

MINUTES OF A MEETING OF THE HOROWHENUA LAKE DOMAIN BOARD HELD IN THE HOROWHENUA DISTRICT COUNCIL CHAMBERS, 126-148 OXFORD STREET, LEVIN, ON MONDAY, 7 MAY 2018, COMMENCING AT 10.00 AM

PRESENT

Ms J Rowan	(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

Mr D Toogood	(Operations Manager, Department of Conservation)
Mr J Paulin	(HDC, Financial Accountant)
Mr A Nelson	(HDC, Property & Parks Manager)
Mr B Wood	(HDC, Parks & Property Officer)
Mrs K J Corkill	(Meeting Secretary)

PUBLIC IN ATTENDANCE

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

1. WELCOME AND KARAKIA

The meeting commenced with a karakia (Cr Piri-Hira Tukapua).

2. APOLOGIES

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

Moved: Rowan Seconded: Kaye-Simmons

“THAT the apologies from Dr Procter and Mr Wiremu-Matakatea be received.”

CARRIED

PUBLIC FORUM

With the recent cull not proceeding and with the geese and chickens therefore still a problem for Domain users, Mrs Rosemary Cleator and Mrs Sue Clarke made an offer to remove the poultry which were proliferating. They said it may take a little while but there would be no shooting involved. This was agreed to with much approbation.

Mrs Anne Hunt, who said she would also be speaking on behalf of Mr Taueki, raised various issues, including:

- the Taueki Trespass Proceedings (Item 44) on the Monitoring Report which was still in abeyance;
- suggesting that that the Lake Domain Board resolutions of 30 October 2015 which provided that no person or Māori owner may access or occupy the buildings at the Domain should be rescinded;
- Horizons Regional Council should be using the Queen Street wash down facility for boats it used at the Lake;
- concerns in relation to the Lake Trustees and their status;
- stormwater entering Lake Horowhenua, with Council still having no plans for its removal.

Mr Tama Ruru addressed the meeting raising:

- the lack of press statements from Iwi Board Members about the outcomes from Domain Board meetings;
 - as a Lake owner he had requested information a considerable time ago, only some of which had been received;
 - why the delay and how long would it be before the iwi representation on the Board was at its full complement;
 - where did Cr Tukapua stand in terms of the tribe and other iwi members;
 - the approximate area of the Lake and what that could mean in terms of removal of the sediment;
 - the Domain Board as an Accord member, its role, and a concern that if action was not taken now owners would miss out on a clean lake in the future;
 - he came as a peacemaker, not as an agitator.
- Mr Ruru concluded his comments with: "he aha te mia nui o Te moana mutu - he tangata, he tangata, he tangata. [the most important aspect of our lake is the owners/ the people]. Mr Ruru provided a written copy of his comments.

Mr Charles Rudd noted that the rubbish at Muaūpoko Park that he had raised at the previous meeting was still an issue. A correction was required in the Monitoring Report, Item 35, as the issue of Nyleen Ford's replacement had arisen in 2013 not 2015.

Queries from Mr Rudd included:

- how many hectares was Muaūpoko Park and did that include the reclaimed area?
- what was the level of Lake Horowhenua? Mr Rudd said he did not believe it was in keeping with the ROLD Act and it had effects on the catchment and on recreational users as it was too low;
- issues with regard to the weir, on which he had a lot of documentation. It needed to be investigated as it was in the wrong place;
- the fish pass and its height. Mr Rudd said he had raised the issue with the Accord as it had been rushed through.

With regard to the Accord, Mr Rudd said he did not think it included the right people who understood things with regard to the Lake. The Lake should not be dredged; a suction pump should be used and nothing should be done until the pollution going into the Lake was stopped.

Mr Christine Moriarty, on behalf of WECA (Water & Environmental Care Association), again tabled two jars with greenish water, with the water from the Lake having foam on it. WECA had had testing done at the Patiki Bridge and the Arawhata Stream which had indicated high nitrogen levels, providing figures which indicated things were not improving. That had been a trial and more testing would be done. Mrs Moriarty queried the sediment trap and its operation saying that the sediment needed to be taken out of the water before it got to the stream, not after. She noted that there were still no signs at the Lake which was a health and safety issue.

The Chair thanked everyone for their comments. With the Board responsible for recreational activity which could not occur at present because of water quality, she said she was not surprised at some of the water issues that had been raised. The Board was working on it; it was a shift for the Board and it had had two workshops to bring Members together on some of the issues.

With the Mayor raising a concern about the lack of warning signs, Cr Kaye-Simmons advised that while it was technically not the Board's responsibility, it was something that she and Cr Tukapua had under control.

With the meeting's approval the Finance report was brought forward on the Agenda.

8. FINANCE

Mr Paulin tabled a Statement of Financial Performance for the Domain Board for the year ended 30 June 2018.

He advised he had that morning applied to HDC and DOC for their contributions to the Board. The geese cull was in the budget for this year, but that had not yet occurred.

Moved: Rowan Seconded: Warrington

“THAT the Statement of Financial Performance the year ended 30 June 2018 be received.”
CARRIED

3. CONFIRMATION OF MINUTES – 12 FEBRUARY 2018

Moved: Kaye-Simmons Seconded: Tukapua

“THAT the Minutes of the Horowhenua Lake Domain Board meeting held on 12 February 2018 be confirmed as a true and correct record.”
CARRIED

4. MATTERS ARISING

The Chair noted and commented on a number of issues that had been raised more than once by those speaking at the last meeting under Pubic Forum which included: ‘

- Boat Washing and permission for the use of motorised boats - an ongoing matter that involved HRC;
- Iwi representation – which had been raised with Minister Sage, with the Lake Trust and MTA;
- Transparency with regard to meetings and going In-committee, which would not occur unless essential. Matters discussed in workshops were included on today’s Agenda;
- Concerns about Lake water, which was a major issue;
- Lake Report Card – what was it?
- The Dog Club’s use of the Domain, which would be discussed with the Club;
- Live-streaming of meetings – how did the Board feel about that?
- Drains Tour – which the Chair had been on and a further visit, which would include the weir, was scheduled for this afternoon;
- Pest Management – this was included in today’s Agenda;
- Concerns about the Board’s role in addressing Lake pollution – which was covered in the Board’s LTP submissions to HDC and HRC;
- Philip Taueki being present when boats were washed down – there was a reluctance for this and more discussion was needed;
- Iwi Board fees which had been raised under Finance.

5. CHAIRPERSON’S REPORT

The Chair tabled and read through her first Board report which covered in some detail her journey since becoming Chair in terms of finding out about the Board, its role and the issues it faced, which were many and varied. She concluded her report by saying that “overlying all of these matters, in the bigger picture much was still being played out in the courts. Matters that do directly affect any progress for the Lake’s health. So it was really important that the Board dealt with the facts as presented to it and assisted to minimise the tensions.”

A copy of the Chair’s report is **attached** to the official minutes.

Moved: Rowan Seconded: Feyen

“THAT the Chairpersons report to 7 May 2018 be accepted.”
CARRIED

Referencing the financials, Cr Kaye-Simmons raised the amounts received from DOC (\$5,000) and HDC (\$2,000) and whilst acknowledging that Council provided the venue and staff support, suggested approaching HDC to request that the HDC's contribution be raised from \$2,000 to \$5,000. This was discussed and it was:

Moved: Kaye-Simmons Seconded: Warrington

“THAT a letter be sent to the Horowhenua District Council requesting that the Council’s financial contribution to the Horowhenua Lake Domain Board be raised from \$2,000 to \$5,000.”
CARRIED

Raised and discussed was the Philip Taueki water issue and how that should be addressed, with the Chair having had discussions with various parties. The Chair said she was very committed to getting the matter sorted and would progress it carefully.

The meeting broke briefly (from 11.30 – 11.40 am).

9. GENERAL

(a) Pest Management – Hazard Management/Health & Safety Plan

Mrs Hunt provided comment on the geese cull on behalf of Philip Taueki.

Arthur Nelson and Ben Wood joined the table to speak to the draft Muaūpoko Park Branta and Anser Geese Control – Hazard Management/Health & Safety Plan and to respond to any queries from Board Members.

Board Members’ attention was directed to page 5 of the Plan, 3.4 H&S at Work Act, and its implications for them when it came to their responsibilities under the Act. Under the new legislation, as PCBUs (Persons Conducting Business or Undertakings) Board Members were not able to contract out of their responsibilities, neither could they be transferred to third parties, and there was a need to ensure so far as reasonably practicable, that the health and safety of other person was not put at risk from work carried out as part of the conduct of the business or undertaking, which was a significant change from the previous Act. That involved having well documented processes. Council’s Health & Safety Manager had been involved in drafting this documentation and was happy with the plan as it stood.

Mr Nelson stressed that Board Members also needed to understand and agree with the detail of the documentation, the main thrust of which was to ensure that everyone was aware of what was occurring and nobody was hurt.

Board Members were requested to advise if they had any issues or queries prior to the Plan being signed off.

It was noted that before a cull was undertaken land owners and affected parties would be advised, as when it came to discharging firearms there was obviously a need to be very careful.

In terms of any carcasses following a cull, Mr Nelson said they would be quite happy if there were people interested in taking them, with Cr Kaye-Simmons noting that in the past the carcasses and feathers had been offered to marae.

Raising a possible health and safety issue, Cr Kaye-Simmons queried where the Domain Board sat in relation to the duck shooting season which had been recently advertised on social media. There had been queries about whether the Domain gates would be locked. There could also be issues should people be freedom camping at the Domain (although there was now a sign at the entrance advising that overnight camping was not permitted).

Mr Nelson commented that if people were shooting on private land it was not an issue for the Lake Domain Board. As a Board, Members were only, as PCBUs, responsible for what happened on the Domain. The gates would not be locked and there had been no reports of freedom camping.

He further advised that as Council's Property & Parks Manager, he had full control over Council's reserves and was a warranted officer. With regard to the Domain, as Council did not administer it, he did not have those powers; the Lake Domain Board did, which were delegated to MAIN Security.

Mr Nelson expressed his agreement to a comment that this is where a Reserve Management Plan would be extremely helpful for Officers and the Board.

He responded further to queries from the Chair in relation to roles and responsibilities particularly in relation to the written permissions required for culls which could only come from the Board.

Mr Wood clarified that owners around the Lake were aware of their ability to shoot at any time of year on their own land.

Moved: Rowan Seconded: Kaye-Simmons

“THAT the Horowhenua Lake Domain Board approves the Outline Plan and Operational Plan for a geese cull at Muaūpoko Park.

THAT the Horowhenua Lake Domain Board considers the development of a Reserve Management Plan in satisfaction of 41(1) of the Reserves Act with a view to establishing an overall strategic direction for the ongoing management of geese AND FURTHER

THAT the Horowhenua Lake Domain Board identifies a budget for the ongoing management of geese.

CARRIED

The Chair noted that the Board had put in a proposal to HDC's LTP for \$10,000 to pursue a Reserve Management Plan.

7. APPROVALS REQUESTED

Moved: Warrington Seconded: Tukapua

“THAT the following approvals granted by the Chair:

- *Devbhoomi Association of New Zealand (DANZ) – permission to celebrate a cultural festival – Festival of Colours (Holi) – 4 March 2018;*
- *Geese Cull – Authority to Carry and Discharge Fire Arms at the Horowhenua Lake Domain and use of motorised boat – 7 April 2018 (this cull did not proceed due to health and safety concerns raised;*
- *Pest Fish Monitoring – use of motorised boat as part of resource consent conditions for the construction and operation of the fish pass on the Lake Horowhenua outlet and also to cover some of the milestones within Te Mana O Te Wai projects – change of dates from three nights during April to May – dates to be confirmed*

be ratified.

CARRIED

9. GENERAL

(b) HDC LTP Submission

This had already been addressed by the Chair.

(b) For Information

The Chair raised:

Buildings at the Domain and Insurance – because of the Board's responsibility for the maintenance and insurance of the buildings, an assessment was needed so the Board had some basic information from which to work. The best method of getting the buildings evaluated was discussed: whether by contractor or perhaps a Council Building Advisory Officer. Because of the age and location of the buildings a LIM would not be appropriate.

