

Notice is hereby given that an ordinary meeting of the Foxton Community Board will be held on:

Date: Monday 11 April 2022
Time: 6.00pm
Meeting Room: Te Awahou Nieuwe Stroom
Venue: 92 Main Street
Foxton

Foxton Community Board

OPEN LATE AGENDA

MEMBERSHIP

Chairperson	D J Roache
Deputy Chairperson	Ms P R Metcalf
Members	Mr T J Chambers
	Mr J F Girling
	Cr D A Allan
	Cr R J Brannigan

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Full Agendas are available on Council's website
www.horowhenua.govt.nz

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

ITEM TABLE OF CONTENTS

PAGE

REPORTS

Reports

6.6	Options regarding future use of the part of the Council-owned Dutch Oven Cafe building at Te Awahou Riverside Cultural Park	5
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File No.: 22/142

6.6 Options regarding future use of the part of the Council-owned Dutch Oven Cafe building at Te Awahou Riverside Cultural Park

1. Purpose

To discuss options related to the future use of part of the Dutch Oven Café building located at Te Awahou Riverside Cultural Park, and which is owned by Horowhenua District Council.

This paper is presented as a late report as there will not be an opportunity to seek the Community Board's views prior to the next scheduled meeting of Council, where options regarding the future use of part of the Council-owned Dutch Oven Café building at Te Awahou Riverside Cultural Park will be discussed. The view of the Foxton Community Board are required to inform the paper to go to Council.

2. Executive Summary

Initial proposals have been broadly discussed with two organisations for the future use of part of the Dutch Oven building, on Te Awahou Riverside Cultural Park, which currently is a storage area for the Horse Drawn Tram, an icon of Foxton township.

One proposal is for the Foxton Windmill Trust to extend the café/restaurant business into this space after the tram is removed. The other proposal is from the Foxton Tourist Development Association, whose aspiration is for the Tram operation to be revived in some form, and utilising that space as has happened in the past until the previous operators (the Horse Drawn Tram Society) disbanded approximately 2 years ago. Given the two requests, there is merit in bringing this to the Foxton Community Board for their view on the preferred use.

3. Recommendation

- 3.1 That Report 22/142 Options regarding future use of the part of the Council-owned Dutch Oven Cafe building at Te Awahou Riverside Cultural Park be received.
- 3.2 That this matter or decision is recognised as not significant in terms of S76 of the Local Government Act.

4. Background / Previous Council Decisions

- 4.1 This council-owned building is leased to the Foxton Windmill Trust, with the exception of the part of the building in which the Horse Drawn Tram is currently stored. This part of the building is now the focus of two different proposals that officers have been made aware of. Officers feel there is merit in discussing this matter with the Foxton Community Board to seek their view on the preferred use.

- **Foxton Windmill Trust:**

A lease is in place with this trust with a term of 1 October 2014 to 30 September 2020. The Trust however exercised its right of renewal, and this now takes the lease through until 30

September 2023. The Parks & Property team have produced a Deed of Renewal and Variation (to deal with some changes) and sent this to the Foxton Windmill Trust.

Prior to 2014 a lease agreement was in place with the previous lessee and included a clause which stated that "The lessee would permit the unhindered movement of the existing horse tram services."

The lease agreement signed between HDC and the Foxton Windmill Trust in 2014 did not include that clause.

- **Horse Drawn Tram:**

There is a historic document in 1993 which documents the arrangement for Council to take over the building. There was a subsequent letter in 2007 that allowed for access in this space for the tram. But from 2014 that was changed and that arrangement was no longer included.

- 4.2 The current situation is that Officers are aware of two organisations that have an interest in this space. Council has had initial discussions with these two organisations, the Foxton Windmill Trust and FDTA about the future use of this space where the tram is currently stored. Both proposals differ greatly in what is proposed for this space and these are discussed more fully in section 5, but ultimately a decision will need to be made that best aligns with the aspirations for Foxton township.

5. Discussion

The following summaries of both proposals are pertinent in the decision-making for the future use of this space:

- A) **Foxton Tourist and Development Association (FDTA):** The Horse Drawn Tram Society (HDTs) operated out of that space, primarily in the storing the tram itself over a number of years, until the disbanding of that organisation approximately two years ago.

Conversations were held with that group regarding number of matters, including damage to the paving surfaces within the Te Awahou Riverside Cultural Park development, as well as health & safety practices including the management of horses within a busy well-used park space.

The FDTA have professed an interest in resurrecting this horse drawn tram activity in some form in the future, and on that basis would have a preference that the Tram either remains in that current space, or is relocated to another site on a temporary basis only. Any resurrecting of a horse drawn tram operation would have the expectation that a comprehensive plan for the activity would be agreed to all parties satisfaction.

- B) **Foxton Windmill Trust:** As noted in 4.1, this organisation currently has a lease with Council for part of this building (and not including the area the tram is stored, nor the public toilets at the Main Street end). This is for their café operation, the Dutch Oven, which has been successfully delivering this hospitality service to Foxton since 2014.

The Foxton Windmill Trust have approached council about extending their existing café enterprise to include the space where the tram is currently stored. They have indicated that being able to develop this space into the café operation would improve the financial performance of the café which would contribute to the Trust overall which is a key

stakeholder in the Te Awahou Riverside Cultural Park, given they add to the diverse offerings for visitors at that park.

It should be noted that this proposal from the Foxton Windmill Trust may include a request for Council to contribute fit-out costs for their operation, and this will need to be assessed with the benefits that would accrue to ratepayers.

6. Options

6.1 There are two clear proposals to be considered for the future use of this space.

Option 1: Enter into a variation to the existing lease with the Foxton Windmill Trust to incorporate their extension of the café/restaurant into the space currently housing the Tram

Option 2: Confirm the tram storage as per the current scenario. If this option was chosen, as noted in section 5 of this report, safe passage to and from the park would need to be agreed. This option would also require a lease to be finalised with whichever entity potentially takes over the tram operation.

It should be noted that both options align strongly with Foxton Futures, a strategic document that Council commissioned in 2019, and incorporated extensive community feedback.

6.2 Cost

Both proposals potentially have implications that would need to be considered through Council's processes, being the Annual Plan or the Long Term Plan. Until detailed proposals are received, the costs at this point are not known

Option	Cost
Option 1: Extension of Dutch Oven into the current tram storage space	Unknown until a formal proposal is received from the Foxton Windmill Trust, which may include a request for assistance in fit-out costs. Minor legal costs may result from the drafting of a lease, but these can be accommodated from within existing operational budgets.
Option 2: The Tram remaining in situ within the current space, and development of a safe entry and exit from the space	Costs still to be determined. Minor legal costs may result from the drafting of a lease, but these can be accommodated from within existing operational budgets.

6.2.1 Rate Impact

The options above would need to be assessed through Council's Annual Plan or Long Term Plan processes, and this will include the ratings impacts.

6.3 Community Wellbeing

Both proposals have potential outcomes that contribute to the wellbeing of the Foxton Community, albeit in differing ways:

- Should the Horse Drawn Tram operation be revived, it would add a historical interest to the town which is in alignment with both the Foxton Futures strategic document and recent developments like Te Awahou Riverside Cultural park and Main Street;

Whilst the extension of the Foxton Windmill Trust into the part of that Council-owned building would increase the amenity of the area by providing an expanded café/restaurant experience within this civic park space.

6.4 Consenting Issues

There are no consenting issues arising at this junction.

6.5 LTP Integration

The two proposals under discussion in this report are not currently budgeted for in the Long Term Plan. There are no special consultative processes required.

7. Consultation

Initial discussions have occurred with both the Foxton Windmill Trust, and the FTDA about the respective proposals for this space. Once a decision is obtained from the Foxton Community Board, it is planned to take a report to Council for a resolution. All parties involved will be kept informed throughout.

8. Legal Considerations

There are no Legal requirements or Statutory Obligations affecting these two proposals at this point. Once a decision is finalised and a Council resolution is achieved, the legal requirements will be addressed accordingly (including lease agreements).

9. Financial Considerations

Once a Council resolution is received on this matter, any financial impacts relating to the chosen option will need to be considered through Council's planning processes (Annual Plan/Long Term Plan).

10. Iwi Considerations

There are no Iwi considerations.

11. Climate Change Considerations

There is no climate change impact.

12. Environmental Considerations

There are no environmental considerations.

13. Health & Safety Considerations

There is no health & safety impact.

14. Other Considerations

There are no other considerations.

15. Next Steps

Once a decision is made by the Foxton Community Board, the next step is to compile a report to go to Council to achieve a Council Resolution, and from there officers can progress the agreed proposal with stakeholders.

16. Supporting Information

Strategic Fit/Strategic Outcome
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Given that this report is presenting two clear options to be considered for the future use of part of this council-owned building, the following Community Outcomes in the Long Term Plan apply as follows:

Extension of Café operation by Foxton Windmill Trust into the current space occupied by the Tram:

Decision Making

This decision does not need to be made through the LTP, but rather a decision is required from the Foxton Community Board regarding the two proposals. It is planned to then provide a report to Council which includes the preferred option from FCB.

The decision does not need to be undertaken through special consultative procedures.

Consistency with Existing Policy

Both of the options being considered in this report align with the Open Space Strategy, and the Combined Foxton Reserves Management Plan.

Funding

Yes.No. There is no funding currently in the Long Term Plan for either option. More specifically:

Option 1: Extension of café operation in terms of fit out costs should Council be asked to contribute by the current lessee The Windmill Trust;

Option 2: Horse Drawn Tram: although if the option was chosen for the Horse Drawn Tram to remain within this building, this would be on the basis of the Horse Drawn Tram operation being revived (currently nothing is finalised), but rather an expressed interest from FDTA for this tram operation to be revived in some form. Should the Horse Drawn Tram operation be resurrected, and based at Te Awahou Riverside Cultural Park (within part of the existing café building), a comprehensive plan to incorporate the safe entry and exit from this park would be required.

Risk Area	Risk Identified	Consequence	Likelihood	Risk Assessment (Low to Extreme)	Managed how
Strategic	Both proposals would be required to align with the strategic development of the Te Awahou Riverside Cultural Park.	Low	Medium	Low	In terms of assessment of these proposals, an option will only be progressed if it meets the strategic objectives for the site.
Financial					
Service Delivery					
Legal					
Reputational					


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 advantages and disadvantages, 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.

17. Appendices

There are no appendices for this report

Author(s)	Sean Hester Parks & Property Lead North	
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