

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

Date: Wednesday 31 March 2021
Time: 6.00 pm
Meeting Room: Council Chambers
Venue: 126-148 Oxford St
Levin

Council OPEN AGENDA

MEMBERSHIP

Mayor	Mr Bernie Wanden	
Deputy Mayor	Mrs Jo Mason	
Councillors	Mr David Allan	
	Mr Wayne Bishop	
	Mr Ross Brannigan	
	Mr Todd Isaacs	
	Mr Sam Jennings	
	Mrs Victoria Kaye-Simmons	
	Mr Robert Ketu	
	Mrs Christine Mitchell	
	Ms Piri-Hira Tukapua	
Reporting Officer	Mr David Clapperton	(Chief Executive)
Meeting Secretary	Mrs Karen Corkill	

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Website: www.horowhenua.govt.nz

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

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1 Apologies

2 Public Participation

Notification of a request to speak is required by 12 noon on the day of the meeting by phoning 06 366 0999 or emailing public.participation@horowhenua.govt.nz.

See over the page for further information on Public Participation.

3 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.

4 Announcements

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 or to take the opportunity to address the public audience be that in the gallery itself or via the livestreaming. Council Officers are available to offer advice to 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 be that in the gallery itself or via livestreaming.
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.

File No.: 21/109

Proposed Boundary Alteration between Horowhenua District and Palmerston North City at Tokomaru and Opiki

1. Purpose

To outline the boundary alteration proposal process and present the draft Horowhenua District Council submission for endorsement.

2. Executive Summary

- 2.1 In October 2018, the Local Government Commission (The Commission) received a local government reorganisation application from the “Tokopiki Boundary Change Group” for a change in the boundary between Horowhenua District and Palmerston North City. The effect of the proposal would be to transfer the township of Tokomaru and rural locality of Opiki and adjacent areas from the district into the city.
- 2.2 The Commission released its public consultation document on Monday 1 March 2021, in response to a request to move the boundary between Horowhenua District and Palmerston North City, at Tokomaru and Opiki.
- 2.3 The Commission is seeking public feedback and submissions which close at midnight on Wednesday 7 April 2021.
- 2.4 A version 1 draft submission was distributed to Council seeking comments / feedback.
- 2.5 Taking Council’s comments and feedback into account, a version 2 draft submission for consideration, will be distributed to Council and uploaded to Council’s website on or before Tuesday 30 March 2021.

3. Recommendation

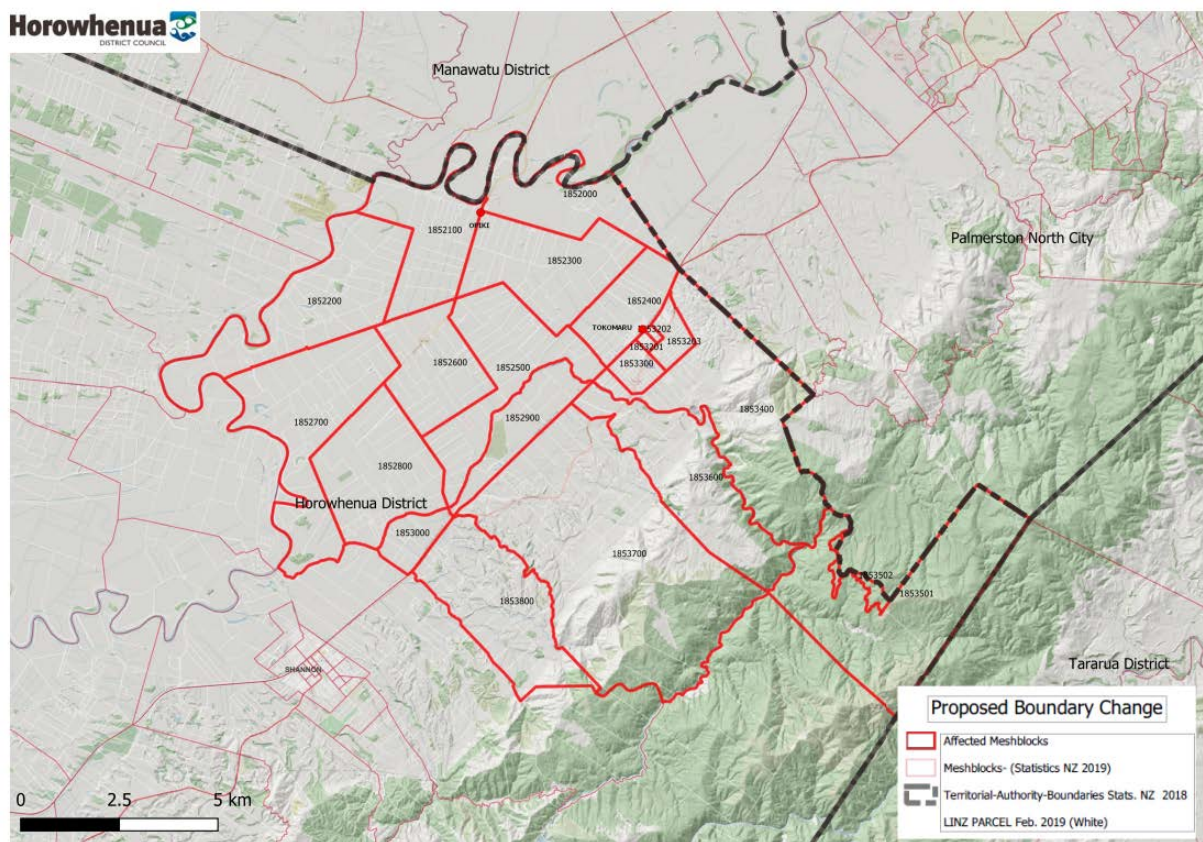
- 3.1 That Report 21/109 Proposed Boundary Alteration between Horowhenua District and Palmerston North City at Tokomaru and Opiki be received.
- 3.2 That this matter or decision is recognised as not significant in terms of S76 of the Local Government Act.
- 3.3 That the Horowhenua District Council endorses the submission to the ‘Proposed Boundary Alteration between Horowhenua District and Palmerston North City at Tokomaru and Opiki’.
- 3.4 That Mayor Wanden and Chief Executive, David Clapperton, are authorised to make minor amendments to the submission, should these be required.

4. Background / Previous Council Decisions

- 4.1 The Commission released its public consultation document on Monday 1 March 2021, in response to a request to move the boundary between Horowhenua District and Palmerston North City, at Tokomaru and Opiki.
The consultation document and supporting information is available on the LGC website: www.lgc.govt.nz/local-government-reorganisation/reorganisation-current-applications.
- 4.2 The Commission is seeking public feedback and submissions can be made up to midnight on Wednesday 7 April 2021.

Boundary Change Request Background

- 4.3 On 4 October 2018, The Commission received a local government reorganisation application from the “Tokopiki Boundary Change Group” for a change in the boundary between Horowhenua District and Palmerston North City. The effect of the proposal would be to transfer the township of Tokomaru and rural locality of Opiki and adjacent areas from the district into the city.
- 4.4 The group considered the area that would be affected by the proposed boundary change would be better served by being included within the boundaries of Palmerston North City. You can read the original application here:
<http://www.lgc.govt.nz/assets/Uploads/Tokopiki-Boundary-Reorganisation-proposal.pdf>
- 4.5 The affected area that would become part of the city if the proposal were to proceed is shown in the map here:



The Process

- 4.6 On 4 April 2019 The Commission released a public notice inviting alternative applications in response to the application for a change to the boundary between Horowhenua District and Palmerston North City. The period for alternative applications closed on 15 May 2019.
- 4.7 An “alternative application” is a proposal for some other change to local government in the affected area that falls within the broad definition of “local government reorganisation” contained in section 24 of the Local Government Act. This may include the:
- union of districts or regions
 - constitution of a new district or region, including the constitution of a new local authority for that new district or region
 - abolition of a district or region, including the dissolution or abolition of the local authority for that district or region

- alteration of the boundaries of any district or region
 - transfer of a statutory obligation from one local authority to another
 - assumption by a territorial authority of the powers of a regional council.
- 4.8 Any individual or group can lodge an alternative application – including individual members of the public, community groups, businesses and organisations.
- 4.9 On receipt of alternative reorganisation applications, the Commission then identified what it saw as “reasonably practicable options”.
- 4.10 These may have included the original reorganisation application, or it may have reflected alternatives proposed by other people, or options that the Commission may have identified for itself. By law, the reasonably practicable options must also include current local government arrangements i.e. no change.
- 4.11 These options must meet certain legislative criteria before they can be considered “reasonably practicable”. To be a “reasonably practicable option”, the Commission must be satisfied that:
- a new or changed council will have the resources to carry out its responsibilities effectively
 - a new or changed district or region will be appropriate for the efficient performance of the local authority’s responsibilities
 - a new or changed district or region will contain distinct communities of interest
 - flooding and water management issues will be able to be effectively dealt with (if the option includes the regional council’s role).
- 4.12 The Commission then identified its “preferred option”. In addition to meeting requirements for “reasonably practicable options”, the Commission had to take into account the following further matters:
- which option will best promote “good local government” which includes:
 - enabling democratic local decision-making
 - providing good quality infrastructure, services and regulatory performance
 - which option will facilitate improved economic performance which may include:
 - efficiencies and cost savings
 - productivity improvements
 - simplified planning processes.
- 4.13 As the Commission’s preferred option was not the “no change” option, it proceeded to prepare a *Consultation Document*. A period of community consultation takes place including a period in which the Commission is seeking feedback / submissions on the Consultation Document.
- 4.14 A hearing of the submissions has been provisionally scheduled for late April 2021.
- 4.15 The Commission will then consider whether to proceed to issue a final reorganisation proposal. If the Commission were to decide on the “no change” option, it would end its process there.

4.16 Process Timeline

Date	Timeline
4 October 2018	Application from Tokomaru/Opiki Group received by LGC
4 April 2019	LGC invited alternative applications
15 May 2019	Call for alternative applications closed
23 May 2019	One alternative application received and tabled at LGC meeting
21 October 2019	LGA changes – enables LGC to be more flexible with the re-org process
23 July 2020	LGC adopted reorganisation investigation process document
13 October 2020	Public meetings held in Opiki and Tokomaru to help inform the LGC's proposal
1 March 2021	LGC released its Public Consultation Document
7 April 2021	Submission close
Late April 2021	Hearing of submissions – date to be confirmed
Mid May 2021	Outcome expected

5. Discussion

A version 1 draft submission was distributed to Council seeking comments / feedback.

Taking Council's comments and feedback into account, a version 2 draft submission for consideration will be distributed to Council and uploaded to Council's website on or before Tuesday 30 March 2021.

6. Options

The options are to endorse / not endorse the draft submission, and make amendments for the final submission.

6.1 Cost

The cost impact will be outlined in the draft submission.

6.1.1 Rate Impact

The rate impact will be outlined in the draft submission.

6.2 Community Wellbeing

Community Wellbeing will be outlined in the draft submission.

6.3 Consenting Issues

Nil.

6.4 LTP Integration

Council is currently consulting on the Long Term Plan 2021 – 2041. The Long Term Plan sets out the services and projects Council is going to deliver for the district over the next 20 years and includes the Tokomaru and Opiki area.

7. Consultation

Council has engaged with the community via The Commission's engagement process.

8. Legal Considerations

Any legal considerations will be outlined in the draft submission.

9. Financial Considerations

Financial considerations will be outlined in the draft submission.

10. Iwi Considerations

Discussion has taken place with a representative of Ngāti Whakareta who has indicated that as an iwi they oppose the proposal to alter the Horowhenua and Palmerston North City boundary.

11. Climate Change Considerations

Not applicable.

12. Environmental Considerations

Any environmental considerations will be outlined in the draft submission.

13. Health & Safety Considerations

Not applicable.

14. Other Considerations

Other considerations will be outlined in the draft submission.

15. Next Steps

Submissions close at midnight 7 April 2021.

A Hearing of submissions will be notified by The Commission, which is expected to be scheduled for late April 2021. A decision is expected mid-May 2021.

Should the decision be not to proceed with the boundary alteration, the process will end there.

Should the decision be made to proceed with the boundary alteration, The Commission will notify affected parties of the process and timeframe for the change.

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.

16. Appendices

No.	Title	Page
A	Draft Submission 2 - Opiki/Tokomaru Boundary Alteration (<i>Under Separate Cover – available on or before Tuesday 30 March 2021</i>)	

Author(s)	Sue Hori Te Pa Governance and Executive Team Leader	
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Approved by	David Clapperton Chief Executive	
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