

MINUTES OF A MEETING OF THE HOROWHENUA LAKE DOMAIN BOARD HELD IN THE HOROWHENUA DISTRICT COUNCIL CHAMBERS, 126-148 OXFORD STREET, LEVIN, ON MONDAY, 2 OCTOBER 2017, COMMENCING AT 10.00 AM

PRESENT

Mr A McKenzie	(Chair, Department of Conservation)
Mr R Warrington	(Board Member, Iwi Representative)
Mayor M Feyen	(Board Member, Horowhenua District Council)
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 eleven members of the public in attendance at the commencement of the meeting.

1. WELCOME AND KARAKIA

The meeting commenced with a karakia (Cr Tukapua).

PUBLIC FORUM / PUBLIC PARTICIPATION

In her Public Forum comments Mrs Anne Hunt covered the recent Waitangi Tribunal Report and what she saw as the possible future ramifications of that with regard to Lake ownership, the future governance structure for the Lake, and the role of the Domain Board going forward. A copy of her notes was provided.

Mr Charles Rudd canvassed a number of issues in his comments under Public Forum and Public Participation, including:

- the potential deleterious impact of intensive market gardening on the future of Lake Horowhenua;
- whether the height of Lake Horowhenua was consistent with the ROLD Act;
- In Committee meetings being a form of censorship and not being honest, open and transparent;
- the vacant iwi rep position, and concern that the proposed meeting with the Minister on the issue not having eventuated;
- the fish pass was lower than the top height of the weir which called into question the Lake level. The Board had a responsibility to check on the Lake level as it affected the recreational use of the Lake;
- many of the plants being planted at the Lake were the wrong species;
- where did the Board stand on the public walkway that was being proposed as the Lake owners had not been consulted.

Mrs Vivienne Bold raised the considerable time that some items had been on the Monitoring Report. She further queried what was going on at the Arawhata as nobody seemed to know what was happening. She also suggested there was a lack of follow through from iwi with regard to the Lake as it was a living entity and needed more respect.

2. APOLOGIES

Apologies were recorded for Dr Procter and Mr Wiremu-Matakatea.

NOTED

3. PUBLIC SPEAKING RIGHTS

These were addressed during Public Forum.

4. CONFIRMATION OF OPEN & IN COMMITTEE MINUTES – 15 MAY 2017

Moved: Kaye-Simmons Seconded: Warrington

“THAT the Open & In Committee Minutes of the Horowhenua Lake Domain Board meeting held on 15 May 2017 be confirmed as a true and correct record.”

CARRIED

With a query raised by Cr Tukapua in relation to the In Committee Minutes for 12 June 2017, these to be discussed at the conclusion of the meeting with the public excluded.

CONFIRMATION OF OPEN MINUTES EXTRAORDINARY MEETING – 12 JUNE 2017

Moved: Kaye-Simmons Seconded: Warrington

“THAT the Open Minutes of the Extraordinary Meeting of the Horowhenua Lake Domain Board meeting held on 12 June 2017 be confirmed as a true and correct record.”

CARRIED

5. MATTERS ARISING

Minutes – 15 May 2017

Page 2 Item 9 – Community Group Licences

The Chair confirmed the joint approach indicated, with approval having been sought from the Lake Trust before any action was taken.

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

The proposed meeting with the Minister had not progressed because of the imminent election.

Page 3 Item 42 – Lake Trust Update

Cr Tukapua expressed her desire to push further on positive communication, suggesting a letter be sent to Mr Clapperton with regard to the establishment of a suitable display at Te Takeretanga o Kura-hau-pō.

Cr Kaye-Simmons advised that there had been discussions about having a display at Te Takeretanga o Kura-hau-pō showing what had occurred and was occurring with regard to cleaning up the Lake. The Lake Trust had some funding earmarked for communication; however a letter of support would also be helpful.

6. MONITORING REPORT

Item 15 Vision Statement/Management Plan

This to be removed from the Monitoring Report, with the Chair saying there was no point in the Board duplicating what was in essence being undertaken by the Accord, nor did the Board have the resources.

Item 35 Resignation of Board Member and Appointment of a Replacement

The fact that there had been no progress on this matter had already been raised. However there would soon be a new Government and potentially a new Minister so Mr McKenzie suggested there was not much point in endeavouring to push this before Christmas.

Noting the Minister's response which was to get the two groups who had put forward nominations working together to identify four members, Cr Tukapua queried if getting agreement between the two groups was something the Board could resolve. Whilst it was not something the Board had tried, Mr McKenzie said that one of the groups had indicated that was not likely to happen.

Mr McKenzie said another avenue to resolve the issue would be to have an election run by an appropriate agency; however there would be significant cost to that. The issue was the ROLD Act did not specify how the iwi representatives should be selected; which had been an issue for a very long time. The last election had been run by the Māori Land Court, which had declined to repeat the process. The Board had endeavoured to progress the appointment process with the help of the Lake Trust; however with another group also putting forward names, it had meant the Minister was not prepared to make a decision but wanted the two groups to work together. He did not think the Board was seen by all parties as a body that could assist with that.

Cr Tukapua said she would like to put this matter to the Board in the form of a resolution. It could be the Board could workshop the idea through to getting everyone on the same page.

Item 39 Lake Horowhenua Clean Up Projects – Resource Consent Applications
Completed.

Item 40 Bird Management
Mr Nelson would be speaking to this under General Business.

Item 42 Lake Trust Update
Mr Warrington had nothing to report.

Item 44 Taueki Proceedings
The High Court had remitted this back to the District Court. A Court date was awaited.

Item 45 Unauthorised occupation of buildings at the Horowhenua Lake Domain
Completed, with it understood the buildings were now empty. Horowhenua District Council (HDC) was working to resecure the buildings.

7. FINANCE

Mr Paulin provided a financial update covering:

(a) Accounts to 30 June 2017

These had been prepared and had been provided to Audit New Zealand. Audit New Zealand was not in a position to do the audit until late October, early November.

Mr Paulin queried if the Board wanted to hold a special meeting to receive the accounts once audited, or could they wait until the February 2018 Board meeting? There was no legislative requirement to produce the accounts by a certain date.

Moved: Warrington Seconded: Kaye-Simmons

THAT the audited accounts to 30 June 2017 be presented to the February 2018 Horowhenua Lake Domain Board meeting.

CARRIED

(b) Budget for the year ending 30 June 2018

Mr Paulin tabled, and sought the Board's approval of, the Domain Board Budget for the year ending 30 June 2018. Included in the Budget was the likely expenditure for Pest

Management. A small deficit was shown due to the Pest Management funding not as yet being expended.

Moved: Warrington Seconded: Kaye-Simmons

THAT the Horowhenua Lake Domain Board approves the budget for the year ending 30 June 2018.

CARRIED

8. GENERAL

(a) Pest Management Plan

Council's Parks & Property Manager, Mr Nelson, joined the table to provide an update and seek the Board's direction with regard to the production of a Pest Management Plan. Canada geese and the roosters/poultry at the Domain were the two main pests that had been identified. He queried if the Board was looking to maintain a level of population or was it looking at complete removal. There were also other ducks and wild fowl (such as mute swans, paradise ducks and mallards), not necessarily large populations, and he queried if the Board wanted controls on those species

Responding to a query in relation to the cost of the Plan and whether the budget of \$5,000 would be sufficient, it was clarified that the need for a pest management plan had been discussed at recent Accord meetings and DOC, to spur things along, had provided \$5,000 to get the process underway. An actual plan would be a lot more than \$5,000.

With regard to Canada geese, Mr McKenzie said there was no way Canada geese could be eradicated but the level could be controlled. In terms of the roosters, he sought the Board's direction as to whether these should be entirely removed.

Whether or not a population of roosters should be maintained at the Domain was discussed, with it noted that they did have a following with people regularly visiting to feed them. After discussion the Board agreed that there should be zero roosters at the Domain.

Moved: Feyen Seconded: Warrington

THAT all the poultry/roosters at the Horowhenua Lake Domain be removed and no more be allowed to establish themselves there.

CARRIED

Mr Nelson noted that there would need to be something put out to the public to discourage people from dropping off more roosters.

Cr Tukapua suggested reviewing the Animal Control Bylaw to include Muaūpoko Park/Horowhenua Lake Domain as a poultry free area.

Moved: Tukapua Seconded: Feyen

THAT the Horowhenua Lake Domain Board requests the Horowhenua District Council to include in the appropriate Bylaw that Muaūpoko Park/Horowhenua Lake Domain is a poultry free zone.

CARRIED

With Members also expressing the need to have Canada geese controlled, it was suggested an annual programme would be needed.

Mr Nelson said he believed the last cull was about 6-700 geese. This was done as an integrated exercise up and down the coast. There were about 14-15 hunters involved. The ideal time to cull them was when they were moulting (December/January). The population had not yet recovered from the last cull.

Mr McKenzie said without proper monitoring and a management plan it was not possible to identify what would be an appropriate population. However he suggested the Board consider requesting HDC to undertake another cull this summer during the moulting season until such time as the Board could get a handle on numbers. He noted the Board had made a submission to the Horizons Regional Council's Pest Management Plan.

Mr Nelson confirmed that HDC had also made a submission. HRC did not see Canada geese as a prime issue for them and they preferred land owners to control them.

Moved: Kaye-Simmons Seconded: Feyen

THAT the Horowhenua District Council be requested to undertake another Canada geese cull over the 2017/2018 moulting season.

CARRIED

With regard to mute swans, paradise ducks and mallards, Mr Nelson said Fish and Game did maintain records on these. If there was a particular level the Board wanted to maintain for these species, a specific discussion would need to be had as they were covered under the Wildlife Act.

Mr McKenzie noted that historically the numbers of those species had not been controlled around the Lake Domain.

Responding to a query from Mayor Feyen about maimai around the Lake, Mr Warrington said there were maimai. Lake Trustee, Ned Nahona, had the portfolio to look after those. It was suggested Mr Nelson may wish to contact Mr Nahona.

(b) Approvals Granted

Mr McKenzie advised he had received two requests for approvals:

- Horizons Regional Council had sought permission for NIWA to use a motorised boat during perch monitoring – 2-6 October and 16-20 October 2017;
- the Waitangi Day Committee had sought to use Muaūpoko Park on Waitangi Day (6 February 2018) from 7.30 am to 5.00 pm.

Moved: Warrington Seconded: Feyen

THAT the following approvals granted by the Chair:

- *the use of a motorised boat by NIWA during perch monitoring – 2-6 October and 16-20 October 2017; and*

- *Waitangi Day Committee – use of Muaūpoko Park on Waitangi Day (6 February 2018) from 7.30 am to 5.00 pm*

be confirmed.

CARRIED

(c) Lake Use

Cr Kaye-Simmons advised she had been contacted by a representative from the Kapiti Radio Yacht Club. The Club had 15 members and sailed two metre long boats which did not have motors. In the past the Club had used Lake Horowhenua and members wanted to know whether they were able to again use the Lake on Sundays 1.00-4.00 pm. They were also enquiring if it was possible to have their international regatta on the Lake in April 2018.

Whilst anyone was able to use the Lake for recreational purposes, the Chair noted that the regatta was a different issue and authorisation from the Board would need to be sought. The Club was requested to send a letter setting out what they proposed for the Board's consideration.

(d) Iwi Representation on the Board

Wishing to find a way forward with regard to the impasse in relation to this matter, Cr Tukapua read through some possible resolutions.

1. That the Chair be given the delegated authority to ask the two Muaūpoko groups to elect two people from their existing nominations and confirm their two elected members in writing with CVs attached to the Chair by 5 December 2017;
2. That these four names be forwarded on to the Ministry for approval.
3. That the Horowhenua Lake Domain Board receives and approves the four Muaūpoko iwi representatives at the 5 February 2018 meeting;

The Chair noted that any path forward would need to have the support of the full Board and suggested that the views of the members who were not in attendance be canvassed by email.

At this juncture the meeting was briefly disrupted by Philip Taueki entering the Chambers (despite being trespassed from the Council building) and speaking first to the Mayor, and then to two Board Members whom he addressed in a thoroughly execrable and aggressive manner. Philip Taueki was then escorted from the Chambers.

The meeting adjourned briefly 11.30-11.35 am.

The meeting resumed with Cr Tukapua moving the first of her proposed resolutions, which the Mayor seconded.

Mr Warrington recorded his vote against the resolution.

Noting the Board convention that all resolutions had to be carried unanimously, Mr McKenzie suggested that this matter be workshopped by the Board sooner rather than later with the resolution to be laid on the table until then. Mr Warrington expressed his agreement to that course of action.

(e) Lake Domain Board Chairperson

Mr McKenzie advised that he was standing down as Chair of the Domain Board. When he had come into the role he had anticipated that the Treaty Settlement process would have been more advanced by now and the Board may have been replaced by another governance body. At present he did not have the time to put in the work that the role required. The Director General would advise his replacement in the near future. The new appointee was someone who had credibility and mana and would take the Board forward positively.

He said he had valued the support of the Lake Trustees and wished them all the best for the future.

He commented on the considerable improvement that was being seen in the Lake, with the Lake Accord having done some fantastic work. He said one regret was that the good work was not being communicated as well as it might be.

He concluded by thanking Board Members for their support.

Whilst not having been on the Board for very long, Mayor Feyen commended Mr McKenzie for the work he had done in what was a difficult role and wished him all the best for the future.

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:

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.

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.

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.

The public was excluded at 11.40 am.

10. MEETING CLOSURE

Following the conclusion of the In Committee item, the meeting closed at 11.55 am.

CONFIRMED this day of 2017

Chairperson