then Government. The ROLD Act and the Reserves Act had to work together and some of the current

issues resulted from the Reserves Act. These two pieces of legislation needed to be read together. It was also under the Reserves Act that appointments to the Board continued until replacement members were made by the Minister.

How to progress this matter was discussed in some detail, particularly as the process was unclear. The last process had been run by the Māori Land Court, which had declined to assist again. It was noted that the Board had submitted seven nominations to the Minister, supported by CVs, for her to make a selection. There had also been process run by another group, with four names submitted to the Minister. The Minister's response had been not to make a decision but to request the two groups to work together.

With this having been an issue since 2015 and how to progress being unclear, it was:

Moved: Procter                      Seconded: Warrington

*“THAT the Horowhenua Lake Domain Board seeks a meeting with the Minister of Conservation to discuss the representation on the Domain Board from the Muaūpoko Māori Tribe.”*

CARRIED

Item 40 Bird Management

The issue of Canada geese been raised with HDC. This to be followed up.

The Chair noted the \$5,000 received from DOC towards a Pest Management Plan, with the intention being that that funding would be used to employ someone to begin writing a plan for the Lake and the Domain. It was to start the ball rolling.

Item 42 Lake Trust Update

Mr Wiremu-Matakatea advised that the Fish Pass had been completed the previous Friday, which would allow a lot of different species back into the Lake. The challenge was now to start cleaning the Lake up, with the latest High Court appeal hopefully dealt with so the clean-up could progress. In saying that the Lake was “the heart of this iwi”, Mr Wiremu-Matakatea invited those interested to go and look at the planting which had taken place down Hokio. It was beautiful and he urged everyone to come together and focus on that.

Mr Warrington gave an update on the glass eel project which was a Trustee initiative. It was operating out of Foxton and approximately 600 glass eels had been released back into the Lake to date.

The need for positive communication about what was occurring at the Lake was raised by Cr Tukapua, who requested that ‘Communication’ be a Monitoring Report item.

Dr Procter noted that the Board had never had the resources or means to launch a large communications programme. It had always relied on the Lake Accord and Horizons, but there was a need to get the message out.

Moved: Tukapua                      Seconded: Wiremu-Matakatea

*“THAT the Horowhenua Lake Domain Board seeks to encourage Horizons Regional Council and Horowhenua District Council and other Lake Accord Partners to make more information available to the owners of the Lake and the wider community in a coordinated way.”*

CARRIED

7. FINANCE

There was no significant change in the Board's finances, apart from the \$5,000.00 grant from DOC.

8. GENERAL

(b) Taueki Proceedings

The date for this to be reheard in the District Court had yet to be set.

9 IN COMMITTEE RESOLUTION

Moved: Kaye-Simmons      Seconded: Warrington

*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:*

***Issues with regard to unauthorised occupation of buildings at the Horowhenua Lake Domain***

<b><i>Reason:</i></b>	<i>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 6 and 7.</i>
<b><i>Interests:</i></b>	<i>s6(a) - The making available of the information would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences and the right to a fair trial.</i> <i>s7(2)(d) - The withholding of the information is necessary to avoid prejudice to measures protecting the health and safety of members of the public.</i> <i>s7(2)(f)(ii) - The withholding of the information is necessary to maintain the effective conduct of public affairs through the protection of such members, officers, employees and persons from improper pressure or harassment.</i> <i>s7(2)(g) – The withholding of the information is necessary to maintain legal professional privilege.</i>
<b><i>Grounds:</i></b>	<i>s48(1)(a)</i> <i>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 6 and 7.</i>

CARRIED

10 MEETING CLOSURE

Following the conclusion of the In Committee item, the meeting closed at 11.50 am.

CONFIRMED this    day of    2017

Chairperson .....